

# University turnout low at hemp rally Lots of police, one arrest at hemp rally



Witnesses at the scene stated that the individual on the left is a plainclothes police officer. Sergeant Tim Cane said that the officer in question is either a member of the Drug or General Investigations Section, but stated that "We do not release the identity of plainclothes officers."

CYNTHIA KIRKBY

THE BRUNSWICKAN

Organizers of Sunday's hemp rally want to know what happened to UNB and STU students.

Aaron Greenman of Hemp New Brunswick was pleased with the turnout at the rally, held on the lawn of the Legislative Building, but was upset at the lack of university support.

"I would find it extremely hard to believe that UNB students don't have an interest in marijuana," he said. "I'm very disappointed in the universities."

Greenman said that many efforts had been made to alert students to the rally, including flyers, radio and newspaper announcements, and an e-mail

campaign. As well, a march beginning in front of the Student Union Building was organized to coordinate supporters.

Due to poor wording on the flyers and to the cancellation of the permit allowing the rally to be held in Officer's Square, fewer students showed up than Greenman was expecting. "For politically active people, you sure didn't show it."

Greenman was pleased, however, with the overall turnout, which he estimated at 300 people. "That's an average between what we counted and what the police gave."

As part of the rally, organizers distributed a petition to legalize cannabis, collecting about 75 signatures, Greenman said. "We want 1000

signatures before we give it to Andy Scott (MP for Fredericton-York-Sunbury) and we're at the halfway mark now."

Whether the petition has the desired effect or not, another demonstration is already in the works, and Greenman is expecting more of a response. "Everybody who agrees [that marijuana should be legalized] will go down to the police station, light up a joint, and demand to be jailed. The government won't be able to afford it, and there won't be enough room in the jails."

The nation-wide demonstration is set for May 12, 1998. "That will be the date when marijuana is legalized, because they won't be able to enforce the laws anymore."

PAT FITZPATRICK  
THE BRUNSWICKAN

Organizers of last weekend's hemp rally are questioning the need for what they term an "excessive police presence" at their rally, which resulted in one arrest of an individual allegedly in possession of marijuana.

Aaron Greenman, one of the organizers of the rally and co-owner of D.T. Hempsters in downtown Fredericton, questioned the need for any police presence, saying it was "stupidly excessive. With roughly 20 Fredericton City Police officers and two RCMP members, you're looking at 22 officers working for about 4 hours. Calculating the cost based on minimum wage, that's over \$600. We organized the rally for a grand total of \$200."

Responding to Greenman's claim that it is "stupid for them to stand watching a bunch of people having a good time, sitting on the grass and listening to speakers," police media relations officer Sgt. Tim Cane claims that the police handled the hemp rally "no differently than any other political or, in this case, social issue rally. We had a mixed complement of plainclothes people in the crown and uniformed officers on hand."

Greenman further characterized the police videotaping of the rally as being

"ridiculous." "It makes me wonder if they have anything better to do with their time than to run around videotaping people. How did they break into the Legislature anyway?"

According to Sgt. Cane, the videotaping of protest rallies is standard procedure for the Fredericton City Police. He stated that the videotape's purpose is three-fold: "One, it helps us secure any criminal intelligence that we may require or wish to have. Secondly, it gives us an accurate account of any incident which might occur. Thirdly, it is for the protection of the officers and of those present at the rally if someone was to come back later and complain, claiming that there was some form of an incident."

As for the number of officers present, both Inspector Shane Clowater of the Criminal Investigation Division and Sgt. Cane refused to release the actual figure. Saying that it was "not common practice," Insp. Clowater went on to add that "the officers present were a mixture of target policing and the regular patrol complement." Sgt. Cane did, however, say that the plainclothes officers present would be a mixture of members from the Drug and General Investigations section.

Attempts by *The Brunswickan* to ascertain whether Greenman's claim that members of the RCMP were

present were met with a curt "We can neither confirm nor deny an RCMP presence" in a brief conversation with a Corporal in the RCMP's Fredericton Detachment Drug Enforcement Section.

In the only real confrontation of the rally, a 20 year old male resident of Nova Scotia was arrested and charged under the Narcotics Control Act's Section 3(1) for the alleged simple possession of marijuana.

According to Sgt. Cane, "This individual decided to light what we believe was a joint in front of a plainclothes officer and he was arrested." The individual, described by Greenman as "an activist" was not available for comment as of press-time.

The individual was, according to Cane, charged and then released after posting a \$200 security deposit, which Cane stated is standard in the case of individuals arrested who are not residents of New Brunswick. The suspect's identity cannot be released until he appears in court to face the charge on 20 December, 1996.

Cane concluded by saying that the police did not see the lone arrest "as much of an incident. It was a non-confrontational rally. We estimated the crowd at about 300 and it may have peaked at about 400. It was low-key as far as our presence there."

## Sexual assault trial held Wednesday

K BROOKLAND  
THE BRUNSWICKAN

Because of the publication ban imposed by Section 486 (3) of the Canadian Criminal Code in cases of sexual assault, the name of the complainant cannot be made public, nor can the names of the witnesses called on her behalf. Her name, therefore will be changed to "Jane" and her witnesses will also be assigned pseudonyms.

Two UNB students, Tyler William McCabe, of Aitken House and Michael Robert Pinter, also formerly of that residence, faced charges of sexual assault in Provincial Court Wednesday.

The charges stemmed from an incident that occurred on Wednesday, January 31 of this year.

McCabe was represented by Michael Ryan, Pinter by Edward Derrah and the Crown Prosecutor was Cameron Gunn. Judge Murray Cain tried the case without a jury.

The Crown opened its case with testimony from the claimant, "Jane." She stated that she and her roommate went to Aitken House to attend a 'shooter party.'

Jane said went to talk to McCabe and Pinter in McCabe's room. Music was playing and she, McCabe and Pinter started to dance. Jane said Pinter was behind her and McCabe in front. They both pushed up against her, "grinding against my back and front."

Jane testified that Pinter and McCabe began to kiss her neck. They each put their tongues in her ears and Pinter put his hands on her breasts. At that point, someone knocked on the door and she "got away from them."

Jane said that Pinter told her he was sorry and added, "I've always been attracted to you."

Next, Jane stated that when his girlfriend knocked on the door, Pinter left the room, leaving McCabe and Jane

alone. McCabe pushed her down on the bed where she was sitting, kissed her and put his tongue in her ear. Jane said she told him to stop three times, pushed him and, the third time, yelled "stop."

"My belt buckle was undone, the first button on my pants was undone, and my bra was pushed up over my breasts," said Jane. When a friend of McCabe's knocked on the door, Jane took the opportunity to leave. She ran to her girlfriend's house, where she later called the police.

On police examination, defense counsel asked Jane what time she arrived at the residence, to which she responded, "about 8:15 p.m." Jane told Ryan she did not drink prior to arriving at the shooter party.

Derrah asked Jane if she knew Pinter prior to the evening of January 31 and she responded that she did, pointing out that he had dated one of her roommates.

Asked what she had to drink, Jane said she had one rye and 7 Up, two beer and three or four shooters over a three hour period, but she did not feel drunk.

The next person the Crown called to the stand was "Mary," a friend of Jane's. Mary stated that Jane came to her house after midnight and that when she arrived, her clothing was in disarray. She said that Jane seemed "shaken up" and was crying.

The Crown then called "Ann," Jane's roommate to the stand. She testified Jane was "extremely upset, crying, and could not talk," which was unusual behaviour for her. Like Mary, Ann testified that Jane was not intoxicated.

The Crown closed their case following Ann's testimony. Defense attorney Ryan then called McCabe to the stand. McCabe stated that Jane came to his room where they had danced. "There was grinding," said McCabe.

After Pinter left, McCabe said he

played more music, talked, and began stroking her arm. "She stroked my arm," he said. He said he nibbled on her ear. "I proceeded on top of her," said McCabe.

"I did not hear her say 'stop,'" he said.

The Crown asked McCabe how much he had to drink. "About 20 shooters," McCabe responded.

McCabe went on to say that when they were alone, he thought Jane consented to further contact. "Her stroking my arm indicated consent... We rubbed each others arms. From there I thought another pass was conceivable."

After further questioning by Gunn, McCabe was asked, "Isn't it likely what [Jane] says is true?"

"Correct," McCabe responded.

Derrah then called Pinter to the stand. Pinter admitted to drinking 15 shooters.

He stated, "I started kissing her neck... nibbled on her ear, I rubbed her stomach... I untucked her top, I accidentally touched her breast. She said she wanted to stop. I stopped. She was shaking... She sat down. I apologized."

"There was no consent to touch her breast?" asked the Crown.

"No," Pinter replied.

In his closing argument, defense counsel Derrah said, "There is no question there was some consensual activity going on," referring to the "grinding" while dancing.

"Once the no is uttered, either by words or conduct, then after that any action is not consensual," Derrah continued. "There was nothing done in Pinter's mind to suggest lack of consent - he stopped when she wanted him to. He acted reasonably when there was no more consent."

Gunn, in his closing argument, said that the indication was that Jane was jammed in between two people but managed to get away.

"There's some serious sexual conduct going on here - two people are kissing her neck," Gunn stated.

"Her assertion that she said stop is supported by Mr. Pinter's testimony," said Gunn. "McCabe said there was an argument between Jane and Pinter - which supports Jane's testimony," he added.

Gunn argued that Jane's actions were consistent with those of a victim of assault and that Pinter apologized because he knew he had done something wrong.

Judge Cain reserved judgement. McCabe and Pinter will return to Provincial Court on December 11 at 1:30 p.m. to hear Cain's verdict.

## Correction

There were a number of typing and editing errors in the article entitled, "Multimedia building location to be changed," which appeared in *The Brunswickan*, Issue 7, page 4.

Michael Ryan, UNB's Associate Vice-President Campus Services and Planning, was paraphrased as stating the university had all but "ribbed out on option." "This should have read, "Ryan also confirms that the university has all but ruled out one option that which would have seen the Multimedia Centre straddle the North/South campus road that runs past the Bank/Bookstore, Forestry Complex, Nursing and Services Building."

Ryan was also quoted as saying, "It is a first cut and we have not even sped it up," when in fact Ryan said, "It is a first cut and we have not even added it up to see if it fits within the envelope of the budget that we are looking at."

Finally, when quoted, "We have tried to consolidate areas where there was a top beaten off requests..." Ryan actually said, "We have tried to consolidate areas where there was a duplication of requests from different sources and have now got that summary and are putting it all together."

In addition, we would like to apologize to Professor Eric Hildebrand for the misspelling of his name.



# we want you to put the word out on responsible use of alcohol!

Your generation is showing more responsibility than any generation that's gone before you and that's a fact. So now it's time for you to stand up and play an active role in our efforts to get the message across about responsible use of alcohol.

Because some people still don't "get it".

What would you say to them

if you could put your message on national TV?

Or in newspapers? Or radio? **Speak out.**

Submit your message to us and it could be part of a national campaign

to get the word out on responsible use of alcohol.

And you could be part of that campaign, too. Because if our panel selects your message,

you'll be heard. And you'll be participating in the production of the campaign.

You'll also find it very rewarding because there is a total of \$100,000

in cash rewards for chosen submissions. And the top submission

could earn up to \$15,000. And every submission will receive a free

PolyGram "Sound Out" CD, featuring a compilation of Canada's hottest bands.

It's time for you to stand up, speak out and be heard. But you need to hurry.

The deadline for entries is December 31, 1996.

Submission information and brochures can be picked up at any Sam the Record Man, Music World or Cineplex Odeon Theatres

OR BY CALLING 1-888-BE HEARD (234-3273)

or at - www.brewers.ca

Costa Records

stand up  
speak out  
be heard

PolyGram

CINEPLEX ODEON

Music World

eyes

this week, so Security  
FITZPATRICK PHOTO

web

opinion, sports,  
photo), which can  
the main page.  
ating back to April  
from last year  
can be reached  
search  
also accessible off

CO

in Ual...

Special

nn

GRECO

uce

es

RY

OOD\*

3030

Order \$8.00

er specials

s!

able

ok P133

133 Mhz Processor

59KB Ext. Cache

Hard Drive

Graphics Accelerator

1024x768 Active

Display

Drive Internal

Audio/Dual Speakers

Transfer Port

1 Parallel Port

Type II PC Card Slots

6 Bays

Printing Device

Standard, NiMH Battery

owns 95 CD & Manual

arranty - (Extendable)

or Lease \$126/mo.

.com