



Athletes' arrests raise questions about police policy

By Janese Silvey

After last week's arrest of a high-profile football recruit, the University of Missouri Police Department plans to reconsider the way officers handle marijuana offenses.

Police Chief Jack Watring said MU officers were following guidelines from a state codebook when they arrested Dorial Green-Beckham and two others on suspicion of possession of less than 35 grams of marijuana last week. The three freshmen were taken into custody and processed before being given summonses on misdemeanor charges.

That's different from the way the Columbia Police Department typically handles first-time marijuana infractions. City officers typically issue a summons without processing the suspect at police headquarters, Officer Latisha Stroer said.

Watring said MU police didn't find out city officers weren't processing marijuana offenders until last week.

"Before that time, no one had told us," he said. "No one had ever asked if we were following what they do."

Department supervisors are meeting next month and will discuss changing the practices then, he said.

Alexis Lyle, president of MU's National Organization for the Reform of Marijuana Laws chapter, said she finds it hard to believe MU police weren't aware of the language of the city ordinance, approved by voters in 2004. The city code says any law officer in Columbia should not arrest or detain anyone for possession of a misdemeanor amount of marijuana, except in certain cases such as repeat offenses.

"It's unfortunate those kids had to suffer and be arrested on something they shouldn't have been arrested on, but I'm glad it's something that gained attention," Lyle said. "Hopefully more people will realize that it's decriminalized here."

Devon Slavens, a fourth-year student and president of MU Students for Sensible Drug Policy, said she hopes university officials also consider the section in the ordinance that says enforcement of marijuana laws "shall be among the lower priorities of law enforcement."

So far this month, MU police have arrested seven people — including the three football players — on suspicion of possessing less than 35 grams of marijuana.

It's more of a problem to process the arrests "because it takes more time. That's probably not necessary," Watring said. "But, again, we were following the" state "code. We thought that's what the city prosecutor and judge wanted us to do. We will definitely revisit it."

City Prosecutor Steve Richey said his office does recommend MU police follow state statute and internal policies because municipal ordinances would require officers to decide whether to issue a state or municipal violation. MU police have dual jurisdiction throughout the Columbia city limits.

That means a marijuana violation cited off campus but within city limits by an MU officer could circumvent the city's 2004 marijuana ordinance.

"There is a good argument that" MU "police don't have to follow city ordinances like that," Richey said, although he acknowledged it's a situation that should be sorted out.

Tribune reporter Brennan David contributed to this story.

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COLUMBIA MISSOURIAN

LETTER TO THE EDITOR: MU police choose to arrest marijuana users against will of voters, students

By Alexis Lyle, Devon Slavens and Spencer Pearson

October 9, 2012 | 11:16 a.m. CDT

On the night of Oct. 3, **MU police officers arrested three Missouri football freshmen for marijuana possession: wide receivers Dorial Green-Beckham and Levi Copelin and linebacker Torey Boozer.**

These three players and fellow students could now face criminal possession charges, which would threaten their scholarships and future careers for possessing cannabis, a substance that has been decriminalized in Columbia since 2004.

In that same year, our two student government organizations, the Missouri Student Association and the Graduate Professional Council, both passed resolutions in favor of decriminalization and in support of Columbia's decriminalization law as it now stands.

MU police choose to continue to arrest marijuana users against the will of Columbia voters and MU students. The negative public attention directed to the football program harms an important revenue source to the university and the surrounding economy. This arrest and the subsequent sports media frenzy will surely hurt our future football recruiting, but even worse is the harmful impact on the careers of these players.

We, the members of the MU chapter of the National Organization for the Reform of Marijuana Laws and MU Students for Sensible Drug Policy, condemn the arrests of students on an offense that does not constitute arrest under Columbia law. We urge the prosecutor who receives this case to not press charges and choose to use public resources to prosecute crimes of violence and property instead. We also demand that the MU police cease wasting taxpayer dollars pursuing such harmless and victimless activities.

Alexis Lyle is the president of the National Organization for the Reform of Marijuana Laws; Devon Slavens is the president of MU Students for Sensible Drug Policy, and Spencer Pearson is the former president of NORML.

Phishing attacks leave UM System email accounts blacklisted

By Arthur Cook Bremer

October 9, 2012 | 8:01 p.m. CDT

COLUMBIA — Students and faculty throughout the University of Missouri System are having trouble sending outgoing emails after about 27 UM System email accounts were attacked from phishing scams over the past four days.

Email accounts at MU and the Missouri University of Science and Technology were compromised by messages that appeared to be from the universities' information technology departments asking students to click on links and submit personal information, according to Terry Robb, a spokesman for MU's Division of Information Technology.

By Monday evening, more than 2.5 million spam messages had been sent from the attacked accounts. As a result, incoming mail from the UM System's domain has been blacklisted by several Microsoft Corp. email services, including Outlook, Hotmail and Windows Live, meaning emails sent to those accounts will not be received, according to an email sent to MU faculty Tuesday morning.

This blacklist is not affecting mail being sent within the university's email system, Robb said.

To remove the university's domain from blacklists, the Division of IT will begin taking corrective action Wednesday by preventing a high volume of messages from being sent out from the university's domain over a short period of time. The Division of IT also will reset the passwords for email accounts that were attacked, Robb said.

Those measures might require a few computer users to reset their email configuration; anyone can receive assistance at IT help desks at all four campuses.

Phishing is a method used by hackers to retrieve personal information by sending email messages that appear to be from legitimate services asking readers to click on links and submit sensitive information, such as email passwords or bank account numbers.

Phishing scams are quite common, Robb said.

"Phishing messages come in all shapes and sizes," Robb said. "(Phishers will try) any way to separate you from your money or you and your identity."

The Division of IT will never ask for your password, Robb said, "so don't ever give it up and don't click on unknown links."

More information about how to avoid phishing scams can be found at MU's IT security website, Make It Safe.

MU environmental groups to meet with MU chancellor, UM System president about coal dependence

By [Lizzie Johnson](#)

October 9, 2012 | 6:36 p.m. CDT

COLUMBIA — Members of Coal Free Mizzou, Sustain Mizzou and the environmental science club will meet with MU Chancellor Brady Deaton and University of Missouri System President Tim Wolfe at 7 a.m. Wednesday to discuss the coal-powered plant at MU.

The student organizations plan to discuss a potential timeline to transition MU from coal power. The group wants it done by 2015.

"We know Mizzou has a plan, but in our opinion, it isn't moving fast enough," said MU student Kelsey Wingo, Coal Free Mizzou's media coordinator.

A rolling plan to reduce greenhouse gas emissions by 30 percent by 2016 is in place, according to an MU climate action plan. Increases in natural gas and biomass with a new biomass boiler will reduce coal use, the plan states.

The meeting was set up after Coal Free Mizzou's presence at the Sept. 13 UM System Board of Curator's meeting. Before the meeting, members wearing matching yellow "Beyond Coal" campaign T-shirts presented petitions and a storyboard demonstration to the curators.

Supervising editor is [Elizabeth Brixey](#).

MU lecture series developed in memory of Jerry Litton

By Chelsea Bengier

October 9, 2012 | 7:49 p.m. CDT

COLUMBIA – Jerry Litton, a two-term Missouri congressman, left a legacy of leadership both in government and higher education.

This year, his memorial foundation will honor him with a new lecture series and scholar program at the MU College of Agriculture, Food and Natural Resources, where he graduated from in 1961.

Litton was 39 years old in 1976 when he died in a plane crash on his way to a victory party in Kansas City after winning the state's Democratic primary for U.S. Senate. In October 2010, the Jerry Litton Family Memorial Foundation created a \$250,000 endowment at the college, which funds the new programs. The foundation collaborated with Thomas Payne, vice chancellor and dean of the college, to create the lecture series and year-long scholar program, which encourages students to pursue leadership opportunities through a seminar class.

"It's a lecture series that emphasizes leadership, and that's what the Litton scholars are all about," said Edwin S. Turner, vice president of the Jerry Litton Family Memorial Foundation.

Orion Samuelson, an agribusiness director at Chicago's WGN radio, will speak at the inaugural Litton lecture, "Let's Push the Wheelbarrow Right Side Up, Developing Leadership for Tomorrow's Agriculture." It will take place at 7:30 p.m. Monday at the Monsanto Auditorium in the Bond Life Sciences Center. The 15 Litton scholars will be introduced that night.

"We hope to create an awareness with the importance of leadership and to motivate young people in college – across all disciplines – to achieve their highest goals and to strive for leadership positions where they can make a difference," Turner said.

The lecture is open to the general public and MU students. At this point, no further lectures have been scheduled, though there will be more to come, Turner said.

"We wanted to provide some flexibility so we could bring some key speakers to campus, provide leadership for students and support for faculty," said Darcy Wells, the executive director of advancement at the College of Agriculture, Food and Natural Resources. The idea came from a number of projects led by Mildred Litton, Jerry's mother. When Mildred Litton died in 2008, the foundation pursued her quest to make a difference at the college.

"We wanted to endow a presence of the congressman in the college and put a program together that we think will be very beneficial in lots of different avenues," Turner said. For Turner, starting the lecture series in honor of Litton was a personal experience; Litton was his Alpha Gamma Rho fraternity brother and roommate at MU. Turner also worked as Litton's campaign manager in his first congressional campaign and as his chief of staff in Washington, D.C.

"He had the talent and the ability and the communication skills, and he certainly had the drive, the enthusiasm and the energy to have been in the big White House," Turner said. "Where he was in 1976 to achieving that goal is a long road and a winding road, and whether all the dominoes would've been in place to have allowed him to achieve that goal was anybody's good guess."

Thirty-six years later, Litton's speeches are still circulating around the country. The State Historical Society of Missouri has all of his papers, a digital library and the original "Dialogue with Litton" programs, a televised round-table discussion that started through radio before moving to TV. Litton invited other figures in government to the discussions, such as Jimmy Carter, from other states and Missouri. He encouraged the audience to ask questions and join the conversation, something historians say was revolutionary because no other congressman had done it before.

"It was a way to air out concerns about what the government was doing," said Laura Jolley, senior manuscript specialist at the State Historical Society of Missouri. "That's not something that has been tried since — maybe small scale and local politics, but Jerry Litton really took it to a statewide audience."

By the time he died, the program was airing not only in Missouri but also in surrounding states.

"He left a legacy that is unbelievable," Turner said. "It was 1976 when he was killed, and here we are still talking about him and having a lecture series. My personal experience with him was an experience of a lifetime and one I will always cherish."



Mizzou Opening Up Adult Clinic For Sickle Cell Disease

COLUMBIA, Mo. (AP) - The University of Missouri health system is opening a clinic for adults with sickle cell disease.

The clinic will be located in Columbia's Ellis Fischel Cancer Center and will provide certain hours beginning October 25th.

Clinic organizers say most treatment efforts have focused on pediatric sickle cell patients, including newborn screenings and infection control.



Supreme Court wades once more into racial preferences

Richard Wolf and Mary Beth Marklein, USA TODAY

The Supreme Court once again takes up the controversial issue of racial preferences on college campuses, and the court's tilt to the right in recent years could doom such programs.

MU MENTION P. 2

WASHINGTON — The spirit of the late Heman Sweatt will be inside the Supreme Court this week when the justices consider whether the University of Texas-Austin campus that he first integrated in 1950 has carried its system of racial preferences too far.

That's the argument posed by Abigail Fisher, who contends that her application for admission in 2008 was rejected because of her skin color: white.

Sweatt probably could relate to that. He sued the university after being blocked from admission in 1946 because he was black. Today, his descendants say, racial preferences are still needed to guarantee equal opportunities for minorities.

Both sides will be in court Wednesday when the justices take up *Fisher v. University of Texas* and the underlying issue of affirmative action that still divides the nation -- more than a half-century after Sweatt made civil rights history.

"*Fisher* gives the Supreme Court the opportunity to clarify the boundaries of race preferences in college admissions — or, perhaps, eliminate them altogether," says Edward Blum, director of the Project on Fair Representation, which fights in court against the use of racial and ethnic preferences.

The court has taken a turn to the right since its last ruling upholding affirmative action in 2003. Five justices are on record opposing the practice. That could mean defeat for the university —

and, possibly, a sweeping declaration that racial preferences are unconstitutional, not only at public universities but also at private schools such as Harvard and Yale because they receive federal funds.

"I would hate to see that happen," says Heman Marion Sweatt II, 62, a nephew of Heman Sweatt and a University of Texas graduate. "A lot of people feel that affirmative action is not needed anymore. I would love to see the day when affirmative action is not needed, but realistically, it still has to be dealt with."

On the flip side of that argument is Fisher, a plain-spoken young Texan denied entry into her father's and sister's alma mater. She says racial preferences made her a victim of discrimination.

"There were people in my class with lower grades who weren't in all the activities I was in who were being accepted into UT, and the only other difference between us was the color of our skin," she says in a video posted by the Project on Fair Representation to make its case. "For an institution of higher learning to act this way makes no sense to me."

The vast majority of higher education groups say it makes a great deal of sense. In brief after brief submitted to the Supreme Court in support of the Texas flagship university, organizations representing nearly all facets of higher learning – including public research universities, Ivy League schools, undergraduate and law students, even college basketball coaches – argue that colleges and universities must be allowed to consider race and ethnicity in admissions to achieve the educational benefits of a diverse student body. Some say nothing less than the nation's future is at stake.

The United States "is in the midst of a perfect storm of economic crisis, rapidly shifting demographics and lagging educational achievement compared to other nations," says University of Missouri higher education professor Roger Worthington, editor of the *Journal of Diversity in Higher Education*. "If we do not fix the underlying educational disparities that exist in this country, there is no path forward to regaining our competitiveness on educational or economic grounds."

Denied because 'he is a negro'

Before the landmark *Brown v. Board of Education* case of 1954 — the unanimous court decision striking down public school segregation — and a series of cases on racial preferences leading up to *Fisher*, there was *Sweatt v. Painter*.

It was a simple case. Sweatt had sued the university and its president, Theophilus Painter, for denying him admission to the UT law school in 1946 because, as Painter pointed out at the time, "of the fact that he is a negro."

To represent him before the Supreme Court, Sweatt chose Thurgood Marshall, who would go on to become the court's first black justice. He won the case based on another "fact" — that he could not get an equally sound legal education elsewhere in Texas. It was the first time the court had ordered a black student admitted to an all-white institution.

Sweatt left the law school before graduating, the victim of chronic health problems and a divorce. But his case may be more relevant to the court's consideration of *Fisher* than most of the cases that have followed, including *Brown*.

Today, those rulings have become victims of their own success. Schools and universities have grown more integrated, however haltingly. In *Grutter v. Bollinger*, the court's 5-4 decision upholding the University of Michigan Law School's limited use of affirmative action, Justice Sandra Day O'Connor predicted, "The Court expects that 25 years from now, the use of racial preferences will no longer be necessary to further the interest approved today."

The Michigan case wasn't a slam dunk for the civil rights movement. At the same time, the court ruled 6-3 against the university's more numerical system of racial preferences for undergraduate admissions. And the O'Connor decision included a dissent from Justice Anthony Kennedy that takes on added weight today: Since her retirement, he has become the swing vote.

"Preferment by race, when resorted to by the state, can be the most divisive of all policies, containing within it the potential to destroy confidence in the Constitution and in the idea of equality," Kennedy wrote in *Grutter*.

Kennedy's significance as the man in the middle hasn't been lost on lawyers for Fisher and the university. They mention him by name 50 times in their three main briefs.

Fisher's lawyers contend that the university seeks "racial balancing," something Kennedy clearly doesn't sanction. "Racial balance is not to be achieved for its own sake," he wrote in a Georgia desegregation case in 1992.

The school's lawyers point out that in using race as one factor, the university isn't resorting to quotas or numerical targets, which Kennedy disavowed in his *Grutter* dissent. They say the lawsuit "is just asking this court to move the goal posts on higher education in America and overrule its precedent going back 35 years."

The makeup of today's court is notable for other reasons. O'Connor's replacement is Justice Samuel Alito, a firm conservative who argued against affirmative action in the 1980s while serving in the solicitor general's office under President Ronald Reagan. On the left, Justice Sonia Sotomayor has called herself a "product of affirmative action" because of her admission into prestigious Ivy League schools despite less than stellar test scores. Justice Elena Kagan has recused herself from the case because of her previous involvement as solicitor general in 2009-10.

Colleges could 'lose out on a lot of great kids'

If the Supreme Court rules that the university went too far in using racial preferences, most experts predict the campus could see a drop in black and Hispanic enrollments, just as it did after the 5th Circuit Court outlawed a race-conscious admissions policy used by the University of Texas School of Law in 1996. A year later, state legislators created the "Top 10 Percent" plan,

through which students in the top 10% of their high school graduating class are automatically admitted to the state university of their choice.

That law has helped schools boost racial diversity, primarily because most of the state's public high schools are segregated by race and ethnicity, but not enough to achieve a "critical mass," school officials said. After the Supreme Court upheld the University of Michigan's affirmative action program, the University of Texas again began factoring race into admissions.

If the justices decide more broadly that extra measures designed to boost racial and ethnic representation on campus are unconstitutional or no longer necessary, the nation's most selective universities, public and private, will lose a long-standing tool aimed at furthering their mission to prepare a diverse pool of well-trained graduates for leadership roles.

A ruling against the University of Texas, or more broadly, the consideration of race in admissions, also threatens to upend a tradition by the court of deference toward university decision-making, says Ada Meloy, general counsel of the American Council on Education, a non-profit umbrella group that represents higher education institutions in Washington. She says colleges will remain committed to that goal even if Texas loses the case.

"It is so important to the vast majority of higher education institutions to be able to assemble the kind of student body that they think best fits their mission," she says.

Some of those who have petitioned the court on Fisher's behalf say colleges don't deserve that freedom. They argue that Jews, Asian Americans and others have been discriminated against in the past because of their academic talents, and nothing prevents such discrimination from extending to others in the future.

"Over their history, colleges and universities have often fallen prey to fashionable race discrimination," says a brief submitted by California and Connecticut faculty members and scholars, among others, who urge the court to overrule the University of Michigan decision. "Consequently, they are unlikely candidates to receive special deference on matters of race."

Colleges would probably turn to race-neutral alternatives used by public universities where affirmative action has been banned, Meloy says.

Already, public universities in Texas, California and other states have stepped up recruitment in high schools where the student body is made up predominantly of underrepresented minorities, established partnerships with schools to improve the pipeline of minority students, and established scholarships. The University of Georgia, Texas A&M University and the University of California system have dropped preferences for children of alumni, which tend to favor white students from relatively affluent families.

Colleges also might de-emphasize or eliminate an admissions requirement for standardized test scores, on which black and Hispanic students tend to score lower than white and Asian students.

In a study this month by the non-profit Century Foundation, author Richard Kahlenberg argues universities should accept that affirmative action has run its course and replace racial preferences with class-based preferences. Schools could put more weight on factors such as parental income, parents' education levels and resources available in the community where they live, he says.

Studies of the University of California system, where racial preferences have been banned since 1996, suggest that such measures alone would not be sufficient. At the University of California-Los Angeles, for example, African-American students represented 6.7% of its freshman class in 1995, but only 3% in 1998 and 3.6% last year despite multiple race-neutral strategies.

"All of our efforts in terms of outreach have not made an impact," says Youlonda Copeland-Morgan, associate vice chancellor of enrollment management. "Race matters."

In Del Valle, Texas, a predominantly black and Hispanic community east of Austin, Del Valle High School college counselor Sarah Mabry says many of her brightest students have overcome great obstacles to get to the point where they would even consider applying to a prestigious school such as the University of Texas.

"Let's give everybody the chance they deserve," she says. "For God's sake, this is America."

That's just why others argue against racial preferences — to protect the rights of Fisher and others who they say are victims of discrimination when universities ignore their superior qualifications.

"Nowhere in the Constitution or the Declaration of Independence does the word 'diversity' appear," a group of Texas faculty members argue in a brief supporting Fisher. "There is no constitutional basis for the courts, let alone a state university, to engage in such a radical restructuring of America, allocating education, jobs and contracts based on race."

If the Texas plan is declared unconstitutional, Marie Bigham, director of college counseling at the highly diverse Greenhill School in the Dallas suburb of Addison, predicts a chilling effect.

"My students of color, I worry they're going to say that 'these places don't value what I bring,'" she says. White students, too, will look elsewhere, she says. "When my students are shopping for colleges, (diversity) is an important data point for them. We're going to lose out on a lot of great kids."

'I didn't take this sitting down'

Among those either siding with Fisher or making the case against affirmative action programs are scholars who argue that racial preferences hurt those they are supposed to help.

Gail Heriot, one of three members of the U.S. Commission on Civil Rights to file a brief supporting Fisher, points to studies showing that minority students frequently falter at the toughest schools and in the most rigorous fields of study. Admitting them to Princeton rather than Penn State isn't always in their interest, she says.

"Grades matter more ... than eliteness of law school," says Heriot, a law professor at the University of California-San Diego. Minority students, she says, often should "thumb their nose at Princeton and go to a school where they're going to be a success."

That's the view of Richard Sander, a UCLA law professor and economist who studies the effects of racial preferences. He argues in his book, *Mismatch*, co-authored with Washington journalist Stuart Taylor Jr., that generous preferences from elite schools often doom students to failure.

"Our whole focus is on what will work," Sander says. "We're trying to make this a pragmatic discussion. It's been a very ideological discussion."

On the other side, the 73 briefs filed in support of the university's position include those from business executives, government officials and retired military leaders who say their fields need college affirmative action programs to provide a stream of qualified minority applicants. Several cite a 2009 study by retired Princeton University president William Bowen that shows low-income and minority students who enroll in academically demanding institutions are more likely to graduate than students with similar academic qualifications who enroll in less challenging colleges.

A brief filed by several Fortune 100 companies argues that affirmative action programs are "more important today than ever" because of a "country and world economy that are increasingly diverse." Another filed by former military leaders, including Colin Powell, Michael Mullen and Wesley Clark, warns that ending the practice "would seriously disrupt the military's efforts to maintain military cohesion and effectiveness."

An end to racial preferences also would come as a setback to Sweatt's descendants — among them his daughter, who is a pathologist; another nephew, who is a doctor; and a 13-year-old grandson, who will be in court taking copious notes for his school newspaper.

"If you have to ask somebody, 'Do we need affirmative action?' then I think that answers the question itself," says nephew Heman Marion Sweatt II.

Fisher, who graduated this year from Louisiana State University and is working in Austin as a financial analyst, couldn't disagree more.

"If people say anything about me, I hope they say I didn't take this sitting down," she says in the video. "I didn't accept the process, because the process is wrong."

theman eater

Letter to the Editor: Proposition B the answer to health issues, costs, education funding

By Jenna Jordan

Published as a part of Maneater v. 79, Issue 14

The passage of Proposition B this November will create a win-win-win situation for Missourians. Proposition B would increase the state tax on cigarettes by 73 cents and would also increase the tax on other tobacco products . By voting yes on Prop B this November, Missourians can reduce youth smoking rates, save more than a billion dollars in health care costs and, best of all, provide funding for our schools struggling with budget cuts. This increase of Missouri's lowest-in-the-nation tobacco tax would fund much-needed prevention and cessation programs for smokers who want to quit. Research shows that increasing the price of tobacco products is a proven way to decrease smoking rates, especially among children. This proposed tax increase would prevent 40,100 kids from becoming addicted adult smokers and would motivate 33,300 adult smokers to quit. As a result, Missouri would see \$1.37 billion in health care savings from declines in adult and youth smoking. In addition, Prop B would provide \$283 million annually in new revenue to fund public schools. Missouri's elementary and secondary education classrooms will receive 50 percent of the revenue, which will help to prevent staff reductions and increased classroom sizes. An additional 30 percent of revenue would go to Missouri's colleges and universities to support educational opportunities. **MU administration has said it would use the revenue to expand educational programs for medical, nursing and other health professions students. The final 20 percent of the revenue will go toward prevention and cessation programs. Join me in voting yes on Proposition B this November to benefit our health, K-12 schools and universities!**