

Search and seizure policies on campuses under review

DENVER (CPS-CUP) — Even though a Michigan court ruled last year that dorm rooms are constitutionally protected against arbitrary searches by university security officers, most American students who live in dorms are still subject to searches by college officials armed with internal search warrants.

The legality of these university-issued search warrants has not been tested in the courts, but many schools are beginning to scrutinize more carefully their own search and seizure policies in light of the Michigan ruling which gave dorm

rooms the same fourth amendment protections as an adult's "home, dwelling or lodging."

The Michigan case involved the entry and search of the dorm rooms of two students at Grand Valley State Colleges. The searches were conducted without warrants and no consent had been given. During the searches, marijuana was found in the students' rooms and the university judiciary council suspended the two for one term.

Current search and seizure policy at most universities gives security officers or housing

officials the right to enter a student's room without notice if there is "reasonable cause" or "just cause" to be suspicious that the room is being used for the purpose of violating university rules.

In some cases, search warrants are issued if another student, faculty member or staff member suspects that stolen property is in a student's dorm room.

At Lehigh University in Pennsylvania, the person with the complaint must obtain a "dean's warrant" which gives them the right to enter and search a student's room and seize the stolen property if they find it.

The Delaware attorney general's office has begun an investigation into the search and seizure policies at the University of Delaware where dean's warrants are available when someone has "reasonable cause" to believe University rules have been broken. Attorney General Richard Wier said he thinks the dean's warrant is a "blanket warrant (which) may not comport with the Fourth Amendment."

Since violations of university rules which would require a search would also probably violate civil law, Wier said, a dean's search might constitute an inappropriate enforcement of the law.

At the University of North Dakota, dorm resident assistants

and head residents can go to the personnel dean for written permission to enter a student's room if they think a "serious violation of university or housing regulations is taking place within the room . . ."

The housing contract at Northeast Missouri State University specifies that University officials reserve the right "to enter a student's room when probable cause has been established." The director of safety and security at the Missouri school claimed that "discretion is used at all times when entering a student's room," but probably cause seems to be interpreted loosely.

An example of probably cause, according to the security officer, would be an unidentified telephone caller reporting a stolen television

in a specific room. More generally, the university can enter a student's dorm room for the purpose of determining if the general "order and security" has been violated.

Some legal observers doubt the legality of the internal search warrant even though the Michigan court advised the plaintiff in the case to explore the possibility of using university warrants for searches. An associate professor of law at the University of North Dakota said he was "quite skeptical that the university could or should implement a system of internal authorization "based on the Michigan court's opinion. "The whole tenor of the opinion is against administrative officials serving in such a position," he said.

Accused of pushing propoganda

OTTAWA (CPA-CUP) — Ed Broadbent, leader of the NDP, has accused the government of using family allowance and the old age pension mailings to spread propoganda for the anti-inflation program.

A so-called "message from the prime minister" was enclosed with each family allowance or old age pension cheque mailed in February, Broadbent said.

"It was ... blatant political propoganda in favour of the government's anti-inflation program," he charged.

It is accepted practice to enclose

factual information circulars when programs are created or changed. But the prime minister's message had nothing to do with the old age pension or family allowance, Broadbent explained.

Broadbent said the mailing would have cost the Liberals \$527,589, based on a cent for each province and leaflet and eight cents for a stamp. And he demanded the Liberal party "reimburse the public of Canada."

Speaker James Jerome refused Broadbent's request for an investigation by a parliamentary committee.

AIB costing taxpayers one million a month

OTTAWA (CPA-CUP) — According to figures recently released, the Anti-Inflation Board is now costing Canadian taxpayers one million dollars a month.

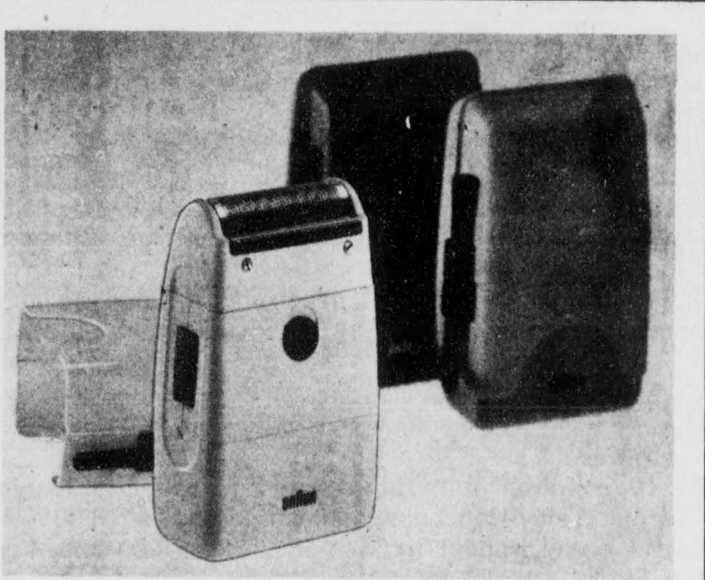
In the five and one-half months of its existence, the Anti-Inflation

Board has cost just under \$5.5 million, with an annual budget set at \$12.53 million.

Contrary to Prime Minister Trudeau's promise that the Board would have only 200 employees, the size is now 410 and still growing, mostly in the higher and highest

paid categories. Board Chairman Jean-Luc Pepin says he doesn't know how the original figure was arrived at.

"My fear is for the day when we cross the 500 mark," Pepin quipped recently.

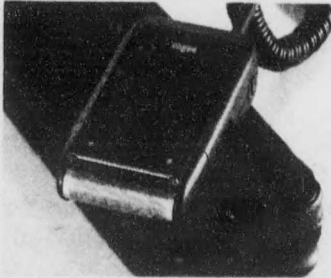


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