

# Daily Nebraskan

The sound and fury of Kimani Ffriend changes with every trip down the court. In SportsWeekend/16



Creationism vs. evolution sparks debate on campus In News/3

He's a lawyer by day, a photographer of urban beauty by choice. In Arts/11



UNL chemistry professor Gerard Harbison sits in front of the computer console that operates his home-built nuclear magnetic resonance spectrometer. Thanks to a National Science Foundation grant, UNL will be receiving a new NMR spectrometer this spring.



Sharon Kolbet/DN

## Magnetic discoveries attract new equipment

BY SHARON KOLBET

The nearly 6-foot-tall metal cylinder stands in the center of the room. A small sign warns visitors to keep their distance. The machine is infamous for erasing floppy disks and credit cards.

University of Nebraska-Lincoln chemistry professor Gerard Harbison walks past the large cylinder and sits down at the nearby computer console.

The home-built computer station has been assembled with various screens, knobs and keyboards taken from earlier instruments.

The metal cylinder and accompanying computer station form Harbison's homemade—but high-tech—spectrometer. "I came from a tradition where if you needed a certain piece of equipment, you built it," Harbison said.

The 300 megahertz nuclear

magnetic resonance, or NMR spectrometer, in Harbison's lab and the 500 megahertz NMR owned by the chemistry department are key tools to understanding the structure and function of molecules.

NMR spectrometers function on the principle that the nuclei of most atoms act as tiny magnets. When these nuclei align parallel or anti-parallel to a magnetic field, they either emit or absorb radio-frequency energy and generate an inside look at the molecule.

Thirteen years ago, when Harbison was writing lines of computer code for his home-built machine, the commercial sector wasn't offering the type of equipment he needed for his research.

But as times have changed, the commercial NMRs have improved, and the university will soon receive a new commercially built spectrometer.

*"It is hard to justify the cost of getting the instrumentation if you don't have faculty, yet at the same time it is difficult to recruit that kind of faculty if you don't have the right instrumentation."*

Richard Shoemaker

UNL instrumental director and researcher

While the NMR Harbison built has served his research team well, the professor said he was looking forward to the arrival of the new machine.

"I am sure my research team will enjoy using a computer that comes with a mouse," Harbison said.

The new spectrometer, set to arrive May 1, will be a 600 megahertz instrument that is stronger and more versatile than the department's current 500 megahertz machine.

"The new NMR will help our

recruitment," said Richard Shoemaker, UNL instrumentation director and researcher.

The new spectrometer, financed by a \$615,000 National Science Foundation grant, will be the most advanced NMR in the state. Its arrival will help UNL remain competitive with other major research centers.

In the past, having an older spectrometer, while other institutions had more advanced

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## Carhart sues NU for defamation

BY JILL ZEMAN

Claiming the university damaged him emotionally and professionally, Dr. LeRoy Carhart filed a lawsuit Wednesday against the top leaders of the University of Nebraska.

Carhart was released from the volunteer faculty at the University of Nebraska Medical Center in December, and said, in his lawsuit, his dismissal was a political act.

Carhart, who provided the university with aborted fetal tissue for research on Parkinson's and Alzheimer's diseases, has been in the spotlight over the past year.

The doctor's involvement in aborted fetal tissue research sparked a statewide controversy among anti-abortion rights activists, who demanded Carhart be removed from UNMC's faculty.

Last July, Carhart successfully challenged Nebraska's ban on partial-birth abortions in the U.S. Supreme Court.

"The unrelenting pressure from anti-choice activists and the Nebraska Republican Party makes it clear that my termination was a political act," Carhart said in a statement.

Dennis Smith, NU president; Lee Jones, executive vice president and provost; Harold Maurer, UNMC chancellor and James Armitage, dean of the UNMC College of Medicine were listed as defendants in the suit.

Members of the NU Board of Regents, including former regents Rosemary Skrupa of Omaha and Robert Allen of Hastings, are also listed in the lawsuit.

"Simply put, this case is about freedom—the cherished, long fought over freedom of all United States citizens to exercise their constitutional rights and not be retaliated against and lose their job," said Sherrie Russell-Brown, attorney at the New York-based Center for Reproductive Law and Policy, which represents Carhart.

*"The unrelenting pressure from anti-choice activists and the Nebraska Republican Party makes it clear that my termination was a political act."*

Dr. LeRoy Carhart

former UNMC faculty member

On Sept. 12, Carhart received a letter from UNMC terminating his volunteer faculty appointment, which he has held since October 1997.

The lawsuit says because of the university's actions, Carhart has suffered and will continue to suffer professional, academic and personal injuries including:

- Defamation.
- Loss of reputation and professional esteem.
- Injury to Carhart's career.
- Chilling of his constitutional and academic rights.
- Deprivation of professional and scholarly opportunities.

Carhart is asking for compensatory and punitive damages, with the amount to be determined at the trial.

Richard Wood, NU legal counsel, said the university denied all of Carhart's charges.

The reason Carhart was asked to leave, Wood said, was because he was volunteering in a department in which he didn't specialize. Carhart, an abortion doctor, volunteered in the department of Microbiology and Pathology.

"The university realized there was a lot of other public issues affecting Dr. Carhart and the university," Wood said.

"But the university's action was because of (the College of Medicine's volunteer) policy, not because of his exercise of free speech or the nature of his profession."

## Bill intends to increase MIP penalty

BY MARGARET BEHM

A senator introduced a bill that might make minors think twice—even more so than they do now—if they are convicted of MIP.

Sen. Mark Quandahl of Omaha introduced LB114 to the Legislature, which changes the way adolescents are charged with Minor in Possession of Alcohol and the punishment they receive if convicted.

The Association of Students of the University of Nebraska has drafted a bill to lobby against the stiffer penalties through its Government Liaison Committee.

According to the bill, two factors need to be present for people to be charged with MIP, Quandahl said. The first is that someone under the age of 21 has to be within proximity of alcohol.

Whether a person is in proximity of alcohol is up to police discretion, Quandahl said.

The second is that a person would have to exhibit signs of consumption of alcohol, he said.

Signs of consumption would be determined by police either through observations or through blood testing, he said.

"The bill provides for a presumption of consumption," he said.

In other words, police could charge someone with MIP if the person in question was around alcohol and seemed to be acting drunk—whether or not it was proven through a scientific test.

But Tim Keefe, staff attorney for UNL's Student Legal Services, says that presumption of consumption is illegal.

"It's unconstitutional because people are innocent until proven guilty," he said.

An example of this would be if a person drank at his or her own home (which is legal), then went to a beer party and didn't drink—he or she could still get an

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## Senators look to shore up election process

■ One bill would study Nebraska's election process, while another would back off exit pollsters.

BY GEORGE GREEN

In a move that could ensure Nebraska of avoiding a Florida-style election debacle, the Government, Military and Veterans Affairs Committee heard a slew of testimony Thursday on elections.

The committee dove into debates about exit polls, write-in spaces and election hours. It also heard a suggestion to form a special task force to examine how elections work.

Government committee members led by committee Chairwoman Sen. DiAnna Schimek of Lincoln advanced to the floor of the Legislature LB67, which would form a six-member task force to study Nebraska elections in the next two years.

The bill, introduced by Speaker Doug Kristensen of Minden, would

charge the special task force with examining how votes are counted, observing Election Day procedures and ensuring that Nebraskans don't fall victim to discriminatory voting policies, such as inequitable distribution of election resources and support materials.

Kristensen also introduced LB125, which would scoot exit pollsters 1000 feet from voting areas.

Under state law, pollsters can question voters 20 feet from election places, he said. The extra space his bill mandates would have a "cooling off" effect on voters, who aren't sure whether they want to divulge the information to pollsters who are anxious for the scoop.

The buffer zone would help keep Nebraska from following Florida to "national disgrace," he said.

Alan Peterson, a lobbyist for Media of Nebraska, which represents media outlets from across the state including the Lincoln Journal Star and the Omaha World-Herald, said the bill

infringed too much into the press's right to ask questions.

Essentially, he said, the bill would create a 6-block halo around each polling place, pushing pollsters back so far that they couldn't find anyone to question.

"The truth is it wipes out all exit polls," he said.

Peterson said other state courts had tossed out barriers as small as 200 feet because they infringed too much on the press's constitutional rights.

But at the end of the day, the committee chose to amend LB125, lowering the barrier to 200 feet. It then voted to send the bill to the Legislature's floor for debate.

The committee sent only one other bill to its full body, LB252.

The bill, introduced by Schimek, would give voters a spot to write in presidential candidates in the general election.

Neal Erickson, assistant secretary of state, said Nebraska was one of only two states in the country that let voters

scribble in extra candidates in the primary election, but not the general election.

He said the state should change its policies to save some of the cash it spent on lawsuits over the practice.

"We get sued on the issue frequently," he said.

Voters sue the state claiming they can't vote for their preferred candidate, he said.

But, he said, the state always won because it was easy to get on the ballot in Nebraska.

Still, Erickson said, the state shelled out \$10,000 to \$12,000 each time it fought a lawsuit.

On another election front, Kermit Brashear of Omaha presented the committee with a proposal to extend voting hours on Election Day by an extra hour.

LB77 would open polls at 7 a.m. instead of 8 a.m.

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## UNL renews Grambling State exchange program

■ The university, along with Alcorn State and two other schools, offers opportunities to experience diversity.

BY LINDSEY BAKER

Nebraska's colors don't stop at red and white.

And with the recent renewal of the UNL's partnership with the historically black Grambling State University in Grambling, La., administrators ensured that the University of Nebraska-Lincoln will continue to have a campus of many colors.

The partnership allows UNL and Grambling to exchange both students and faculty members, as well as con-

duct extensive research projects.

"The partnerships create an opportunity for immersing students in a culture other than their own home institution culture," said Merlin Lawson, dean of UNL's College of Graduate Studies.

"The cultural experience is quite fascinating ... and unique," he said.

The agreement, originally signed in 1995, joins UNL's list of partnerships with three other universities: Texas A&M University in Corpus Christi, established in 1997; New Mexico Highlands University in Las Vegas, N.M., established in 1998; and Alcorn State University, established in 1999.

Alcorn also is a historically black

university, while the other two are predominantly Hispanic.

Senior actuarial science major Erin Gartner said her semester exchange at Alcorn during the spring of 2000 was a true learning experience.

"I wanted a change," she said. "It was completely different from the University of Nebraska."

Gartner said the culture, location and even climate of the Lorman, Miss., university were a new, but definitely beneficial, way of life.

"Being a Caucasian female, you don't always get a chance to be a minority in a situation," she said. "I learned to adjust to my surroundings."

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Finding Alcorn State



Melanie Falk/DN