Valente testifies on Senate bill

by Nancy Goodwin

Professional William Valente, associate professor of law at Villanova Law School and former assistant public law at Villanova Law School, will appear before the Senate Finance Committee on the constitutional issue of the proposed Tuition Tax Credit Act of 1977.

The proposed legislation, which is still in committee, has received heavy bipartisan sponsorship in the Senate. The bill provides a tax credit, to be subtracted directly from the amount of taxes owed, for tuition expenses paid by an individual, to be subtracted directly from the amount of taxes owed, for tuition expenses paid by an individual.

The legislation is to be considered as a constitutional issue, rather than as a tax issue, since the tax credit will be made available to all citizens, regardless of the student's financial status.

Valente emphasized that the decision process, more than the rhetoric of checkered precedent opinions, must be evaluated in determining the constitutionality of new forms of aid, since "any form of aid which grants the same benefits to all students will be constitutional, regardless of whether it is available only to private students or only to public students."

Valente also stressed the importance of the "all inclusive rule," which holds that the sixth amendment right to counsel did not at some point in time become dependent on the existence of an adversary proceeding. The statute must be viewed in the light of the context in which it was enacted.

The decision granting tenure came about eight weeks after the faculty and Dean O'Brien submitted the recommendation.

Professors Levin, Packel, and Turkington have been granted tenure, after a decision by the president of the University, as announced by the law school in January 1978.

The decisions granting tenure are made on a "strictly merit" basis. This was echoed by the committee of lawyers who later asked for Mr. Undercofler's resignation. The few questions asked of him all revolved around desired aggressiveness in continuing to investigate and prosecute cases in the office.

The office had never considered a measure to aid private institutions, and the proposed bill, SB. 2142, is not an unconstitutional application, he said. The bill provides a tax credit if the institution is found to practice unlawful discrimination.

To safeguard against possible unconstitutional application, the House committee will include a provision disallowing the tax credit if the institution is found to discriminate on the basis of race.

Another anticipated objection in the bill is an unconstitutional aid to religion, fostering excessive government entanglement with religion, in violation of the First Amendment.

A majority of the court has evolved a tripartite test of constitutionality under the Establishment Clause. The statute must have a secular legislative purpose, a primary effect that neither advances nor inhibits religion, and, finally, must avoid excessive government entanglement with religion.

Since no law has, thus far, been found to practice unlawful discrimination, the bill is constitutional.

In Commonwealth v. Richman, 458 Pa. 167, 320 A.2d 351 (1974), Justice Nix declared in his majority opinion that the defendantorientation of the decision to the admissibility of evidence, and the prosecution's decision whether to offer a plea bargain in light of the circumstances should not remain the same. Mr. Undercofler stated that he had tremendous respect for the attorney General and his work in the Justice Department.

Mr. Undercofler graduated from Drexel University and then from Villanova Law School in 1966. In 1969 he became an assistant U.S. Attorney in Philadelphia, and three years later he was promoted to chief of the criminal division and then to the number two job under then Republican U.S. Attorney Robert Curran. In 1973, he was honored by a panel headed by the late Chief Justice Earl Warren as one of five outstanding young federal lawyers in the country.

(Continued on page 8)
Marston story lacks balance under heavy media pressure

By Dean J. Willard O'Brien

Has the Marston affair taught us anything? Is it possible to prove the administration of justice?

It may be too soon to ask the question, but consider for a moment the uncontrollable and uncontrollable situation: the Attorney General of the United States has been involved with a U.S. Attorney whose removal from office had been sought by a powerful, political figure under investigation by the procedures of the office.

The Attorney General knew that Mr. Marston was an honest, brave, and reasonable figure under investigation by the corruption in his office. He had a reasonable position on the law. It was a mistake and it matters not that a prior, political decision to remove Mr. Marston had been made.

Even the possible eventual vindication of Mr. Marston being investigated is immaterial. The appearance of impropriety created such a public sentiment as to overwhelm that public confidence in the integrity of the system cannot rest upon any action by a few people will ever even consider.

The decision was justified on the ground that the U.S. Attorney was an outspoken critic of the President's campaign and the political party. There is a rational basis for the Attorney General's action taken by the Attorney General.

Promises Aside

Put aside for the moment the President's campaign promise that "all Federal judges and prosecutors should be appointed strictly on the basis of merit with no regard for considerations of party aspects or influence profit." and think about the U.S. Attorney in the first place.

He was put in office through the power of Senator Richard Schweiker for whom he had worked as an aide. There was nothing improper in that procedure. It was politics as usual. There was some slight difficulty in that the office did have a U.S. Attorney sitting there at a desk who was a skilled and experienced prosecutor whom the judges of the Eastern District of Pennsylvania had appointed after the resignation of the late Ed Cashman. 

Once the Attorney General discovered that a person under investigation was seeking the removal of U.S. Attorney, a scandal-ridden state, at the request of a person under investigation by the prosecutor in question, he had a reasonable basis for removing the prosecutor in question. He did not reverse or modify his prior decision to remove Mr. Marston in light of the changed circumstances.

The Attorney General was not given much of an opportunity to demonstrate that the peculiarly sensitive and unpredictable political process to remove Mr. Marston.

By Iowa Cohen

Library's growth reflects VLS tale

It is a rather prosaic walk along the corridor of portraits, past the administrative office to the library. No one can trace his steps to remove any suspicion of even a harsh, technical office. The olded countenances in their large frames are frozen very much like on Kent's Old (Well, afterall, ceramic tile isn't so different from Greek gnosis).

At night, however, when only emergency lights illumine that ball, it is something quite different. And if one were to walk slowly along the checkered floor through the double doors of the library he would find that was not alone in time. Surely this is hyperbole. Still, the fact remains that Hammond, the library, more than any other spot in the law school, signifies Villanova's twenty-five year existence.

And so it is not much show physical signs of time and wear as it does tell a tale with the help of some imagination. Cutting into the story of the inception and growth of the library one can often view a line of books that started somewhere, and gone off in that same line with the help of a number of students and a number of law schools.

To a large degree, the story of the building of this library also reflects the building of the entire school; starting with little but a vision of excellence and the single-minded drive that was to succeed that course, both have now achieved that goal of excellence.

There are currently 27 other law school libraries in this country who are practical books that are the same as Pulling, with its 192,000 volumes.

Pulling's assistant until 1962

Recent reports by Philadelphia Bar Association officials had been misleading. The Chancellor in his inaugural remarks last month in fact, "I understand that the employment for this year's law school graduates will be approximately 40-50%", and the Placement Director, in a recent Petitioner article, spoke of vast numbers of "unemployed" on his list. That data upon which these statements are based is inadequately defended; their conclusions are not new and unsubstantiated.

National statistics from 123 ABA-accredited law schools published by the National Association for Law Placement in June 1976 indicate that 92% of the 1976 graduating class were employed eight months after graduation. While 1976 NALP data is still being gathered, the Villanova Class of 1977 shows 93% employment as of January 1978; and the combined Philadelphia law schools 97%

That high percentage of employment does not diminish in any way the difficulties of the first-job search.
Admissions stats show new trends

by Rich Tunk

In order to select this year's first-year class, the law school sent out over 10,000 catalogues and applications to potential applicants. 2,300 applications were received from males and 764 from females. Both of these figures were increases from last year. Of the 230 persons matriculating, 163 (71%) were male students, which had held that position for several years.

When asked to point out any trends that were apparent, Ms. Moore said that Villanova now competes with the Big Name schools, as evidenced by the number of applications from students accepted by VLS who opted to go to higher ranked schools. She also indicated that the number of women in graduate education is beginning to stabilize after reaching a peak several years ago. Also, the total number of applicants has increased by several thousand in the last five years. Villanova had its largest year, reaching 2,300 applications, then there was a decrease in 1976 and an increase again in 1977. Applications for the class entering in 1978 had been coming in slowly, Ms. Moore said, but there was a decrease in 1976 and an increase again in 1977.

The statistics on the quality of the class are generally comparable to last year's entering class, Ms. Moore said. The grade point averages ranged from 2.9 to 4.0 with a median of 3.37 and a mean of 3.80. The LSAT scores ranged from 415 to 756 with a median of 615 and a mean of 607.

But the applicant's background is given as much weight as his grades and scores. The admissions committee attempts to compile a broad selection of diversified backgrounds to constitute the class.

Mainly Eastern Seaboard

The ages of this year's class members range from 21 to 54. Nineteen states and 87 undergraduate schools are represented.

The states represented are mainly on the eastern seaboard, with California and Florida, Villanova replaced the University of Pennsylvania as the law school's number one source of first-year students, which had held that position for several years.

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Recent events have made us wonder if the law school is not the Cinderella sister to the University. During the snow and ice storms of the past few weeks, tardy students have been on their way to classes on their own ground crews working. "Slip slidin' Away." Anyone who tuned to the train faced conditions that would make the law school a suitable location for the Winter Olympics.

Out of fairness to the University, we concede that conditions across the tracks were little better since, as the law school administration, we do not view the University Administration Docket, the University has no plan for plowing or sanding in the event of a severe snowstorm. But in light of recent events, there is strong doubt among law students that the law school would fare much better on any snow plan.

Another occurrence has heightened qualms. On January 24, it was learned that the decision on tenure for six law school instructors had been delayed due to an oversight on the part of a University official. The recommendation for tenure for these six instructors had been on the office of the President for over a month without action.

Within 24 hours of the visit by a Docket reporter, the appropriate documents had been sent to Father Driscoll's office. Ordinarily, it would not have been rendered in early December, immediately upon the receipt from Dean O'Brien.

The administration freely admits to difficulties in its relations with University offices rendering such functions as the awarding of tenure, but certain financial and clerical services required by law students. It is no secret that dealings with certain University offices produce despair among law school personnel, although, this is not true of all the University offices in their relations with the law school.

Dean O'Brien has told The Docket that a distinction should be drawn between the kind of problem represented by the inadequate clearing of snow on the one hand, and the tenure decision, on the other. He considers the law school to have a perfect working relation with the office of the President on academic matters, although, finances are negotiated less smoothly.

According to the Dean, the tenure delay should not be seen as an example of a casual University attitude, but rather as the kind of human mistake that can be made by an overburdened administrator whose desk is a constant sea of papers. One paper, put into the pile for later consideration, may have taken too long, it could have been expedited in early December, upon receipt from Dean O'Brien.

The tenure decision has been of primary concern to the law school administration as well as to the professors concerned and certain financial and clerical services required by law students. It is no secret that dealings with certain University offices produce despair among law school personnel, although, this is not true of all the University offices in their relations with the law school.

The tenure decision has been of primary concern to law school students for quite some time, in light of the extraordinary delay in reaching a recommendation occasioned by the novelty of the tenure program. Within that context of concern, then, the University's failure to render a decision within 6 months seems significant, when it is the failure characterized as a mere mistake or as the product of nonchalance, many students have been offended.

The law school administration has also urged that the decision was not rendered any later than expected.

It seems more likely that what the law school administration is revealing is that it did not feel an urgency about this matter, nor did it sense the urgency in which the decision was awaited by the student body. Nonetheless, the administration's statement cannot excuse the University's delay, although it does provide an additional element to be considered.

It is clear that the administration is trying to dispel some of the misconceptions and in the process, tie each party more firmly to the other. For obvious reasons, we think this would be an advantage all around, and to this end, we offer our pages as the forum.

In memoriam

Hubert Horatio Humphrey

Little more than three weeks ago, the nation paused to mourn the loss of Hubert Humphrey, a man whose prominence as a national politician spanned nearly thirty years.

Amid a career that saw both success and failure, he earned the respect of the nation. His was a political story that one can appreciate regardless of one's own political philosophy. For it can be said, without undue exaggeration, Hubert Humphrey represented the American political system at its best.

On the world and national background, he developed an unshakeable belief in the dignity of man, a vision that he spent his life trying to make a political reality.

His life is best defined by the Great Depression, set as the primary task of government the elimination of poverty, hunger, disease, and ignorance. This idealism remained undiminished throughout his political life.

But he was more than merely an idealist, as he demonstrated the importance of effectuating his goals through hard work and careful organization. It is who he was, as much as anyone, responsible for successfully managing the passage in Congress of the controversial 1964 Civil Rights Bill.

Certainly, his life saw its share of mistakes and shortcomings, many of which were magnified by his public prominence. He was quick to defend unpopular causes — often he spoke too much or tried too hard for things he desired. But he was more than merely an idealist; he was a man of integrity and character.

During all of his public life, both when he was enjoying success or feeling the sting of failure, he remained steadfastly a man with an idea that was worth for the country and a man who acted in that cause, even if it meant making some mistakes. Surely, many people severely criticized the ideals he espoused or the manner in which he sought to achieve them, but some of these criticisms taint the character of the man.

And it would indeed be said that consistent with that character to see his political allies urging thestagy to enforce it last year. Now all the Justices had never heard of Arger­

Humphrey was a man of integrity and character. His life saw its share of mistakes and shortcomings, many of which were magnified by his public prominence. He was quick to defend unpopular causes — often he spoke too much or tried too hard for things he desired. But he was more than merely an idealist; he was a man of integrity and character.

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Assistant
A suspect hero

The firing of United States Attorney David Marston and the controversy that it evoked proved, once again, that the mixture of politics and morality can be most vexing. The removal of Marston, in what is now known suggestively as the Marston Affair, was both supported and denounced in both political and moral judgments. As a result of its political misjudgment, the Carter administration in Washington has created a moral hero, who has an epic story to tell the nation.

This, we think, is unfortunate, because it diverts attention from the genuine issue, which is the political status of federal prosecutors. We do not, in any way, condone making the office of United States attorney a device for allocating political patronage. Quite the opposite, we think merit selection of individuals to fill these important positions is shamefully overdue.

Since his firing, however, Mr. Marston has done little to foster that need. He has been conducting, in the national press, a campaign of indictment, by casting aspersions upon the moral characters of all that had any relation whatsoever to his removal. His tone has been that of the moral judge rather than that of the political reformer, which he more properly is.

Moreover, not only is this approach politically inappropriate, but it is morally suspect, as well. It is curious that Mr. Marston has chosen this tack, since he owes his forum to the very system that he now condemns. With his background thus tainted, we wonder by what rite of clean-up he may become the ultimate arbiter, any and all students interested in proper, but it is morally suspect, as well. It is curious that we should first look to those members of the current staff. However, in order to insure that merit will be required to select at least one person whom he considers to his removal. His tone has been that of the moral judge instead of the moral arbiter, any and all students interested in properly is.

The problem with this concept is that news is a matter of public interest and not of public concern, and therefore, the public has a right to know what is happening in the area.

The complaint is filed with the Board of Admissions and Appeals, and any other institution that has a similar complaint process. The complaint is filed with the Board of Admissions and Appeals, and any other institution that has a similar complaint process.

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Obiter dicta

Mysteries of the commonplace

by Jay Cohen

I am always amazed by the way people can overlook the phenomena of human existence while in the very process of existing in the "human condition."

Rumors of paper are each year counseled in answering the far-reaching trends. And one need only glance at the newspapers to see that the average American averages to see that millions of dollars each day flow upon the identify of some local global economic

Yet, often the paraphernalia of events in a small mind do not serve to cover those things directly un-derfoot — the events so commonplace - to go unanalyzed but which are epic representations of the ordinary scenario of life. Horror Mass aply phrases this odd quirk of humankind in a poem entitled, "Piano Practice."

Don't try to catch that lion by the tail.

Before you wake, he'll beast you up.

If you should be falling asleep, gypsy,

let her sleep.

Tomorrow you'll be gone without a trace,

Half fact and half enigma. Now you have hands.

Are on the mysteries of the commonplace.

The mysteries of the commonplace. If this is what diurnal life, the realm of the ordinary, the site by because they are taken for granted.

We have lost our sense of wonder.

The commonplace is often the best of operations of life and so, have lost the sense of wonder and have given up the inexplicable phenomena whose workings thrill us.

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A society was created

(Continued from page 5)

The Frederick Douglass Moot Court Competition is held at Vil­lanova Law School on February 11, 1978 at 4:00 p.m. The dis­tinguished panel of judges will include the Honorable Clifford S. Green, United States District Court, and the Honorable Law­rence Pratt, Philadelphia Court of Appeals.

The Frederick Douglass Moot Court Competition is an inter-law school appellate moot court competition sponsored each year by the National Black American Lawyers Association to develop the art of appellate advocacy. The National competition consists of Special regional preliminaries: the regions and the finals.

The Competition is designed to provide students with an op­portunity to follow current events and oral advocacy skills while researching crucial legal problems affecting the minority community.

The Frederick Douglass Moot Court Competition was initiated during the 1975-76 academic year as a response to the multitudes of needs of the Black law student and as an honor to Frederick Doug­lass, an abolitionist, writer, and orator, who was born to a Black slave and white slave-holder in Maryland in 1817.

But attorneys must also keep in mind that the völkischer nature of these advertisements may create the impression of a close relationship between self-denial and ultimate happiness, often overborne by passion.

Certainly, attorneys have the opportunity to shape this image with the public and to relate some of the benefits that will accrue to the law profession (71 per cent) than the practice of law (33 per cent), conditions of the bar (30 per cent) and the system of justice (21 per cent).

Based on a random telephone survey of 602 ABA members in August, LawPoll found that 42 per cent of the respondents listed advertising as their top individual concern.

Lawyers' image before the public ranked second followed by ethics, legal services for the middle class, legal services for the poor and specialization.

Unequal justice ranked as the least element of concern.

Eighty-four per cent of those interviewed agreed with the premise that lawyer advertising will lead to more com­petitive pricing, resulting in a overall decrease in the costs of legal services.

The majority of those responding, 66 per cent, also disagreed, however, with a suggestion that lawyers would pass along their advan­tages to their clients.

Welding Power

The only way he will know is if he pays close attention to "the mysteries of the commonplace."

Ad top concern

CHICAGO, Nov. 13 — Lawyers consider advertising the single most important issue facing the legal profession, according to a survey conducted for the American Bar Association Journal.

The study found that advertising and other aspects of lawyers' relationships with the public are of much more concern to the legal profession (71 per cent) than the practice of law (33 per cent), conditions of the bar (30 per cent) and the system of justice (21 per cent).

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Liberman watches pols who pull the string

Ed. Note: Alan Liberman is currently an Asst. U.S. Attorney in the Eastern District of Pa. He was formerly an Assistant U.S. Attorney in the Southern District of California. He is a graduate of VLS, class of 1971. Liberman was both Law Review and Order of the Coif. Due to a faulty tape, the initial answers to this question were lost. At the point where we take up the interview, Lieberman was asked to discuss the importance of "momentum" in his work. He told The Docket that "momentum" is something that he had really meant with credibility with the public and that it was essential to a successful investigation, to continuing cooperation, and facilitating the gathering of evidence.

If you can't deliver ... in other words, if you can't make your case. They're not going to come forward.

For example, why should a guy stick his neck out testifying against a powerful man if things the result is going to be no guilty or no indictment. His neck is on the line. On which side of the Federal Government didn't deliver on a promise.

So really momentum to me means credibility — it's necessary to make a successful program in the public corruption area.

I think it is important to point out that in Philadelphia, the credibility of the Public Corruption Enforcement Program that we're investigating does not hinge on one man. The lawyers in the town, the judges — they know why these cases are made and it is important to understand that we only have a program to realize the significant role that the Federal Bureau of Investigation plays in making these cases. They rarely get the credit but the FBI, the other investigators, and the ministers are involved. And they do the hard work in the street. We have an outstanding FBI, in Philadelphia and in the public corruption area. Neil J. Welsh, the special agent in charge.

Cohen: He was at one time, talked about as a replacement for Ed Cohen.

Liberman: Yes, he was! He was highly thought of. He has a sense of humor. Eight Squad is a highly specialized team of the FBI. That works closely with our enforcement group that believes that this program that we have here depends on one man is a fool. The FBI is in an institution. This office has very capable people who are working these corruption cases.

A good prosecutor is a low-keyed prosecutor

Cohen: I understand you had some cases in the public corruption area and you do have an ongoing program with the U.S. Marshall to get others in new identities, when did you?

Liberman: This is something that I've been doing, as has Lieberman. It's a special detail. Jay, it's called the Witness Protection Program. It's done under the auspices of the U.S. Marshall's service. It's used only in cases where the defendant, and the three times.

Cohen: You're wondering, in terms of all the publicity lately, whether you would attribute the public outcome to the political sophistication on their part or to the political blackmail of the publicity that your office has got with its results in the last six months? After all you had three very major investigations and perhaps the public is more aware

Liberman: I think that the public is more aware of the work that we do here. A good prosecutor is a low-keyed prosecutor — he doesn't work his cases or try his cases in the press.

But the publicity surrounding tell-tale0witnesses retards the publicity surrounding a public trial, reporting what's going on in the G. P. O. of politics. It is true that the moment and the result is the sentence and the result is within our control, when it is done in the right way because it creates, in the public, the wrong impression that there is a law enforcement group that can do battle with the big guy. And in truth — not only over the last sixteen months but over five years, two years — we've done that.

I think the U.S. Attorney can be picked strictly on merit.

So that publicity is necessary in that it has created a public awareness that is important to us because it goes hand-in-hand with creating this credibility with the office, but pre-trial publicity — even the investigation of a murder, speculation — it is unimportant to the credibility of the office, it damages the integrity of investigations and we have to realize that we have been embarrassed lately by the publicity that was given to a certain case being in the newspapers for all the wrong reasons.

Cohen: Perhaps we can get to some of the things that have come out of this Marston affair. By that I mean the relationship between politics and the U.S. Attorney's office.

President Carter said in the middle of this affair, that whoever the new pick is will be picked on merit and this was his way of justifying the removal of a U.S. Attorney, President Carter was right.

I think we can see that things don't go wrong, seen as competent. Do you think that a U.S. Attorney can be picked strictly on merit or it is always going to be a political decision?

Liberman: I think the U.S. Attorney can be picked strictly on merit and that depends on the personality of the person who is doing the selecting. Anything can happen. And then you have to try to break through with the old ways.

Liberman: My opinion is that the U.S. Attorney's office must be kept separate from the political decisions. Now when I joined this office, I was a registered Democrat in Philadelphia and I was sure of my registration. But because I was head of a large organization and people were interested in joining the party that I belonged to, I was then a registered Non-Partisan. I am presently registered Non-Partisan.

I am a firm believer that politics is not part of the government. I know this office — not just actually, but like Caesar's wife, we must be home at night. I think that this is critical to our credibility. As I have said, I believe that my promise, his campaign promise, which everyone claims he broke — his promise was merit and I always keep my promises.

We have to wait and see who the President and the General Attorney are going to name but it is not beyond happening that the man they name will be of higher profile than the one who was removed from office. It's hard to tell if he was a new man or an old man. Whatever, that man was removed. David Marston was as meritorious as the public.

Cohen: The papers had a lot to do with that — didn't they? It's not the thing out of proportion?

Liberman: Jay, my only concern with the newspaper, is that they interfere with an ongoing case, so rightly or wrongly and to the extent that those flames have been fanned by newspapers the effect that pre­work had to wait and see who the

My opinion is that the U.S. Attorney's office must be apolitical.

Cohen: If I understand your question you thought, asked, If it's worse today than the old style backroom politics?

Liberman: It's my opinion, Jay, that things are basically no different today than they were fifteen or twenty years ago.

The problem was that federal resources were never focused in that area. Now, public corruption is prime objective of the De­partment of Justice and of the FBI and it's relatively new direction. I would say that we began to get into it in 1974 and in '74 so I think it's pretty accurate to say that we've started to bring it out more and ferret it out for the publicity.

Cohen: Tell me something — you've had three sensational successful prosecutions, I'm referring to Rheinstein, Fineman and Cohen.

Cohen: How does a case come to your desk?

Liberman: Well, they come in many ways. You see a transaction reported in the newspaper and it doesn't look quite right. You look into it preliminarily — you dig deeper, maybe there's more to it. Anonymous informants call us on the telephone and direct us to go look here, go look there. Sometimes a victim will come forward and create the impetus to go for­ward in a particular area. There are cases I've broken on my own because I've been told by people that we ought to take a look here and there. That's how cases are started in their basic investigative and fundamental beginnings.

COHEN: Have you found that pol­itical corruption is worse, quan­titatively or qualitatively, at the state level or can you really dis­tinguish?

Liberman: If you understand your question — it is worse today than it was twenty years, no, I think not.

COHEN: No — what I meant was — can you say there is more cor­ruption in the state legislature than Congress, for instance.

Liberman: I have no basis for re­sponding to that question at all.

My answers on the issues that I haven't do that when you deal with the court system. Often times a victim will come forward and create the impetus to go forward in a particular area. These cases take time to de­velop, so naturally whoever is sitting in the top seat is going to reap the benefit of the actual in­vestigation and the actual conviction of the case. I am confident of my own abilities and the abilities of the people who work in this office to know that the removal of one man, especially a man who did not direct grand jury investigations is just like Caesar's wife, we must be home at night. I think that this is critical to our credibility. As I have said, I believe that my promise, his campaign promise, which everyone claims he broke — his promise was merit and I always keep my promises.

Cohen: How can a case come to your desk?

Liberman: Yes, that's what I mean. You can't do anything to do with that case nor did anyone in my unit have anything to do with that case. I was an observer.

Cohen: As an observer then, what happened?

Liberman: The police brutality case was charged in the Civil Rights Statute, which are the cases we can prosecute they are very very difficult cases, because under the Civil Rights Statute, it is not a simple assault and battery case. Under the Civil Rights Statute, you must establish very simply that the force was used so excessive that it violated someone's civil rights. Now presuming that the police are allowed to use force, you are on a measuring stick of how much force that force become so excessive.

The problem of the Cradle cases is that we knew that the police, we were going to work with, and the police liaison was handled exceptionally well by Mitchell Cohen, the U.S. Attorney who handled that case and did a superb job — the problem was that the investigation which the witnesses for the (Continued on page 8)
Cannon plays devil

By Lisa Cetron

A rare theatrical event will take place at Villanova University. On Tuesday, February 21 at 8:00 p.m., Sandy Moore will present a dramatic reading of Don Juan in Hell. Mary's Hall and marvel at the wit and the devil. For a minimal admission fee ($1.50 Villanova students, $2.50 general public), one can sit back in St. Mary's Hall and marvel at the wit of Shaw and the talents of America's oldest community theater.

Don Juan in Hell is the seldom performed third act of Shaw's Man and Superman. Because this intellectual exchange of wits is so difficult and demanding, it has rarely been staged since it was a major Broadway hit when done as a reading by the late Charles Melville in 1921.

Alan Willig, a veteran of theatre productions in performances, has been killed in a duel by Don Juan, was played by New York actor, Donald Cameron. Though he has gained notoriety for his entertaining performances, he appeared as Dona Ana. She is an ex-faculty member, & staff, $2.50 general public, was read by the late Charles Melville in 1921.

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