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THE DAILY EASTERN NEWS

February 4, 2003 ♦ **TUESDAY**

It was a
Wonder-ful
game

Panthers flying high after 64-46 win
over Golden Eagles.

Page 12

Six witnesses testify in first day of trial

By Shauna Gustafson
SENIOR WRITER

Asphyxia was the main cause of death, with contributing causes of manual strangulation, internal bleeding and stab wounds, in the murder of Shannon McNamara, a forensic pathologist said.

Dr. Travis Hindman, of Springfield's Memorial Hospital, testified Monday as an expert witness in the murder trial of Anthony B. Mertz, 26, a former Eastern student.

Mertz was arrested June 12, 2001, and is standing trial for first degree murder, aggravated criminal sexual assault and home invasion. He could face the death penalty if convicted. Monday was the first day of testimony in a case that has been ongoing since June 12, 2001.

Indicating abrasions, cuts and bruises through photos taken during the autopsy, Hindman explained which wounds had caused the most trauma and gave his testimony as to when each wound was most likely inflicted.

The final cause of death, as determined by Hindman, was asphyxiation, defined as the inability to exchange air, caused by a wash rag that had been stuffed into McNamara's mouth.

"It had to be removed forcefully," Hindman said. "It was virtually stuffed in there."

Photos presented to the jury also showed hemorrhaging in the mouth, as well as various stab wounds and bruising all over McNamara's body.

Some of the wounds likely were made post-mortem, Hindman said. However, some injuries, including blunt force trauma that caused a laceration to McNamara's liver, probably were inflicted before death, he testified. Internal bleeding was enough that it was likely the heart was still beating when the blow occurred.

Such a blow would take a lot of force, he said, as the liver is well protected by the rib cage.

Hindman testified some of the bruises around her neck might have been made in self defense.

"Some of them could be self-inflicted," he said.

Questioning often centered around the charges of sexual assault and whether penetration occurred or if only cuts were around the genital and anal areas. Hindman testified during cross examination that there had been no anal or vaginal penetration.

DNA evidence, crime scene photos and personal testimony of occurrences the night before the murder were promised during opening statements by State's Attorney Steve Ferguson.

He said he will connect Mertz to McNamara's apartment through the discovery of a Navy credit card with Mertz's name on it in the apartment, a possible DNA match between scrapings taken from under McNamara's nails to Mertz, and a piece of latex glove found in

Illinois State Bar sets guidelines for steps in trials

By Carly Mullady
CITY EDITOR

Coles County's approach to the Mertz case so far has paralleled the murder trial outline specified by the Illinois State Bar Association.

David Anderson, assistant executive director of the Illinois State Bar Association, described the typical steps of a murder trial in Illinois.

Once a suspect is arrested for murder, he or she must then be indicted for the crime, Anderson said.

Former Eastern student Anthony B. Mertz was arrested in June 2001 for the murder of fellow student Shannon McNamara. Mertz was then indicted on charges of home invasion, criminal sexual assault and first degree murder.

Anderson said an indictment is done through the state's attorney and a grand jury. "During the indictment process, the prosecution presents police reports and evidence to the grand jury which decides whether or not to indict the accused," Anderson said.

Following criminal indictment, an arraignment is held to determine charges and legal counsel.

Mertz pleaded innocent at his arraignment in August 2001, even when informed it was the state's intent to seek the death penalty if convicted.

In preliminary hearings, Mertz was appointed a public defender.

SEE TRIAL ♦ Page 3

her apartment that matched gloves found in Mertz's apartment. Ferguson said only 1 in 1.8 billion white, unrelated individuals would match the DNA type that was found, and Mertz was a match.

Ferguson also mentioned a kitchen knife found in a dumpster near Mertz's apartment that had blood on it that matched McNamara's and the brand of knife that McNamara had in her apartment. He also mentioned Mertz had access to box cutters, like the one found in McNamara's apartment, at his job as a building service worker at the Student Recreation Center.

Mertz's attorney Paula Phillips delayed her opening statements until the defense begins its portion of the evidence stage.

The prosecution introduced testimony, beginning with McNamara's roommate, Carissa Brooks, followed

SEE MERTZ ♦ Page 7



COLIN MCAULIFFE/PHOTO EDITOR

Frances Murphy, a professor in the school of family and consumer sciences, distributes fliers informing students about the potential strike and what the teachers are demanding, Monday afternoon outside the Food Court in the Martin Luther King Jr. University Union. Teachers will be at the Food Court today and tomorrow from 11 a.m.-1 p.m.

Fliers share main UPI issues

By John Chambers
ADMINISTRATION EDITOR

The University Professionals of Illinois distributed fliers with scorpions on them Monday to inform students of issues involved in negotiations.

Union President David Radavich said the fliers were given to students by various union faculty outside the Martin Luther King Jr. University Union and will also be passed out Tuesday and Wednesday.

The flier cites three primary issues of faculty and staff compensation, workload and online and distance education. UPI leaders have said the issues cannot be compromised before a contract settlement can be reached.

"(The issues) is what UPI is trying to protect," the flier states. "Intelligent students must protect their own issues."

As negotiations progress into the 11th month, Radavich said it is important for students to know the issue of increased compensation is not the only faculty concern.

"We need to let students know what the issues are. I think the impression is it's mostly about money," he said.

He said students seemed angry at the thought of a strike in November and December and now some appear supportive as they learn the faculty stance on negotiating issues.

SEE UPI ♦ Page 6

Some students worried about impact of faculty strike

By Kevin Sampier
ADMINISTRATION REPORTER

The possibility of a faculty strike has many students worried about their grades, credits and graduation, but administrators say those fears are unnecessary.

Although Interim President Lou Hencken sent a letter to all student university e-mail accounts last week saying classes would not be interrupted during a strike, some students and faculty still have their doubts.

Some students are nervous about graduating on time, said freshman music major Justin Hunt.

"I just started here. That would just have to add to the amount of time I'd have to be here," Hunt said.

Students could be affected by the quality of education if a strike caused teachers to walk out of the classroom.

"I don't see how they're going to find that

More inside

♦ Students share their thoughts on possible strike
Page 6

Association helps students adjust

By Karen Kirt
EDITORIAL PAGE EDITOR

Typically, students come to college itching to find their niche at their particular school. And likely, fitting in is merely a petty task for most students.

However, for many international students attending college in the United States, with the educational opportunity comes discomfort, said Sue Songer, international student adviser for the Division of International Programs.

A Recognized Student Organization called the Association of International Students is one campus group which helps international students cope with living in a country foreign to them.

Spotlight: Eastern

♦ In the spotlight this week is Association of International Students. This article is part of a series focused on events, people and organizations in our community



The RSO focuses on building community and conducting social events while also providing an outlet for international students. Since international students often speak various languages, they may be hesitant to get involved, since they are surrounded by a majority of people whose native

land is the United States.

"I think many American students are uncomfortable with international students," Songer said. "It is not a vicious thing. It's because they are frightened. There is discomfort in crossing the language barrier."

Despite the discomfort that may exist between American and international students at Eastern, Songer insisted Eastern students are friendly, but the college international scene is different from the one students may be accustomed to from high school. They differ, she said, because international students are more prevalent on college campuses.

SEE ASSOCIATION ♦ Page 7



Harrison Genson, a freshman political science major, and Ken Bauer, a junior journalism major, demonstrate a mock trial in preparation for an upcoming competition Monday afternoon in Coleman Hall.

Mock trial team preps for county courthouse

By Shannon Partain
STAFF WRITER

Mock trial is a two-credit-hour, one-semester political science course and the students who take the course work to compete the following semester when the course is over.

Every year students who take the mock trial course act as lawyers and witnesses acting out either a civil or criminal trial.

Students spend first semester practicing so they can compete against other schools second semester and hopefully get a bid to nationals.

"The first time Eastern went to nationals, we took first against schools like Harvard," said Ken Bauer, junior journalism major and mock trial team captain. "Last year we tied for fourth place out of 30 teams, but walked away with the fifth-place trophy."

Bauer said Eastern ranked in the top tier for the first time in three years.

"Pre-law studies are no joke," he said. "We like to show that we can hang with the best."

The students in mock trial will perform Thursday in the Coles County Courthouse with judges presiding over their proceedings.

"We like to show that we can hang with the best."

—Ken Bauer

Mike Wurl, junior political science major team captain, said Eastern will be competing in regionals on Feb. 14 and 15.

Bauer said regionals are a precursor to nationals.

"We should be pretty close to getting a bid (to nationals)," said Wurl.

This year the mock trial is a civil case. "Each year we alternate between criminal and civil cases, and this year we're doing a civil case," said Bauer. "It's a wrongful death suit of a 7-year-old boy."

Bauer said students involved with mock trial put in numerous hours both semesters and receive only two credit hours.

"If you count the class time we put into (mock trial) and we got credit for it, it would be 12 hours," said Bauer. "You don't take the classes for the hours; you take it because you love trial advocacy."

Wurl said: "It's interesting if your interest is in pre-law."

Friends remember Woods' 'encyclopedic knowledge'

◆ *Library operations assistant died Friday*

By Tim Martin
CAMPUS EDITOR

Raymond L. "Randy" Woods, 55, died 11:56 p.m. Friday at his home, leaving behind a strong marriage, loyal friends and a high esteem among co-workers.

Woods, who worked as a library operations assistant at the circulation desk of Booth Library, died of a heart attack, co-workers said Monday.

"He was never a person to draw attention to himself," said Kathleen Kuhliger-Carter, a co-worker of Woods. "In life he was quiet, but he is leaving an awfully big hole."

A visitation is scheduled from noon to 1 p.m. Tuesday at the Caudill-King Funeral Home, 1117 Jackson Ave. in Charleston, and will be succeeded by a reception at 2 p.m. in the Booth Reception Room, co-workers said.

The concluding services will be held at 1 p.m. Wednesday at the Kurrus Funeral Home in Belleville, with visitation beginning at noon.

Woods was born June 26, 1947, in East St. Louis, son of Kenneth Raymond and Betty Packer Woods, who

both survive and reside in Burnsville, Minn.

He first married Judith Schatz, who preceded him in death, and then married Susan Lerch, who survives, on Sept. 1, 1972, in Kankakee.

Lerch-Woods said she most remembers her husband for his dry sense of humor and intelligence.

"I think he had a sharp, blighting wit," Lerch-Woods said. "He had an 'encyclopedic knowledge' and that's why he was always at the library — it seemed like he knew something about every topic."

Millburn Smith, a family friend of the Woods and their landlord for the last 25 years, said he had a special relationship with the couple.

"I have lived next door to them for the last 25 years, and I have enjoyed all that time," he said. "I sort of see (Randy and Susan) as a son and a daughter — I really loved them."

John Whisler, director of Booth Library General Operation, also found Woods' sense of humor to be one of his best qualities.

"He had a very wonderful dry sense of humor," he said. "He was a joy to be around, and it was nice to work with him." Allen Lanham, dean of library services, said Woods was hired on Sept. 8,

1985, and provided more than 17 years of superior work.

"Randy was very caring, very detail oriented," he said. "He was one of those guys that would come in early so others could have an easier start."

Woods is survived by one brother, Scott Woods, and a niece and nephew, Angela and Jeff Woods, of Burnsville, Minn.

Co-workers hold Woods in the highest esteem.

"He was very thoughtful," Kuhliger-Carter said. "I don't ever remember hearing one complaint about him."

"We depended on him, and he gave us support on a lot of things. He always answered our questions, he was always there for us," she said.

Chris Coughill worked with Woods as a library tech assistant at the circulation desk.

"He really got to know people on a personal level," he said. "He connected with people personally and that helped on the professional level."



Raymond Woods

Diversity bylaw draws senate to 'Beyond Words'

◆ *Many types of events and meetings meet bylaw criteria*

By Avian Carrasquillo
STUDENT GOVERNMENT EDITOR

The Museum of Oppression was a popular event frequented by members of Student Senate to fulfill a diversity requirement which is mandatory each semester, as it states in their bylaws.

Student Body President Alison Mormino attended the Museum of Oppression, the Alan Page lecture and University Board-sponsored events.

"You shouldn't force diversity to the point of

where someone is uncomfortable, but it's good to get out of your element every once in a while," Mormino said.

According to Mormino, to fulfill the requirement, student senate members are required to write down what event they attended on a piece of paper and tell what they learned from it.

Lisa Flam, student vice president for student affairs, championed diversity in her campaign, and said the diversity requirement is a great way to give student senate members a different perspective.

"When I was a senator, I attended the Black Student Union Talent Show, and it

was awesome," Flam said. "It's not something that I normally would've attended, but I did because of the requirement. It's a really good way to get out of your comfort zone and get a feel for other student's perspectives," Flam said.

Flam, in addition to attending the Homecoming Step Show, said popular events this semester that Student Senate members have attended include the Museum of Oppression. Flam said Student Senate members are not able to fulfill their diversity requirement by attending any Student Government sponsored events, like the upcoming Unity Week, which Flam is planning.

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EDITORIAL

Negligence needs to stop now

Bylaws aren't made to be broken, although the leadership of the University Board would say otherwise.

The UB's breaking of two bylaws and violating the Illinois Open Meetings Act during a meeting Jan. 28 wasn't done maliciously as the UB Chair Caleb Judy said, but it sure was negligent.

The UB needs to fix its mistakes and make sure it doesn't make them again.

Judy said and Director for Student Life Cici Brinker confirmed the UB's efforts to reach compliance with the Illinois Open Meetings Act, but the board still failed to comply.

The UB took three votes related to the hiring of a concert coordinator during closed session.

Such a breach is inexcusable and violates a basic principle of our democracy — meetings of public bodies must be public.

The UB also knowingly broke a pair of its own bylaws, one of which it had been breaking repeatedly.

This unacceptable practice can't continue. Judy and others contend the bylaws are old and need revisions. Simply because the bylaws are dated doesn't give the UB license to break them. Breaking bylaws also makes the UB appear uninformed and careless.

Judy said movements to make revisions will come in the near future, but they should have been made a while ago. A bylaw states expenses more than \$10 must be approved by the executive committee. Judy called this practice inefficient and said it would make meetings last much longer than they do.

So what is the point of the executive committee when Judy and others have no one to answer to? Their checks and balances are weak.

UB knowingly violated a bylaw that stated a coordinator must have at least two semesters left before he or she graduated.

Donna Fernandez, whom the board voted to the concert coordinator position at the meeting, graduates in May.

Judy said the UB violated this bylaw last year when it hired a public relations coordinator.

Just because the UB broke the bylaw once doesn't make it OK to break it again. Judy said the bylaw was broken because he wanted to hire the best person for the job.

The best thing the UB can do to fulfill its job duties right now is to correct these wrongs as soon as possible.

The editorial is the majority opinion of The Daily Eastern News editorial board.

At issue

The University Board breaking two bylaws and violating the Open Meetings Act

Our stance

The UB must revise the bylaws or quit breaking them.

OPINION

Trial proceedings disturbing



Caitlin Prendergast
 Senior reporter and bi-weekly columnist for *The Daily Eastern News*

Prendergast also is a senior journalism major.

She can be reached at 581-2812 or cprendergast@eiu.edu

Something was different about Monday morning, and it wasn't just the unseasonably warm weather.

A line of people stood outside the Coles County Courthouse, waiting to escape the gloominess that hung with humidity in the air. The mood of the crowd was somber as we walked past television crews and metal detectors, and no one knew what to expect beyond the doors of courtroom one.

At least I didn't. Nearly two years after the crime, the capital murder trial of Anthony Mertz began Monday. Mertz, a former Eastern student and employee, is accused of strangling fellow student Shannon McNamara to death in June of 2001.

In total, he is charged with home invasion, first-degree murder and criminal sexual assault, some of which was post mortem.

Just shy of turning 22, McNamara was a senior from the Chicago suburbs who wanted to be a physical education teacher. McNamara was a member of the Alpha Phi sorority, and she apparently had many friends. A track star in high school and junior college, McNamara was active in the community and loved children. Her family described her as an angel.

I never knew Shannon

"After witnessing only two hours of the trial, I am haunted by what I saw and heard."

McNamara, but I easily could have. As I sat in that courtroom and viewed crime scene photos of her dead body, followed by her sunny sorority portrait, I grew increasingly uncomfortable.

I'm a member of the editorial board of *The Daily Eastern News*, and I could be called upon to cover some aspect of the Mertz trial in the next few weeks. Technically, I should be unbiased and emotion free during something as monumental as a murder trial but, after hearing just the opening statements and McNamara's roommate's testimony, I felt sickened.

This was not an episode of "Law & Order," nor was Judge Judy presiding over courtroom one. This was real — too real — and I didn't belong.

The courtroom was packed with McNamara's sorority sisters, members of the press and many others, including some curious residents who probably didn't belong there either.

By law, a courtroom must remain open in almost all situa-

tions; however, a murder trial is not supposed to be a form of entertainment. Students may benefit from observing Mertz's trial, but it's unlikely anyone who witnesses any of the proceedings can walk away unaffected.

Reading the details of McNamara's death in the paper, disturbing and gruesome as they have been described, was nothing compared to hearing and seeing photos from her murder scene.

I doubt I'll have many opportunities to sit in on a murder trial, especially one involving two students I may have walked past on campus or stood next to at a bar. That's why I went to the courthouse on Monday morning — partly out of curiosity and partly to experience what could be a landmark case. But I'm not going back to courtroom one. After witnessing only two hours of the trial, I am haunted by what I saw and heard. A mere two hours, and I'm certain to have nightmares tonight.

I can't imagine how the victim's family and friends must feel, knowing they have to recap McNamara's final hours over and over again for the next three to four weeks.

I can't imagine how anyone could not feel for that beautiful young woman on such an ugly February morning.

YOUR TURN: LETTERS TO THE EDITOR

Practice of underage drinking won't end

Campus without parties not a fun one

I really don't believe that people believe the [shenanigans] the city government of Charleston would have them believe.

Only the five bars they caught let underage people into their establishments. Charleston is a college town, underage drinking will go on. No one is saying it is right, but let's get real, it is always going to go on, either at a bar or at a students apartment.

I am not condoning the underage drinking or the underage people being let into these establishments.

I just cannot believe the [things] Mayor Dan Cougill shovels to the people.

The truth of the matter is, in the three years I was at Eastern and the two years since, I have seen Marty's cited quite a few times for allowing minors into its establishment.

I actually worked at Marty's for a very short time and was treated rather poorly. However, Dave Kinnard does not knowingly let underage people.

I also lived in the Old Towne Management apartment complex, which shared a parking lot with Stu's and was right across the street from Stix.

I have never seen Stu's employees busted for allowing minors into their establishment, even though I continually saw the practice going on. The joke was if you had a Charleston Public Library card, you could get into Stu's. Every time we would have friends come to Charleston were underage, we would go to Stu's.

More underage drinking goes on there than anywhere else around campus (or at least it did while I was there). But somehow the mayor never caught them.

Underage people have been caught in Stu's in the past, but for some reason the bar itself was not cited, but every other

bar gets cited when underage people are allowed in.

I am not saying that the practice of underage drinking doesn't go on, or it is ok, but if you are going to go after one bar, you have to go after them all.

I just cannot stand the mayor's propaganda about this issue. If it were up to him, Eastern probably would close. He acts as though he cannot stand students and would just as soon not have them around. It would really be something to see a new mayor be elected, but only the Charleston residents vote, so that won't happen.

All the students should get together and change their license address to their campus address at least three months before the next mayoral election and elect a student to be mayor or at least someone who cares about the students. Only several thousand residents live in Charleston and more than 10,000 students of those are students; I think the students would win.

Then maybe students could get some benefit from the city government. Possibly change the bar age from 21 to 19 like in Champaign. Oh, but wait a minute, that would allow too much fun for the students, so we can't allow that. Let's just end all the propaganda, shall we Mr. Mayor, sir?

Robert Burns
 Eastern alumni

Strike speculation very interesting

The current situation at Eastern is very interesting. As the University Professionals of Illinois was essentially forced into a strike authorization vote by the administration's laughable contract offers, interim President Louis Hencken sent out a mass e-mail to the student body.

This email included a few questionable statements. The first was when Mr. Hencken promised "if a strike happens, it is our intent that classes will continue to meet. Students in good academic standing who are scheduled to graduate will receive their diplomas as planned."

I would like to ask Mr. Hencken how he plans to make this happen? Would he like to tell the student body how classes are going to continue if the faculty strikes?

Maybe Hencken is going to rally the administration to teach the classes. I'm sure he would have no problem teaching a metal-smithing class. Maybe Jill Nielsen, vice president for external relations, can take over the history research writing courses. With the increase in administrators they should have no problem replacing the striking faculty.

The second questionable point in Mr. Hencken's mass email was the Web site he linked. I'm sure it was an accident, but he only linked the administration's contract negotiating Web site.

The UPI also has a Web site dealing with the negotiations (www.eiu.edu/~EiuUpil).

I urge the students to look at the UPI Web site and then forward a link to their parents.

If Mr. Hencken is going to send out a mass e-mail there is a good chance he will send out similar propaganda to your parents and the media.

Eastern has a spectacular group of professors. It is unfortunate the administration doesn't treat them with the respect that they deserve.

Chris Lempa
 Eastern alumni

Before seeing the beauty of Eastern's campus, prospective students first notice the many empty businesses on Lincoln Avenue and around town. They hear from friends and other students how it will soon be hard to get into the bars. I even heard the cops have a sound monitor and drive around and make sure a party isn't too loud! I can assure you a campus devoid of parties and bars is a campus devoid of fun. And that is never a good selling point for high school seniors choosing a college. If respect for the bars has been lost, why not just shut them all down and lose the one consistent profitable area (liquor taxes) the city undoubtedly enjoys? I'm sure it will make Charleston even more of a boom town.

As for the harsh but good-natured column, "Drinking law great deterrent," published in the Jan. 28 edition of *The Daily Eastern News*, taking a minor's driving privileges away because they were caught drinking is ridiculous.

The "law is the law" rhetoric, when used in this context, is tired and gets nowhere. Can we please take our heads out of our naïve butts and realize minors will drink and continue to drink, anywhere they can.

Taking away a driver's license should be reserved for DUI offenders, not for minors who made a mistake.

Keep in mind the minor doesn't have to be in a car, or even near a car. Just one slip-up and poof — no license for a year! How cruel can we get?

Casey Cora
 Senior journalism major

LETTERS TO THE EDITOR: The Daily Eastern News accepts letters to the editor addressing local, state, national and international issues. They should be less than 250 words and include the authors' name, telephone number and address. Students should indicate their year in school and major. Faculty, administration and staff should indicate their position and department. Letters whose authors cannot be verified will not be printed. Depending on space constraints, we may edit letters, so keep it concise. Letters can be sent to *The Daily Eastern News* at 1811 Buzzard Hall, Charleston IL 61920; faxed to 217-581-2923; or e-mailed to majones@eiu.edu



DANIEL LEE/STAFF PHOTOGRAPHER



DANIEL LEE/STAFF PHOTOGRAPHER

Above: Liz Hollow, a freshman elementary education major, and Cheryl Goebel share an umbrella while walking down the South Quad Monday afternoon.

Left: Matt Ellerson, a sophomore undecided major, covers his head with his coat Monday afternoon on the Library Quad.

Student Senate to entertain Iraq war resolution

By Avian Carrasquillo
STUDENT GOVERNMENT EDITOR

The possibility of a war with Iraq has hit home as the Student Senate will hear a resolution on the matter at this week's Senate meeting.

The resolution asks the student government at Eastern to join other student organizations around the country, as well as

religious, academic and political figures in opposing a unilateral, preemptive war on Iraq.

Student Senate member Amanda Sartore, who is against war, had the resolution brought to her attention by Jeremy Pelzer, who authored the resolution.

"Anytime someone brings up an issue like that, I will bring it up to Student Senate," Sartore

said.

The resolution cites a recent study that stated a war with Iraq could result in the death of up to 260,000 people within the first three months, and could cost the United States \$1.9 trillion in a time of economic uncertainty.

"I think we need something like that because we're in a time of financial crisis. Diverting money to the war is not going to

help education, money for education will be less. The potential loss of life, students, people that you know, there is no point," Sartore said.

The resolution calls for student government to urge the U.S. government to work with and through the United Nations to ensure Iraq complies with U.N. Security Council resolutions regarding the disarmament of its

weapons of mass destruction, and to fully support the work of United Nations weapons inspectors towards the end.

"I think it will be a heated debate when it is presented," Senate Speaker Bill Davidson said.

If approved by Student Senate Wednesday, the resolution will go to the Charleston Chamber of Commerce.

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What do students think about a possible strike?



Steven Blackmon
"If it happens, I'll be pissed. I'm supposed to graduate."
senior sports management major



Maureen Kirby
"Go for it. They need their money. As long as they are teaching us well, they deserve money."
junior special education major



Katie Maasen
"They should strike if some of their demands aren't met. They should be paid what they deserve."
sophomore psychology major



Liz Williams
"If they were so worried about money, they shouldn't have taken this job in the first place."
freshman business major

Council to continue discussion on term-shortening lawsuit

By Carly Mullady
CITY EDITOR

The Charleston City Council meet Tuesday night to discuss the pending legal matters between council members.

The lawsuit council members Lorelei Sims and Marge Knoop, and resident Susan McMillan placed against the city of Charleston is on the agenda for resolution at the 7:30 p.m. meeting.

Other topics to be addressed at the council meeting include bid awards for the Water Treatment Plant, authorization of temporary street closures for a 5K run, cable television franchise agreements, Title VII of the Unified Development Code, condemnation proceeding legal service agreements and an amendment of a

Charleston city code ordinance. Authorizing entry of joint motions into the declaratory judgment lawsuit of Sims, Knoop and McMillan vs. the city of Charleston is an important part of tonight's agenda.

Sims and Knoop's terms would be cut in half because of a statute in the city manager form of government. This statute went overlooked until after the two were elected in 2001. Sims, Knoop and McMillan filed a declaratory judgment in search of professional legal guidance.

Last week the council met in an executive session to discuss the terms of the lawsuit and potential steps toward resolution were developed. The matter will be up for resolution at tonight's meeting.

The council will also address

awarding the \$20,998 bid for replacing the granular activated carbon in the filters of Charleston's water treatment plant. This bid will be a payment to the American Carbon Services of Pennsylvania.

The April 26 Campaign for Better Health Care 5K Run would require certain Charleston streets to be closed. The authorization for temporary street closure will be addressed as well.

Also, the council will vote on authorizing a cable television franchise agreement with MCC Illinois L.L.C.

Approval of Title VII of the Unified Development code and an amendment to the Public Health and Safety Ordinance Title II, Chapter 2 of the Charleston City Code are also on the council meeting's agenda.

Quarantine pinching state's blood supply

NASHVILLE, Tenn. (AP) — Red Cross officials begged for blood Monday after quarantining a blood supply used in four states while investigators tried to figure out why a mysterious white substance is showing up in blood bags.

The quarantine affects 70 percent of the blood supply in the Red Cross' Tennessee Valley Region, which includes parts of Tennessee, Illinois, Kentucky and Missouri. The 1,200 units represents about a two-day supply.

Some areas said they were dangerously low on red blood and plasma.

"It's a near-critical situation right now," said Dr. Brian Carlson, a Red Cross regional medical director. He said he had only a single unit of O-negative blood Monday afternoon.

The Red Cross in Nashville began examining its supply after white particles showed up last week in 110 units of blood in the Southern Region, which serves Georgia and part of northern Florida. On Sunday, Tennessee Valley officials found similar white particles in 10 units of blood.

An investigation by the Food and Drug Administration and the Centers for Disease Control and Prevention has focused on bags manufactured by Baxter International Inc. in Deerfield.

Preliminary testing indicates the particles are not dangerous or infectious, but investigators remained unsure of the cause. The national Red Cross said it has received no reports of adverse patient reactions.

UPI:

CONTINUED FROM PAGE 1

The flier, directed at students, asks about concern for a strike and lists contact numbers for the Board of Trustees and Interim President Lou Hencken for students to call with strike or negotiation concerns.

The UPI is questionably bargaining in good faith, as federal mediator Jerry Carmichael has asked aspects of negotiations be kept private, said Bob Wayland, director of employee and labor relations.

"I'm disappointed in seeing (the flier). We are still negotiating, and we are meeting with the federal mediator," Wayland said.

The UPI flier with "Fear Factor 101," on the top was distributed to students.

Wayland said the union is trying to gain student support.

"They are trying to put fear into the students," he said. "It still doesn't change anything. They're trying to get the stu-

dents to rally to help them."

Wayland said the faculty have asked for an increase in faculty hiring in the interest of workload.

"We have not asked for increased workload. The administration, the department chairs and the deans have a right to assign workload to the faculty," he said. "It's kind of ironic. They're asking to lower the workload at the same time they're asking for higher wages."

A flier listing administrative proposals distributed at a UPI meeting last week stated, "Administration proposals have consistently enabled the assignment of increased workloads."

UPI chief negotiator Charles Delman would not comment on the flier because of the intended confidentiality of negotiations.

English instructor Lynanne Page said the current administrative proposals in negotiations would "severely limit the amount of time instructors will

be able to give."

Page was a student at Eastern from 1992 to 1996, and she distributed fliers Monday.

"What I remember here is the kindness of the instructors and the amount they gave of personal time," she said.

With the amount of time faculty normally devote to research, passing out fliers is an opportunity for students to find out what is motivating faculty and the importance of not increasing faculty workload.

"My concern is that students get what they need," Page said.

UPI members voted in support of a strike authorization vote last week and federal mediation continues Wednesday. The next step towards a strike can't be taken until mediation has ended.

Radavich said efforts will continue to inform students, including organizing separate meetings with students who have come to the union with concerns and the possibility of a student forum

\$4.75 Red Bull Mixers
\$1.50 Domestic Bottles
Sumo Suit Wrestling 9-close
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(By Appt. Only) 6:00pm-10:00pm
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7-9 pm

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Wed Feb 5th: Blimpie Subs
Thurs Feb 6th: Stix Tacos

Call House: 348-8222 For Rides
Annex: 345-3066

Mertz:
CONTINUED FROM PAGE 1

by a police officer; a neighbor; the victim's father, Robert McNamara, and the county coroner.

Brooks testified she had been at work at Stix on the evening of June 11, 2001, and returned home at about 1 a.m. June 12, 2001. She saw McNamara's door was closed, which usually meant she was sleeping.

Brooks said she changed clothes, called her boyfriend and went to his house for the rest of the night. She said she made sure to lock the deadbolt on the apartment when she left.

Brooks testified she returned home a little before 9 a.m. the next day and noticed the deadbolt was not

locked. She said when she opened the door, she saw McNamara lying on the floor in front of her, with a cut down her abdomen. Brooks said she immediately went upstairs to a friend's apartment and called the police.

She described her state at that time as "hysterical."

During cross examination, Brooks was asked by defense attorney Paula Phillips if she was sure she had deadbolted the door, and if she ever had thought she had locked it before but really had not.

Brooks said she was sure she had because she had been "spooked" by a truck that had driven through the neighborhood very slowly with its dome light on.

Officer Ron Delude with the

Charleston Police Department testified next, and as the first officer on the scene of the crime, was the first authority to witness the body.

"I noticed a large, gaping wound on her abdomen," he said. "It was obvious that she was deceased."

Three paramedics arrived about the same time as Delude, and he said no one touched the body to the best of his knowledge. He testified that about five minutes after he arrived a detective arrived on the scene. The two of them did a quick search of the apartment to make sure no other victims or a potential suspect were on the premises.

McNamara's father testified third, mostly to verify facts about McNamara while she was living. No

cross examination of his testimony occurred.

Michael Letinin, who was McNamara's next door neighbor at the time, testified that he had been awoken early in the morning, between 5 and 5:30 a.m. by strange noises coming from McNamara's bedroom, as the two rooms shared a wall. He said he did not think anything was wrong, that the noises sounded sexual in nature. He said he heard no voices, just thumping and muffled moans.

He said he might have been awoken by a scream but was unable to say if that was definitely what had awoken him.

Coles County Coroner Mike Nichols testified as well, saying he

had declared McNamara dead at the scene after observing a "massive wound" that began near the neck and extended through the sternum, to the belly button.

During cross examination Nichols said he did not try to ascertain a cause of death at the scene. He said McNamara had been dead for several hours when he arrived at the scene around 11:30 a.m. June 12, 2001, but declared time of death when he pronounced her dead. He testified it is not the job of the coroner to determine exact time of death.

Hindman also did not set an exact time of death.

The trial will continue today at 9 a.m. in Courtroom 1 of the Coles County Courthouse.

Impact:
CONTINUED FROM PAGE 1

many teachers to take over all those classes," said Jennifer Leach, freshman elementary education major.

Charles Delman, chief negotiator for University Professionals of Illinois, said the university would have a hard time filling the positions left open by a strike.

"There certainly would be a change in the quality of education. There would be 500 faculty members that would be replaced by who?" Delman said.

Bob Wayland, director of employee and labor relations, said the college has many ways to keep classes running during a strike and students don't need to worry.

"There are a number of administrators that are qualified to cover classes," Wayland said. "There are sources outside the college that are willing to teach and profit seeking organizations that are willing."

Wayland also said the UPI leadership and faculty members supportive of the strike have been giving students biased information in their classes.

"Their tactics of trying to worry the students about a strike is appalling and inappropriate, and it shows they're not bargaining in good faith," Wayland said.

UPI leaders have asked faculty to

not share information regarding negotiations with students in a classroom setting, union President David Radavich told *The Daily Eastern News*.

"It sounds like the basic thing is they want more money. I'm just hoping it won't affect me," said Ryan Smith, sophomore social science major. "I don't want to come back and the classes are twice the size."

Freshman social science major Alan Jones said, "The teachers have to (strike) to get what they want, but at the same time, they have to think about the students."

Some students didn't know about the possibility of a strike, while others could relate to the teachers.

"I'm going to be a teacher, and I can understand they want more money," said Amber Forester, freshman elementary education major.

Brian Durr, freshman business marketing major, said the strike is possible time away from the classroom.

"It would probably keep me from going to class," he said.

Junior theater major Devon Raye said negotiations are about more than compensation.

"I understand the teachers' point of view," he said. "It's not exactly the salary that's bothering them; it's the work load and not being able to put in as much time with the students as they would like."

Association:
Group hopes to inform about the international community

CONTINUED FROM PAGE 1

AIS, which was spearheaded in the 1970s, hosts monthly forums informing students on different international topics, including study abroad opportunities and the like. Besides students, faculty members and administrators are frequent attendees of the programs, she said.

Yuki Umeda, president of AIS and a committee member for two years, said the members of the organization have a lot of links to people around the world since their community events are not limited to the local area. She said becoming friends with people from different locations and cultures also is important to the group.

The group also conducts international movie nights in which they choose a foreign film with English subtitles for members to enjoy.

Umeda said she is hopeful Eastern students will lose their bias, one thing that is especially important to the group.

Although there may be several differences in culture and traditions between American and international students, Umeda said she is looking forward to a day when "people will look at us as we are."

Students who have experienced study abroad programs are usually those who can

relate the most to international students on campus, Songer said.

"People who have studied abroad show great empathy and understanding to international students here," Songer said. "I appreciate that."

Members of AIS are currently fundraising for their trips to St. Louis and Memphis, which are planned for spring break. The group has eagerly been selling 3-by-5-foot flags that can be purchased through the end of February for \$10 each, Umeda said. She said the fundraiser is unique because any country's flag that is known to exist is available for purchase.

Past fundraisers "have been successful," she said.

Although not affiliated with RSOs such as the Chinese Student Union and the American Asian Association, Umeda said the groups often interact and attend each other's events.

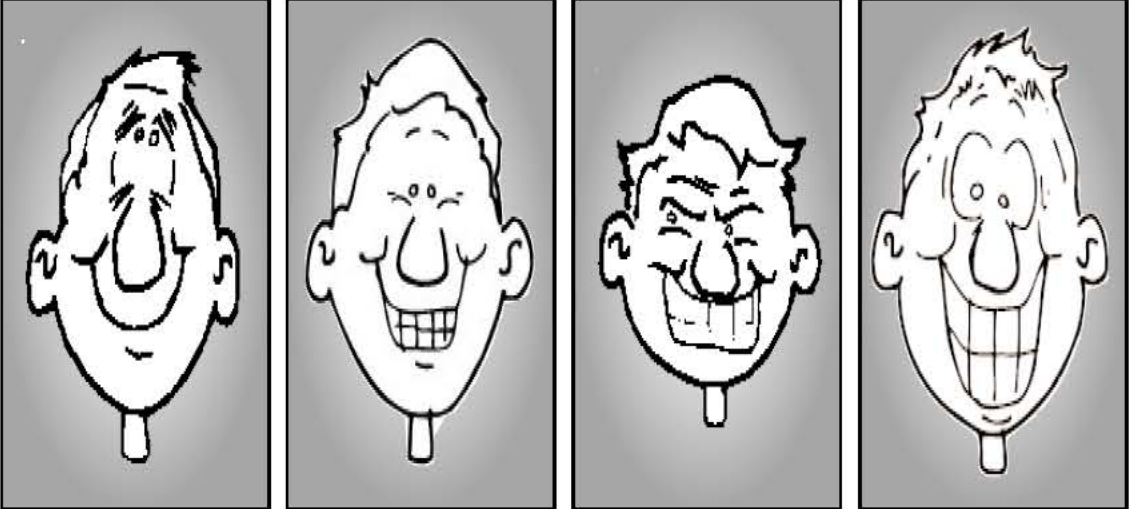
Before last year, international students' voices were previously nonexistent in Eastern's Student Government, until an international student captured a slot on the Student Government.

Songer, who continuously advocates for international students involvement, said she was overjoyed when she discovered the particular student's accomplishment.

"I hope someday for their voices to be heard in campus issues," Songer said.

AIS meets 5 p.m. Tuesdays on the fourth floor of Booth Library.

For more information on AIS or to purchase a flag, email Umeda at anuragbrt@hotmail.com.



Yearbook Pictures

Call 581-2812 for appointment

Feb 24th to 27th

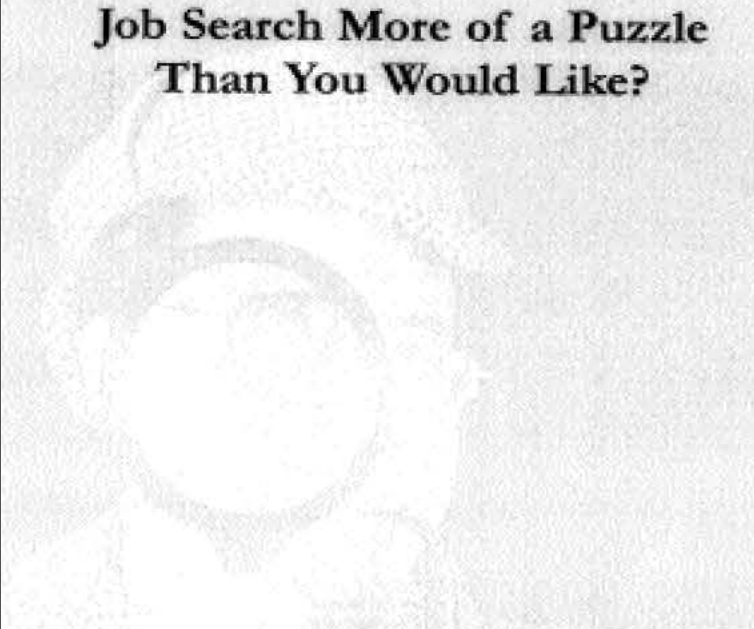
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NATURAL TIES: MEETING tomorrow night at 5 p.m. in the Paris Rm. 3rd Floor of the Union. Everyone welcome. Change a life maybe even yours.

WESLEY FOUNDATION: Fireside Chat on Tuesday, February 4th at 7pm at the Wesley Foundation, across 4th Street from Lawson Hall. Just come over and shat with other students and th ecampus pastor about whatever you'd like to talk about.

SOCIETY FOR HUMAN RESOURCES MANAGEMENT: Informational Meeting to be held at 6pm in Lumpkin Hall room 1041 on Tuesday, February 4th. Pizza and drinks will be provided, all majors welcome.

EIU ASTRONOMY CLUB: Bi-Monthly meeting to be held at 7pm on February 4th. It will be in the Physical Science Building room 2437.

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Phone: _____ Student: ☐ Yes ☐ No

Under classification of: _____

Expiration code (office use only): _____

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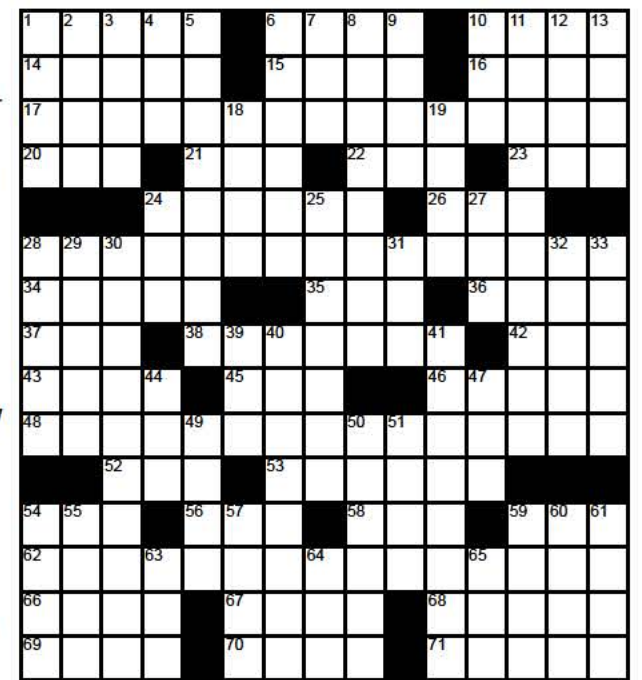
Edited by Will Shortz

No. 1224

- ACROSS
- 1 Passing fan-cies
- 6 Cathedral area
- 10 End-of-week cry
- 14 Greek column style
- 15 Fishing rod attachment
- 16 Roughly
- 17 Split
- 20 M.D.'s work in them
- 21 "Yummy!"
- 22 "This means!"
- 23 Home of the N.L.'s Cards
- 24 Sleep medication
- 26 Bartenders check them: Abbr.
- 28 Split
- 34 Earth tone
- 35 Mag. staff
- 36 Slap shot success
- 37 Not just aloof
- 38 Closes tight
- 42 Dangerous sprayer
- 43 Runners' units
- 45 601, to Nero
- 46 Brought on board
- 48 Split
- 52 "That means!"
- 53 Actor William of "Yanks"
- 54 Cooking spray brand
- 56 Mercury, but not Mars
- 58 Metal container
- 59 Bud's comic buddy
- 62 Split
- 66 Like poor losers
- 67 Itsy-bitsy bug
- 68 Golfer Palmer, informally
- 69 "The Untouchable s" extras
- 70 Wallet padding
- 71 Bill from a computer company?
- DOWN
- 1 Smart-alecky
- 2 Happy
- 3 Travelers' stopovers
- 4 Prefix with night or day
- 5 Runs like a rabbit
- 6 Coffee shop lures
- 7 Check endorser's need
- 8 Kelp and others
- 9 Island near Corsica
- 10 Unit of bricks
- 11 Wimbledon venue
- 12 "Winning everything"
- 13 Babe in the stable
- 18 Arab ruler
- 19 Like Death Valley
- 24 Corrida cry
- 25 Something that may be hard to hold

ANSWER TO TODAY'S PUZZLE

SEIYV SENO NEWI
EINRV EIIW EROS
SMENIEKRWKCOIS
NOTERO RVCWV
ENVAED NOA
ETILOBENIMTVWS
DERIH ICD SDVT
IZN JNSTVES AJCI
TVOG SDE EHECO
EHCVDEHSREHMOB
SDI EIVIDPO
TIS RYM WWW SRE
VNVAVNOEAVNNOS
OSRO TEER CINOI
FIOT ESEV SWITHM



Puzzle by Nancy Salomon and Harvey Estes

- 27 Statesman Hammarskjöld
- 28 Gets really steamed
- 29 Philosopher William of
- 30 Discounter's pitch
- 31 Tempe sch.
- 32 Old sitcom maid
- 33 Say "Li'l Abner," say
- 39 One of eight Eng. kings
- 40 Environmental problem
- 41 Game "played" with answering machines
- 44 -mo
- 47 Suffix with Canaan
- 49 Gambler's need
- 50 Calls to mind
- 51 Like a skinny-dipper
- 54 Verbal nudge
- 55 It's smashed in a lab
- 57 BB's and bullets
- 59 Period of penitence
- 60 Something that hurts, slangily
- 61 Applications
- 63 Long time: Abbr.
- 64 Numbered hwy.
- 65 Org. for people with arms

Trial:

CONTINUED FROM PAGE 1

"In many cases it is determined the defendant does not have means to afford defense counsel; in those instances a public defender is appointed," Anderson said.

Preliminary court hearings were held to determine bond, but Mertz was ordered held without bond. He has been imprisoned since his arrest.

In what Anderson calls a fairly recent process, state resources are used to assist the defense in evidence gathering.

"Forensic and DNA evidence can require expensive testing," Anderson said. "A public defender can now get state assistance to pay for that evidence."

Following preliminary hearings, pretrial hearings were held for attorneys' motions.

"Typically, the defense motions to dismiss charges and assert rights, questions the ability to hold a fair

trial in a particular location and mentions any other pretrial concerns," Anderson said.

The Mertz hearings have resulted in denial of venue change requests, trial date extensions and various other motions involving evidence and trial stipulations. These decisions were all made by the presiding judge, Coles County Circuit Court Judge Dale Cini.

Jury selection began for the Mertz trial on Jan. 27. Anderson said a series of potential jurors are typically called and questioned in the jury box by a judge.

In the Mertz jury selection, potential jurors were questioned about relationships with witnesses, the defendant and the victim. They were asked whether they have read anything about the case, if what they have read has formed opinions and if they are willing to overlook any possible opinions.

Potential jurors were also asked their occupations and background

information as well as their perspectives on the death penalty.

"Potential jurors are questioned and each side can strike a certain number of jurors for cause or without cause based on feeling," Anderson said.

Final motions are then made before the jury trial commences. In the Mertz case, the motions were made Jan. 30. Cini decided to bar certain witnesses from the courtroom to prevent their exposure to other witness' testimony. Cindy McNamara, Shannon McNamara's mother, will not be allowed in court until she testifies, after which she will be permitted to stay within the courtroom.

Crime scene photographs, photographs of the victim and the knife containing Shannon's blood that was found in a dumpster behind Mertz's apartment were exhibits the prosecution submitted for opening statement approval. Cini denied using the knife for opening statements, but the court approved the use of a

live photograph of McNamara and crime scene photos.

Mertz's jury trial began Monday with opening statements.

"Prosecution's opening statements generally say, 'here is what we intend to prove, this is the nature of the crime, these are the elements of the crime' and so on," Anderson said.

The prosecution gave opening statements and six witnesses testified the first day of Mertz's trial.

Anderson said that presentation of evidence and witnesses by both sides follows opening statements.

"Prosecution presents first and then the defense has an opportunity to cross-examine," Anderson said.

Once the prosecution has presented the case, the defense presents its side.

"It is fairly routine for the defense to motion for a direct verdict of acquittal," Anderson said. "This means the defense claims there is not enough evidence to convict and motions for the judge to acquit."

If a motion for a direct verdict of acquittal is denied, the defense begins presenting its case. The prosecution then gets the chance to cross-examine the defense's witnesses and the defense rests.

Closing arguments follow the defense's presentation of evidence.

"Each side gives its interpretation of evidence, then they attack the other side's evidence and arguments," Anderson said.

Following closing arguments is jury instruction.

"The judge instructs the jury with very specific outlines as to what the job before the jury is," Anderson said. This is when the court lays out exactly what evidence can and cannot be considered during deliberation.

Jurors are then sent to form a unanimous verdict as to whether the defendant is guilty or not guilty.

In a death penalty case, if the defendant is found guilty, the jury must also determine if the crime deserves the death penalty.

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PERSONALS

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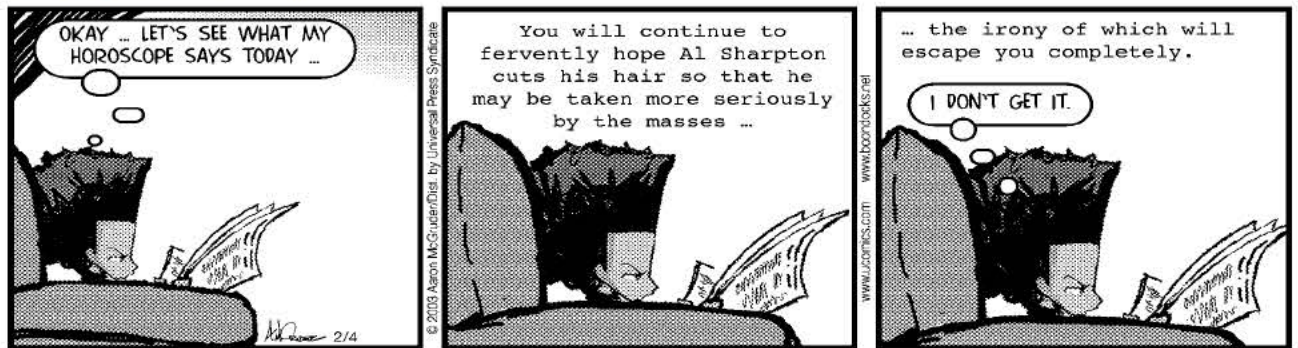


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BASEBALL

Baseball team picked to finish second

◆ *Panthers tie with Austin Peay in the second spot with 38 votes in OVC coaches' poll.*

By Aaron Seidlitz
STAFF WRITER

Recently the Ohio Valley Conference released its annual preseason coaches poll, which placed Eastern in the same spot they finished last season, second overall.

The Panthers are tied for the second spot with Austin Peay, and both teams are behind last year's conference champions Southeast Missouri.

Last season the Panthers finished with a final record of 25-26, but they were able to make it into the semifinals of the conference tournament. The team also returns five starters from that squad and boasts a pitching staff that is loaded with experience to build upon.

Perhaps the key for this years team will be designated hitter Bret Pignatiello, who hit .321 with 14 home runs in his junior year. Anchoring the Panther's offensive attack, Pignatiello is coming off a season where he was named to the All-OVC team and will need to have the same sort of production this year for Eastern to be successful.

To help bolster the offense, the Panthers are returning senior outfielder Kirk Walters. Walters missed the final 12 games of the season but was still able to hit over .300 and put up 31 RBI.

Eastern will also return a veteran-laden pitching staff, with senior pitchers such as Nathan Stone, Damon White, and Matt Tyson. These pitchers will have to replace three pitchers they lost at the end of last year.

With this skilled pitching staff, the Panthers are hoping the balance between their offense and pitching staff will be good enough to carry them over SEMO to win the OVC championship.

The Panthers finished behind SEMO in the coaches' poll by eight total points, and the Indians gathered five of the nine first place votes. SEMO had perhaps their best season ever last year going 37-20, with the 37 victories being a team record.

While the Indians lost two pitchers from last year who made the all-conference team, they are returning starter Tim Alvarez, who has become one of the top pitchers in the league. Last season he had a record of 5-1 with 2.95 ERA.

Austin Peay was only a few games better than the Panthers last season with a record of 30-27.

But Austin Peay will have to revamp their pitching staff with senior Dustin Smith being the only returning pitcher from last year's team. Four junior college transfers will be joining Smith on the mound.



Baseball Preseason Rankings

TEAMS	VOTES
1. Southeast Missouri	46 points
T2. Austin Peay	38 points
T2. Eastern Illinois	38 points
4. Tennessee Tech	37 points
5. Eastern Kentucky	21 points
6. Morehead State	20 points
7. Murray State	17 points
8. Tennessee-Martin	7 points

2003 Panther Captains

Nathan Stone	Pitcher
Nolan Cork	Infielder
Danny Jordan	Outfielder
Bret Pignatiello	Catcher/DH



FILE PHOTO

Senior outfielder Kirk Walters will be a key ingredient to the Panthers' success this season. Walters batted .303 last season with 31 RBI.

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Eastern athletes excel in the classroom

By Jason Blasco
STAFF WRITER

Seven of Eastern's men's and women's athletic teams received a cumulative grade point average of 3.0 or higher during the 2002 fall semester.

Rich McDuffie, Eastern director of athletics, said the cumulative average contributes to the highest graduation rate for Ohio Valley Conference and second highest graduation rate in the state next to the University of Illinois.

"Well I think our academic success contributes to the primary emphasis of academics over athletics," McDuffie said. "The student athletes understand that they

may have to miss practice to make up for an afternoon lab or a test that they have to go to."

McDuffie also talked about the added pressure student athletes face and how the emphasis on being competitive on the field carries over into the classroom.

"I think there are a couple of things. Athletes are sometimes a little more driven because of the nature of their sports are always competitive," McDuffie said.

Women's soccer forward Beth Liesen said athletes make an effort to build a relationships with professors to make it easier to handle their work load.

"Really we all establish a good

relationship with our teachers," Liesen said. "You have to balance your time and work around practices. At times it is overloading, but it really isn't that difficult."

Liesen was one of 19 student athletes receiving a 4.0 GPA last semester. Other student athletes receiving 4.0 GPA in the fall semester included sophomore Scott Mueller (men's basketball); senior Dan Mackey, sophomore Kristin Chandler and senior Amber Mauk (cross country), sophomore Melissa Doudna; senior Anne LeLanac and senior Kate Taake from rugby; junior Rebecca Traen from soccer.

Others include senior Erica Chu,

"You have to balance your time and work around practices."

—Beth Liesen

senior Allison Kenny and sophomore Alicia Wroblewski (swimming); junior C.J. Weber and senior Jana Matouskova (tennis); sophomore Aaron Grobengieser (track); sophomore Erica Gerth (volleyball); sophomore Brian Sbertoli (wrestling); and Kristen Darnell and Carrie Ninness (soft-

ball).

The women's tennis team led all Eastern teams with a 3.35 team GPA. The women's soccer team came in second with a 3.30 gpa followed by the women's swimming team (3.22), men's tennis team (3.19), the rugby team (3.07) and the women's cross country team (3.04).

"I think, first, our university has higher standards for admission," McDuffie said. "Those standards are applied to athletics just like the other students. Our overall university population begins with a higher standard. Our coaches play a role just as the faculty plays a role."

Williams: CONTINUED FROM PAGE 12

Men are expected to be more aggressive and vulgar while on the court, and I think the referees would have let it slide.

This may also be in part that Lantz Arena is a little louder when the men are playing compared to the women. Almost 3,000 more people piled into Lantz to see the men play, making it a lit-

tle less noticeable if one of them let out a little profanity.

When it all comes down to it, calls like the one made Saturday should be passed up. Players are going to show emotion and should at least be warned if they are not being offensive toward other people.

Until then, remember one thing: there is no swearing in basketball.

Fly: Panthers break losing streak against Eagles

CONTINUED FROM PAGE 12

However, the three-point lead would be Tech's largest and last lead. Junior forward Katie Meyers drove the lane to beat the shot clock to cut the lead to one, and on Eastern's next possession, senior center Brooke Gossett gave the team the lead.

Sophomore guard Rachel Karos completed a 6-0 Eastern run before Tech freshman guard Arleigh Brackin buried a three to tie the game.

But after Brackin's three, the Panthers controlled the game. Eastern outscored the Golden Eagles 20-12 in the following 11 and a half minutes.

One reason the Panthers were able to keep the Golden Eagles scoring down was by containing their inside players. Tech's leading scorer, freshman center Emily Christian was held to 11 points.

"Tennessee Tech, their main scorers come from the post," freshman guard Megan Sparks said. "Christian scores a majority of their points, and we knew if we shut her down, we knew we could shut down their perimeter."

Dailey made 5-of-6 from the field to lead all scorers at the half with 13 points. Dailey also made 2-of-3 from behind the three-point line.

The Panthers built on their lead in the second half. In the three-and-a-half minute stretch between the 16:30 mark and 13:00, the Panthers increased their lead from nine to 15.

However, Tech would not go out without making one last drive for the lead.

With just under six minutes to play, the Golden Eagles had brought the lead back down to nine after a pair of free throws by freshman forward Tamara Gilyard. But Eastern responded with a 9-0 run capitalized by a pair of plays by Sparks.

The first play gave Eastern a 16-point lead when Karos found Sparks in the corner for a three-pointer to beat the shot clock.

Sparks capped the run with an

easy layup after intercepting a pass just past mid court.

Eastern had the lead up to 21 points with 2:21 remaining, but a three by Brackin and a pair of free throws by junior forward/center Andrea Brown brought the lead down to 16.

Sparks ended the scoring with eight seconds left when she drove to the hoop from the wing for a layup. She finished with a game high 18 points and team high nine rebounds.

Dailey only played seven minutes of the second half and finished the game with 15 points. Meyers led the Panthers with four of their 12 steals and two of their seven blocks.

Brackin led the Golden Eagles with 12 points and lived up to reputation as one of the best three-point shooters in the OVC by making 4-of-11 from behind the arc. The only negative aspect of the game for the Panthers were their 15 turnovers.

"I just thought we had too many unnecessary turnovers," Wunder said. "It's still a thing we need to keep working on. We were able to get away with it tonight, but these are things we can't keep doing."

Sweep: Eastern looks to continue success against Indians

CONTINUED FROM PAGE 00

The Indians are led by a sophomore, junior and senior triple threat combination. Sophomore guard Derek Winans leads Southeast Missouri in scoring and had 23 points against Eastern in January.

Junior forward Tim Scheer is SEMO's best perimeter shooter

and scored 32 points against Tech. Finally, senior center Brandon Griffin is averaging a double-double (11.4 points, 10.6 rebounds) per game.

"I thought we defended their perimeter people pretty well last time but our big guys will have to step up," Samuels said.

Samuels realizes that his team needs to be playing its best basketball to put itself in the best position for the OVC Tournament which is exactly one month away.

"Every game is a big game from now on, but this is a critical week for us," Samuels said.

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SPORTS

Panther sports calendar

TUESDAY	M basketball vs. SEMO	7:10 p.m. Lantz Arena
THURSDAY	M basketball vs. E. Kentucky	7:10 p.m. Lantz Arena
FRIDAY	Wrestling at N. Illinois	7 p.m.
SATURDAY	W basketball vs. Morehead	5:15 p.m. Lantz Arena
SATURDAY	M basketball vs. Morehead	7:10 p.m. Lantz Arena

OVERTIME



Matt Williams
ASSOCIATE SPORTS EDITOR

Ref should have laid off his whistle

There's no swearing in basketball.

In Saturday's game against Tennessee State, senior center Brooke Gossett was given a technical foul in the first half of a 77-68 victory for swearing after missing two free throws.

I turned to staff writer Aaron Seidlitz and asked, "You can't get a technical for swearing because of frustration toward yourself, can you?"

At half time, I asked the referees the same question. The ref who blew the whistle walked away while the others just laughed. So my question was still left unanswered.

This left me with nothing left to do but look it up myself. Here is what I found under direct technicals for unsporting player conduct in the 2003 NCAA rule book:

"Disrespectfully addressing or contacting an official or gesturing in such a manner as to indicate resentment...taunting, baiting, or ridiculing another player or bench personnel."

By this definition, I feel that Gossett was not violating the rule because it was not directed toward the referee or an opposing player, but at herself for missing consecutive free throws. I doubt the ball or the basket was offended by what was said.

This leaves me with two questions: What would happen if they began calling technical fouls every time someone swore, and would there have been a call if it was a men's player in the same situation shouting those same obscenities?

I am not saying that swearing is by any means necessary, but in the heat of competition, emotions run high and sometimes words of frustration come out.

If a technical foul was called for every time someone forgot to hold their tongue, both teams would be at the free throw line all night and the game would last three hours. Sitting close to the floor, I heard more than just Gossett express their unhappiness with a play or a missed shot and the refs saved their lungs for real calls.

Another thing that bothered me is, what would have happened if those free throws decided the outcome of the game? If missing her own free throws weren't penalty enough, but having the Tigers capitalize on free throws of their own seems a little too much for words that were not even directed toward anyone else.

Let's say it was Henry Domercant or J.R. Reynolds who let a few bad words slip (not saying either would). Would the referee have stopped the game to 'T' one of them up?

I'll make a strong assumption and say no.

WOMEN'S BASKETBALL

Panthers fly past Eagles



COLIN MCAULIFFE/PHOTO EDITOR

Freshman guard Megan Sparks takes a shot with two Tennessee Tech defenders in her face. Sparks had a game-high 18 points in the victory.

By Matt Meinheit
SPORTS EDITOR

Eastern women's basketball team's 64-46 victory against Tennessee Tech might not have been a historic battle between two great teams, and when people look back the 2002-03 women's basketball season, it will not stand out above No. 1 Duke vs. No. 2 Connecticut, but for Eastern, it was huge.

"It's been a long time coming," Eastern head coach Linda Wunder said.

The Panthers (5-15, 4-5 in the Ohio Valley Conference) had lost to the Golden Eagles (7-12, 2-6) in 11 consecutive games until Monday, including first round OVC Tournament losses in 2000 and 2002. The last time Eastern beat Tennessee Tech was during the 1997-98 season, when Eastern won at home 63-54.

"I don't think (Eastern's young players) understand the pride and tradition of Tech's program," Wunder said. "They've been the premier team in the OVC for so long."

Early in the game, it looked like Tech would continue to dominate the Panthers. The Golden Eagles scored nine of the first 15 points of the game and Eastern's only points at the time came from a pair of three-pointers by junior guard Lauren Dailey.

Tennessee
Tech
46

Eastern
Panthers
64

SEE FLY ♦ Page 11

MEN'S BASKETBALL

Panthers go for sweep against Indians

♦ *Eastern may have lost senior guard Craig Lewis for the season with ankle injury*

By Matthew Stevens
SPORTS REPORTER

Eastern Illinois looks to sweep Southeast Missouri for the first time since its inaugural season in the Ohio Valley Conference in 1996-97 7:10 p.m. Tuesday night at Lantz Arena.

Exactly one month ago, senior guard Henry Domercant scored 35 points against the Indians in a 85-75 road win. The victory in Cape Girardeau is currently the only conference road win for the Panthers this season.

The Panthers (8-12, 3-5) are coming off a 96-67 home win over OVC bottom-dweller Tennessee State, but could end up being a more costly victory than they bargained for.

Eastern's senior point guard Craig Lewis will not play Tuesday and could have played in his last collegiate game. The Panthers' leading assist man was scheduled for an x-ray Monday, which is expected to reveal a broken bone in his left ankle.

"I'm not real optimistic that Craig will return anytime soon," Panthers' head coach Rick Samuels said.

Eastern's starting point guard Jake Sinclair will also see limited minutes Tuesday because of what is now being diagnosed as a form of pneumonia.

"(Jake) is still coughing heavily and can't seem to catch his breath in practices," Samuels said.

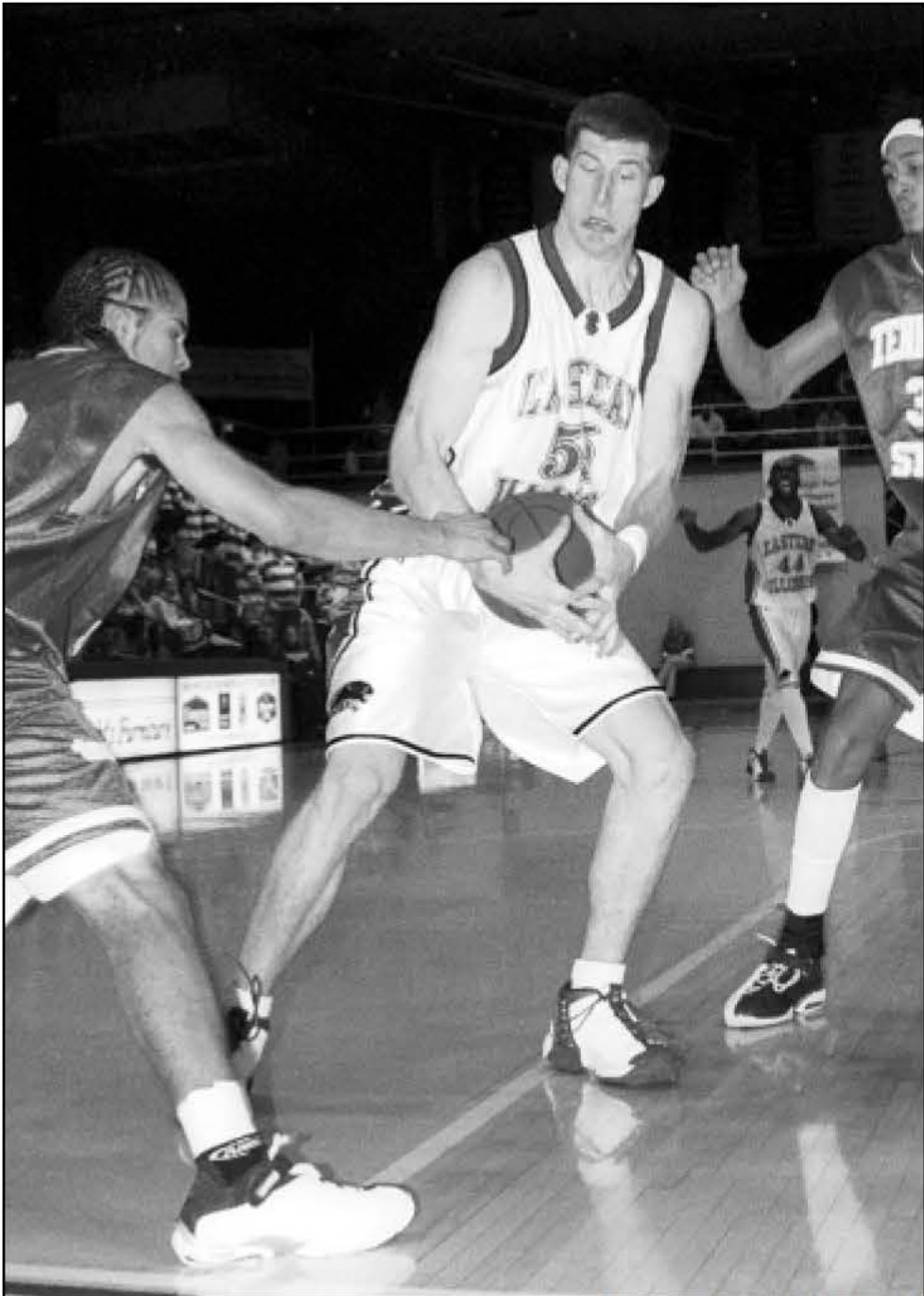
Samuels mentioned that these perimeter injuries mean more minutes for senior Ramon Taylor, junior Jason Wright and freshman Josh Gomes.

"Ramon will give us the support off the bench, and maybe this is a game that Jason Wright needs to step up," Samuels said.

However, Samuels is confident that Domercant will have many open looks for the perimeter because SEMO traditionally likes to play man-to-man defense.

"(SEMO head coach Gary) Garner is never been known for playing junk defense like the box and one," Samuels said. "Even when we played them earlier, they didn't play any zone."

The Indians (9-11, 4-4) defeated OVC defending champion Tennessee Tech 75-71 Saturday and currently stand fifth in the conference but are only two games out of second. Southeast Missouri may arguably be the most balanced team in the OVC with five players averaging double-digits in scoring without a dominant threat.



STEPHEN HAAS/ASSOCIATE PHOTO EDITOR

Junior center Jesse Mackinson fights for possession in Saturday's victory over Tennessee State at Lantz Arena. Mackinson and the rest of the Panthers will need to step up with injuries and illness plaguing them.