## Thursday

June 3, 1999



**Notes on Dislocation** 

Ph.D. candidate Damita Jo Brown speaks today at 4 in the Women's Center on "Labor, History, and the Construction of Black Female Subjects.'

# Daly No. 137 Volume 79, No. 137

## Opinion

**Nexus Ruling** 



The Daily Nexus acknowledges the ruling handed down by the State Supreme Court.

See p.6

## Artsweek

**Mechanical Editors** Robert Manson and Tami Ramirez take their bows of au revoir. What are you gonna do, fire them?

See p.1A



## Sports

He's Got Gills

The Male Athlete of the Year swims like a fish. Turn to the sports page to see who he is.

See p.12

# **Hate Crimes Draw Campus Concern**

BY MEMRY HAMIK Staff Writer

One hundred students gathered Wednesday to make UCSB aware of racial tensions on campus and to publicize recent hate crimes in San Nicolas Residence

The rally took place in the Arbor at noon and was followed by a discussion focused on raising awareness of racism in the UCSB community. The event was organized by San Nicolas residents and several oncampus organizations that deal with diversity issues. According to art history graduate student Melanie Corn, support for the gathering was triggered by hate crimes involving two San Nicolas resident assistants in which racially sensitive graffiti appeared on doors and in bathrooms.

"Problems like this have actually been ongoing, but after the female RA was unable to get any help from administration we decided something public should be done to make sure students know there is a problem out there," she said.

According to student lobby member Alejandro Juarez, participants of the event wished to talk about the recent hate crimes on campus and discrimination they have witnessed at UCSB.

"I came because I live on that floor, and I'm uncomfortable living there when no one is taking the graffiti seriously," he said. "I feel that racism isn't talked about because the majority of this campus is white and don't want to be labeled racist."

The UCSB administration was targeted by students involved in the demonstration who, freshman literature major Andrea Ebreck said, were frustrated with the apparent lack of action taken by university

"When the two RAs went to the administration they found there was no specific person they could go to with their problem," she said. "We have to have administration face up to the problem of hate crimes and racism on campus, and we need them to keep the awareness rolling and stop ignoring the problem."

Students suggested solutions to the problem ranging from creating a permanent position in administration specifically for dealing with hate crimes to providing more education regarding race relations, Ebreck

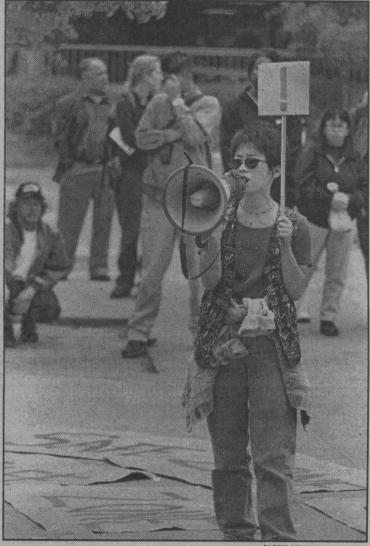
"There should be a hate-crimes director who is specifically on campus to deal with these kinds of situations," he said.

According to Juarez, many students discussed how hate crimes could be prevented in the future and came up with some concrete ideas during the meeting that followed the rally.

"We discussed issues from local awareness to a global scale, and we came up with tangible results that we can all take part in such as ... having a resource building where a student can go to get help quickly from a staff person," he said.

Sophomore women's studies major Lauryl Tognazzini said the students who attended the rally felt it was an important display of the need for immediate

"This affects my life because it's an environment that I'm a part of, regardless of the community it's targeted at," Tognazzini said. "I want people to know this is important."



Asian-American faculty member Diane Fujino speaks against hate during Wednesday's rally calling attention to the recent hate-related vandalism in San Nicolas Residence Hall.

# Leg Council Inductees Face Budgetary Debt for Next Year

BY TED ANDERSEN Staff Writer

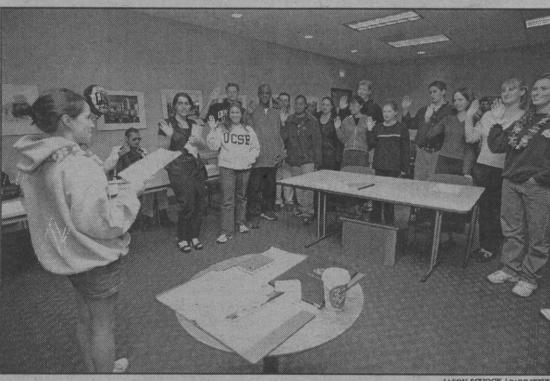
The 1998-99 Associated Students Legislative Council said its goodbyes in the last meeting of the year Wednesday night, leaving the 1999-2000 new fish behind to drown in budget debt and lengthy debate.

In hope of tying up the legislative loose ends before the new representatives were sworn into office. this year's council breezed through old business bills and action items. However, the leggies ran into a predicament when they were notified by Acting Executive Directors James To and Paige Anderson that this year's A.S. budget was unbalanced.

External Vice President for Statewide Affairs Haady Lashkari, who attempted to help the council sort out the incorrect numbers. gave his assessment of the budget

Leg Council passed last week.
"When it comes to the budget there are two words that come to mind, and that's errors and confusion," he said.

After the numbers were sorted



JASON SCHOCK / DAILY NEXUS

Former A.S. President Erin O'Donnell swears in the 1999-2000 body of Associated Students representatives, staff and executive members during Wednesday night's meeting.

out, the board determined that the current budget leaves next year's A.S. \$7,480.89 in debt. Though leggies were disgruntled, Finance Board Chair Christina Costley said next year's council will just

have to live with the problem.

"It really sucks that nobody double-checked this math," she said. "But, if you don't pass the budget tonight, you're not going to pass a budget, and that is extremely

against the By-Laws."

Leg Council approved the budget 16-1-1. Also before the council

See COUNCIL, p.5

## **Reckless Fires** Provoke I.V. **Disposal Rules**

By GRETCHEN MACCHIARELLA Staff Writer

The torrid love affair between Isla Vista residents and fire left a charred mattress and a wet garage in its wake Wednesday.

The fire began at about 2:15 p.m. in the back yard of 6619 Trigo Road, in a mattress leaning against the garage of 6609 Trigo Road. According to Capt. Charlie Johnson, fire investigators determined that the fire was not accidental, but they are still looking for witnesses.

Zeke Hanohano discovered the fire as the flames leapt onto the roof of his garage. Hanohano said he and his roommates had the fire nearly extinguished when the Fire Dept. arrived, but they wet down the rest of the garage to prevent flare-ups.

"We put the fire out [with the garden hose], ... but, the Fire

See ARSON, p.5



# ussians Join West in Bid for Peace



BELGRADE, Yugoslavia (AP) - Russian and European Union envoys handdelivered a peace plan Wednesday to President Slobodan Milosevic, and Moscow's envoy said he believed the first step had been taken to ending the Kosovo crisis and the two-and-ahalf-month NATO bombing campaign.

After two hours of faceto-face meetings in Belgrade, the talks adjourned until Thursday. The Interfax news agency quoted Russian spokesperson Valentin Sergeyev as describing the meeting as "pretty productive."

The talks took place amid indications that Russia -Yugoslavia's main ally was solidly behind the West in wanting agreement on the newest plan.

"It is necessary for the Yugoslav leadership to accept this document," Sergeyev, a spokesperson for Russian envoy Viktor Chernomyrdin, was quoted as telling

In Washington, President Clinton increased the U.S. commitment to a Kosovo peacekeeping force from 4,000 to 7,000 troops

"We think the areas of agreement are sufficiently large to justify a joint trip, State Department spokesperson James Rubin said of the mission to Belgrade by Chernomyrdin and the EU envoy, Finnish President Martti Ahtisaari.

It is necessary for the Yugoslav leadership to accept this [peace plan].

Senator Takes Closer Look at Rising Gas Prices

 Valentin Sergeyev Russian spokesperson

and added 68 U.S. aircraft to NATO's arsenal. Defense Secretary William Cohen said Clinton will discuss the possible use of ground troops in the event of a land invasion of Kosovo with top military advisors on Thursday.

Comments from senior Russian, European Union and U.S. officials all indicated that the three powers backing the plan were closer than ever to agreement on what it would take to establish peace in Kosovo, a province in Serbia, the main republic in Yugoslavia.

Ahtisaari said two days of talks in Bonn, Germany, with Chernomyrdin and U.S. envoy Strobe Talbott had ended in a "largely common position."

The envoys attained a "very far-reaching measure of agreement," said Michael Steiner, foreign policy adviser to German Chancellor Gerhard Schroeder. "Now we'll have to see how Belgrade reacts."

Russia and NATO have differed sharply over the Kosovo crisis, with Moscow repeatedly demanding at least a pause in the alliance's

is currently \$1.41.

gasoline suppliers.

of small-time gas stations.

price fixing is going on.

gasoline rose from \$1.09 in December to \$1.60 in April, and

Oil companies have blamed the price increases on a combination of factors, including refinery fires in California and

global agreements to cut oil production. They also said that

the summer vacation season has pumped up demand for gas

"It's important to remember that the many, many investi-

gations into gas pricing that have been completed in the past

have always reached the same conclusion — that it's the

marketplace at work," said Fred Gorell, spokesperson for the San Fransisco-based Chevron Corp., one of Oregon's largest

Among the charges Wyden wants investigated are those

that oil companies are using predatory pricing to unfairly

undercut competitors, and that they are favoring gas stations

with direct financial ties to the home company at the expense

corralled, Wyden said his report details substantial evidence

Although he declined to identify the industry insiders he's

"They are intimately involved with the gasoline business,"

In April, Wyden asked Justice Department officials to

look into why gas prices had risen by as much as 31 percent in

less than a month. Wednesday's report was intended to aid

Wyden said of his witnesses, "and they are frightened."

as families hit the road on cross-country trips.

bombing campaign. NATO also insists that it command Kosovo peacekeepers and that its troops form the majority of such a force something Belgrade has rejected before.

The Yugoslav government says the NATO airstrikes violate international law, but the World Court in The Hague, Netherlands, rejected its request Wednesday for an immediate ceasefire.

NATO showed no letup in the bombardments it launched March 24, striking Serb military targets across Kosovo and hitting power lines, fuel depots and TV relay stations in and around Belgrade.

While Yugoslavia has said it accepts the "principles" of the G-8 plan, it remains unclear whether Belgrade will sign off on two key Western demands: an armed military force with NATO as its core in Kosovo to police the peace agreement and the return of refugees, and the complete withdrawal of Serb troops from the province.

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Letters to the editor and columns must be limited to two pages, typed double-spaced (3,000 characters), and include the author's name and phone number.

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## **Student Is Painfully Scarred From Anti-Gay Hate Crime**



PORTLAND, Ore. (AP) — U.S. Sen. Ron Wyden (D-

Ore.) took aim Wednesday at skyrocketing gasoline prices across the West, saying he has industry insiders lined up to

In a report he hopes will lead to a federal antitrust investi-

gation, Wyden said gasoline companies are arbitrarily charg-

ing neighboring stations different prices for the same grades

of gas and are discriminating against operators of small gas

power among a handful of oil-company giants and to exploit

practices," Wyden said. "When you can squeeze the dealer at

the pump and stick it to the consumer, you drive out compet-

ition. That's a fertile environment for jacking up the prices

Wyden noted that while gasoline prices among competi-

tors on the East Coast vary from 1 to 4 cents, the price diffe-

rential in the West stands at 15 cents now and has been as

The average price for regular unleaded gas in California is

\$1.64 a gallon, and in some parts of the state is more than \$2

for premium grades. In Oregon, the average price for regular

"All this comes together to reduce choice, concentrate

"The West really seems to be singled out for these kinds of

expose price fixing and consumer gouging.

consumers," Wyden said.

even more."

high as 60 cents.

GREENFIELD, Mass. (AP) — Two prep-school students were charged with a hate crime Wednesday for allegedly carving an anti-gay slur into another student's back because he liked to listen to the British rock band Queen.

Jonathan Shapiro, 18, and Matthew Rogers, 20, allegedly used a pocket knife to cut "HOMO" into the back of a 17-year-old student at the Northfield Mount Hermon School.

"There was apparently a disagreement over the style of music he liked," said Gill Police Chief David Hastings. "Rogers called it a gay

Hastings described the wounds as "deep enough to draw blood."

"When I saw them they were three days old and they were still very visible," he said. "The letters were 4 to 5 inches high and ran all the way across his back."

them in the effort.

The victim, a junior, did not require hospitalization, and initially kept quiet about the May 27 incident. He has since left school and returned to his family, Hast-

Shapiro, of Keene, N.H., and Rogers, of Franklin, Tenn., pleaded innocent to charges of assault and battery with a dangerous weapon, assault with intent to maim and assault with intent to intimidate resulting in bodily harm.

The third charge made

the incident a hate crime, which would require the suspects to undergo counseling and diversity training if convicted.

Each suspect faces a maximum sentence of 25 years in prison if convicted. Both have been released on bail. Rogers had accepted an appointment to the U.S. Naval Academy.

"Once we are able to verify the charges we will have to reconsider the appointment," said Karen Myers, an academy spokesperson.

## Weather

In the turtle tank at Java Jones lives a spiny softshell turtle. It looks very different than the other turtles: It's far smaller than them and spends most of its time hiding under a rock.

You might think it's dead if you watch it long enough; the rock's big enough that it might one day pin the turtle down, and all the turtle does all day is sit there. But every once in a while it sticks its snout out. (It's got a snout that part you thought might have been a bone stump on a rotting amphibian corpse.) And then the neck grows and grows and grows until the snout reaches the surface and takes a shot of air. Then the neck crumples and shrivels and it looks just like a dead, sleeping, or pinned unconscious thing.

Weird. Just weird.

Today's forecast: Clouds like oceans. Deep in the shell, baby. Deep in the shell.

## FT Hosts Noontime Chat With Dan Quayle

By ERIC SIMONS
Staff Writer

Former Vice President Dan Quayle will make a campaign stop at Francisco Torres Thursday; the first in a series of presidential-candidate visits sponsored by College Republicans.

The meet-and-greet session with Quayle is scheduled for noon at the FT pool deck, and is expected to last 45 minutes. In addition to chatting with students, Quayle will address political concerns and also give some brief remarks, according to Lee Gientke, the central vice chair of California College Republicans.

"We've invited several thousand people, but the primary focus is getting students to meet [Quayle]. He wants to talk to students and find out what concerns they have," he said. "We're really excited to have him on campus."

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> Tartan Group Consultant Richard Cochrane worked closely with the College Republicans to secure Quayle's visit, and pledged to try to bring the rest of the field in fall. In addition to Quayle, the club plans to host presidential hopefuls Elizabeth Dole, George W. Bush, John McCain, Steve Forbes and Lamar Alexander, Cochrane said.

"It's appropriate. I think all the major can-

didates should come to the university. It's a fun opportunity, and I think Dan has some very interesting views," he said. "I'm a friend of the [Quayles'], and he's a very competent guy. If Al Gore invented the Internet, then Dan Quayle invented the spell check."

Nick Farrah, chair of the UCSB-campus chapter of College Republicans, recognized the tremendous opportunity that candidate visits offer UCSB students and the Santa Barbara community.

"We are very excited to have the vice president come to our campus, and we look forward to more in the future," he said. "The purpose of the event is to make the community a little wiser when they go to vote."

Quayle is set apart from other presidential candidates by his experience and his approach to environmental issues, Farrah said. "Dan Quayle knows the office of the president, and I believe he has a very distinctive stance on the environment," he said.

According to Gientke, the visits will help to battle apathy on campus, as well as inform students on candidates' issues.

"This is part of the College Republicans' mission — to educate the students about Republican issues — and there's no one better to do it [than candidates]," he said. "So often our campus is said to be apathetic. We want to change that through education."

"Publishing the truth, from good motives and for justifiable ends, though it reflect on the government, on magistrates, or individuals."

-Alexander Hamilton



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# ISLAVISTA MOVE OUT '99!!

# Move Out Tips

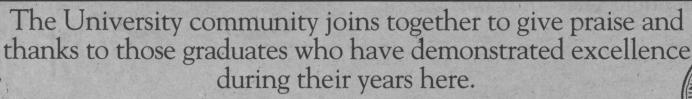
- Got stuff you don't want to move? Help others in Isla Vista by donating used furniture, clothing, and household goods to the GIVE Program; call the Isla Vista Community Service Center at 968-5158 for more information.
- From 6/14-25 (except Sundays), you can leave unusable furniture curbside for removal by County crews. Don't leave it at other times; it invites arson!
- Help out with Adopt-A-Block program (volunteer street cleaning crews); call Cade Hardin at 968-2017.
- Put garbage in the dumpster, not in the street or on the sidewalk.
- Contact your property manager regarding trash problems
- Start planning your move out NOW; arrange for donation of large items with GIVE or local charities.
- Contact local storage companies for summer storage needs.

# Know the Law

- Santa Barbara County Sheriff's Zero tolerance policy will be in effect this means that instead of giving a warning, citations will be issued, and instead of citations, arrests will be made.
- Burning couches or vehicles (any kind of arson!) will result in citations for as much as \$1,000; Enforcement will be increased during the last few weeks of the quarter so don't ruin your summer by spending time in jail or "burning" a \$1,000.

# Party Safe!

- To keep a party under control, plan your party in advance and file a party planner with the Isla Vista Foot patol; call Isla Vista Foot Patrol at 911 to deal with party crashers.
- Make sure your out-of-town guests know that Isla Vista is your HOME and you expect them to respect it and YOU!



The Thomas More Storke Award for Excellence,

symbolized by a bronze medal forged by Francis Minturn Sedgwick, is given to the graduating senior who has demonstrated outstanding scholarship and extraordinary service to the University, its students and the community. This year this distinction is awarded to:

# Gladys Perez Limón

M M M

The Jeremy D. Friedman Memorial Award

is presented in grateful recognition of outstanding leadership, scholastic excellence, and innovative contribution to student and community life at the University of California, Santa Barbara in memory of Jeremy D. Friedman, undergraduate 1979-83.

# Marciano Flores III

\*\*\*

The following students have been selected as recipients of this year's

University Service Awards

Given in recognition of unselfish and dedicated service to the University, its students, and the community.

Nancy Ann Arnold
Taryn Marie Carter
Jessie Ann DeAro
Timothy Neal Grubb
Cynthia Elaine Huie
Sara Harriet Lubkin
Robin Pauline Luke
Janet Elizabeth Mallen
Christopher Louis Martin

Rochelle Rene Morris KaraLynn Oien Serena Susanne Sabella Jessica Adriane Scheeter Kathleen Trubee Scott Geoffrey Neil Tipper Christine Marie Wilson Barbara Ivette Villafana Denise Sui-Ball Yee

\*\*\*

Below are listed those students who are receiving the

## University Award of Distinction

given to seniors and graduate students who have contributed greatly to the quality of life by giving unselfish service to others within a particular area.

Gian Mauro Caputo
Brenda Lee Castelo
Meghan Marie Conklin
Erika Contreras
James Stanwood Dalton
Phong Senh Hoang
Katrina Louise Jiménez
Arleen Lemus
Elizabeth Mercedes Maldonado
Martin Travers Mazyck
Martha Ortiz

Katia Yamillette Pravia
Nyshourn Deneen Price-Reed
Francisco Rendón
Jennifer Jane Roelands
Jennifer Kathleen Tobkin
Myrna Tsao
Lily Anne Yumi Welty
Amber Michelle Willey
Hillary Anne Young
Laura Michelle Young

\*\*\*

The following seniors have also been selected by their campus organizations to receive awards for scholarship or special achievement.

Alpha Lambda Delta Award

The Alpha Lambda Delta Award recognizes the graduating senior having the highest cumulative grade point average of all graduating Alpha Lambda Delta members.

This year's winner is:

Lorraine Theresa Widmann

Mortar Board Award

The Mortar Board Award is given each year in recognition of the graduating senior having the highest cumulative grade point average in the graduating class, combined with the fewest number of transfer units.

This year's recipients are: Jennifer Jane Roelands Jennifer Kathleen Tobkin

\*\*\*

Alyce Marita Whitted Memorial Award

This award, established in 1993, is presented to one non-traditional graduating senior who has demonstrated endurance, persistence and courage in the face of extraordinary challenges while in pursuit of an academic degree.

This year's winner is:

Sabrina Tamara Kwist

Award winners, their families and interested faculty and staff are invited to join Chancellor Yang and Mrs. Yang for the University Awards Ceremony and Reception at the University Center Corwin Pavilion on Friday, June 18, 1999 from 3:30 to 5:00 p.m.

## COUNCIL

turnover, leggies passed a childcare bill, 16-1, which will set up a trust account for students with children, using interest generated from the Capital Reserves account. Concerns regarding the legality of the account were brought up by Off-Campus Rep Eric Morris, but were quickly dispelled by Vice Chancellor of Student

Affairs Michael Young.

"Childcare is funded through a relatively small amount of student fees," Young said. "As far as I understand it, there are no restrictions on [Leg Council's] ability to establish a grant that would administer money to students."

Once past old business, the leggies ceremoniously rose from their seats to allow the new council and executive officers to be sworn in.

From this point, the new council attempted to decide on President Jason Nazar's 1999-2000 A.S. board and c o m m i t t e e recommendations.

Before any motions were made, Nazar pleaded with the council members to trust the 181 names he and the other three executive officers decided on over the course of the last three weeks. He cautioned: "It's important you trust your four executive officers, because if you don't we will not have a positive working environment this year."

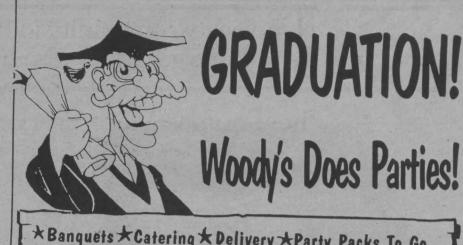
However, council mem-

bers, such as Morris, refused to accept the idea of approving the recommendations without scrutiny.

"How can we be voting on these issues if we have no clue? Do you guys want to flip a coin? This is ridiculous. We cannot discuss things we haven't researched. We are going to have mass chaos next year if we can't research things," Morris said. "Erin O'Donnell, our own president, was not approved to a board? What's going on here?"

Off-Campus Rep Myesha Jones disagreed with Morris. She said that since all the applicants were already interviewed, it

See COUNCIL, p.9



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## **ARSON**

■ Continued from p.1

Dept. got there pretty quick," he said.

This fire came just days after a vehicle arson on the 6600 block of Del Playa Drive early Sunday morning, according to Capt. Wes Herman. "Nothing has led to life loss, or great property loss, yet," he said, but I.V. residents should be aware that their property and cars may not be safe.

Couch fires, popular in I.V., pose a physical threat as well because people attempt to jump over the flaming couches, Herman added. Earlier in the year two men collided in midair above a flaming couch, and one sustained severe burns to his hand and leg.

Johnson said, "[Couch fires are] one of those things that students think are a prank, but it's not.... It's getting out of control."

According to Herman, there has been an increase in reckless behavior in the student population. "These arsons are another kind

of self-destructive, criminal behavior," he said.

Johnson emphasized that, with move-out coming up, the risk for couch and dumpster fires increases. Abandoned furniture is one of the biggest hazards at this time, and to combat the risk there will be daily pickups and residents will be asked not to leave furniture on the curbs overnight.

"The university is working really hard for trash pickups," he said. "I think they are trying to find a place to discard, too."

Peter Panofsky, resident at 6619 Trigo, complained that discarding large items is difficult.

"There should be some way for people to get rid of old mattresses and furniture around here," he said.

Johnson disagreed, praising the trashdisposal company Marborg. He added that the real responsibility falls to the owner of the property to dispose of it properly.

# In Memoriam Professor William E. Palke

Professor William E. Palke, 58, died suddenly on May 10, 1999 of an apparent heart attack. His loss is deeply felt by his students, colleagues, family and friends. Professor Palke had been a member of the UCSB chemistry faculty for 30 years. He taught at all levels, ranging from freshman chemistry to graduate courses in quantum mechanics. He was widely regarded as one of the best teachers in the department. In research, he published many significant articles on the electronic structure of molecules. More recently his focus shifted to the simulation of NMR spectra of molecules in liquid crystals.

Professor Palke was a quantum mechanic of great skill.

A memorial celebration of the life of Professor Palke is planned for the afternoon of Friday June 4 at 4 PM on the lawn between Chemistry and Physics (i.e. between PSB North and Broida halls).

All who wish to come are invited.

To keep alive our memory of the many contributions Bill made to UCSB, the Chemistry Department has established the Palke Memorial Lectureship Fund, designed to bring leading researchers to campus for special lectures in Physical and Theoretical Chemistry. Should you wish to contribute, make your check out to the UCSB Foundation and send it to:

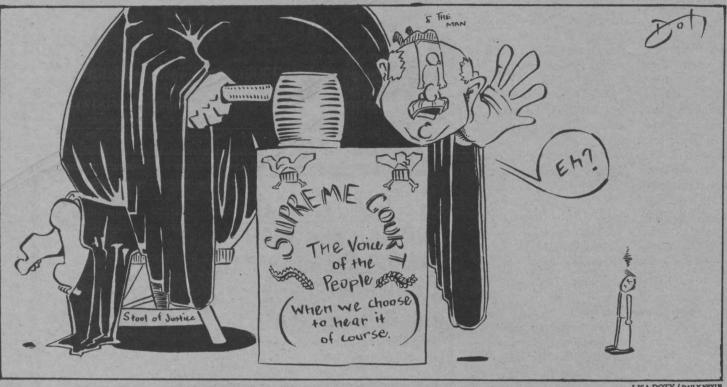
Palke Fund Chemistry Department University of California Santa Barbara, CA 93106

## **Staff Editorials:**

Editorials are the consensus opinion of the Nexus editorial board. All editors are invited to sit on the board by the editor in chief.

**Columns and Letters:** We welcome all submissi mum length is three page

the property of



LISA DOTY / DAILY NEXUS

# The Man: 1; The People: 0

State Supreme Court Ruled for the Government and Against the Public's Right to Know

ur country was founded on the democratic principle that people have inalienable rights, while governments have only the powers granted to them by the governed. This principle was ignored Tuesday by the California Supreme Court, whose decision in Regents v. Superior Court (formerly Molloy v. Regents) placed the interests of the government above the right of the people to full disclosure.

Molloy v. Regents was filed in February 1996 when Daily Nexus Campus Editor Tim Molloy brought to light evidence regarding then-Gov. Pete Wilson's possible under-the-table communication with a number of University of California Regents prior to the votes on SP-1 and SP-2 — regents' policies eliminating Affirmative Action in the University. Molloy harbored information exposing secret calls made by Wilson or members of his office to sway votes in the decision. Such calls would violate the Bagley-Keene Open Meeting Act, which stipulates the public's right to participate in decisions reached by governing bodies like the board of regents. After repeated attempts to gain access to the governor's public phone records, Molloy remained emptyhanded and took the evidence he did have to court.

Upon analysis of the evidence and arguments, the Superior Court stipulated last year that the lawsuit by Molloy and the Nexus could continue. However, the Supreme Court overturned the Superior Court's ruling, so no more action may be taken to further the suit. Investigations into the withholding of telephone records, incidentally, may continue to be pursued.

According to the court's majority opinion, written by Associate Justice Stanley Mosk, the main reason for overturning the Superior Court's decision rested in the statute of limitations under the Bagley-Keene Act. The act declares that an action taken by a state body may become null and void if proper notice was not given or the meeting was not held so that the public could give comment. However, under the statute of limitations, if a party does not begin action to pursue nullification within 30 days of the action, the action may not be declared null and void.

The court used this component of the act to fuel its argument against the Superior Court's decision. It ultimately took Molloy seven months to file a complaint against Wilson and the regents. Molloy made repeated attempts (28) to access the phone records, which are supposed to be available to the public. In attempting to uncover evidence which could clarify whether calls were made before the vote, Molloy missed the 30-day deadline. The court, then, jumped on this picayune aspect of the statute of limitations to make its ruling.

In reaching its decision, the Superior Court threw out this aspect of the statute of limitations because of the evidence of fraudulent concealment by Wilson. The Supreme Court, on the other hand, chose to follow the statute of limitations, because in its view 30 days means 30 days. This was the crux of their argument, and therefore the true purpose of the lawsuit did not bear relevance in the court's final decision.

This logic illustrates the blind eyes the court turned to the intent of the Bagley-Keene Act. The act states, "It is the intent of the law that actions of state agencies be taken openly and that their deliberation be conducted openly." When making its decision, the court negated its duty to look at the principle behind the issue. It examined only the minutiae of the letter of the law; the broader picture — the spirit of the law, which is to prevent government agencies from acting without public comment was overshadowed.

Twenty-eight requests for copies of phone records were made by Molloy. All these requests were denied. These refusals to provide information were not in accordance with the spirit of the Bagley-Keene Act to make meetings open to the public. Those actions were not in accordance with the higher intent of the law, and should have been subject to punishment by the court.

Asking the court to consider the greater picture is something that has been done before. In the majority opinion, the court cited precedents for finding ways to interpret the law to stay true to its spirit, even at the expense of its details. The opinion cited how the "discovery rule" can be applied to extend the beginning of a limitations period to the point at which the wrongful act is discovered, rather than the time it is committed. This precedent was established in Garver v. Brace in 1996. Therefore, it should not be too much to ask the court to look at the broader issue in this case as well.

Associate Justice Janice Brown's concurring opinion also necessitates scrutiny. In the argument, Brown asserts that arriving at an informed and efficient decision takes precedence over the public's right to know and interact with state bodies. Brown claims, "The public need for access to information must be balanced against the public's right to the efficient administration of public bodies." However, the point of democracy is not maximum efficiency, it is to ascertain what the public wants. The public should be present at any meeting which results in any impact on the public. This represents the heart of the issue.

Also in the concurring opinion, Brown claims that the allegations against Wilson do not necessitate action because they are not serious enough. One wonders just how blatant a violation would have to be for Brown to consider it serious. Affirmative Action, whether repealed or enforced, stood to impact thousands of potential students seeking admittance to the prestigious UC system. The votes on SP-1 and SP-2 represent one of the most scrutinized and controversial decisions the regents have ever made. In addition, Molloy maintains evidence, including the testimony of several regents, which documents some of the shady proceedings. These are very serious allegations which should not be shrugged off.

What kind of precedent does this set? State bodies, according to this decision, technically still cannot make decisions in private. However, if they do make their decisions in secret, they are home free as long as they can cover it up for 30 days. If they are caught, the decision will not be reversed, anyway.

The court struck a blow for the government's right to govern over the individuals' right to keep that government in check. This has drastic implications, discouraging common citizens from fighting powerful figures of the state. It is a step backward to a time when important political decisions were made by old boys' clubs in smoke-filled back rooms, clouded from the public eye. While one might expect executive officials like former-Gov. Wilson to want a return to those days, it is disappointing to find the highest court in the state agreeing with them.

# **Hatred Not Tole**

No Place on Campus for Racism, H

MICHAEL YOUNG

Late in the night of May 19, racial slurs aimed at an student were carved into three stall doors in a reside This was the third of three such incidents aimed at the of the offenses were clearly racist in content and the o to be demeaning and hurtful. Also, on the night of Ma remarks about another student were carved into two t another floor of the same residence hall. The evidence act was committed by one or more students against

I wrote the campus last fall just after the murder of N student at the University of Wyoming, who was beate because he was gay. At that same time, we bore with against black churches, abortion clinic bombings and the a black man, James Byrd, who was dragged to death bel

I am writing you again, but this time about racist an here at UCSB. These cowardly acts of racism and hate in some distant community in another state; they took our own community, on our campus, in San Nicola While I am not equating arson, bombings and murder in San Nicolas, it is clear that all these acts emanate from The cause is intolerance and hatred: People, organizati come the target of dehumanization and violence simp they are, or for the views or values they hold. The ma hatred - racism, homophobia, sexism and violence fabric of our society.

What has occurred in San Nicolas Residence Hall t of our campus community. It is true that only two

# The Reader's Voice

DON'T MESS WITH THE SAN

FRANCISCO GIANTS, PART I

Editor, Daily Nexus:

We are writing in response to Zack O'Neill's column titled "Abuse the Force" (Daily Nexus, May 19). On the morning of the 19th, as we sat down before history lecture, we opened our Daily Nexus and were surprised to find a disgruntled Dodger fan who seemed rather determined to proclaim his team's

Perhaps we were surprised because the Dodgers have made a habit of falling well short of their lofty preseason goals the last decade. We would expect that Dodger fans would be accustomed to this persistent failure. However, O'Neill insisted on arguing that the team's \$80-million payrolf will somehow magically lift them from the doldrums of the NL West. He even went as far as to say that Giants fans are "mutants" and jealous of "all things Los Angeles."

O'Neill has come under the impression that Rupert Murdoch is a baseball genius and "the most powerful man in sports." How can a true baseball fan praise a man who has built his team by shelling out ridiculously high salaries to free agents? He assembled his team with high-priced, destined losers such as Todd Hundley (\$5.3 million per year), Mel Rojas (\$4.6 million per year), Carlos Perez (\$2.3 million per year) and Devon White (\$2.5 million per year). They are not team players. These men play to collect a lofty paycheck and increase their value in the free-agent market. Meanwhile, Murdoch was trading away his home-grown franchise player, Mike Piazza, one of the best offensive catchers in baseball history, not to mention the heart and soul of the Dodgers.

So far this season, seven NL teams have better records than the Dodgers. The New York Yankees and Florida Marlins both bought the World Series the past two years, but it does not look as if the Dodgers can hold a candle to the Yanks this season.

On the other hand, the Giants are blessed with team players who play with heart and emotion, and arguably the greatest mind in baseball, Dusty Baker. The Giants' payroll is only 56 percent of that of the Dodgers. However, S.F. is currently three games ahead of the third-place Dodgers and is primed to claim its second NL West title in three years.

etters:

ubmissions, but please include your name and phone number. For columns, maxiee pages, typed and double-spaced; for letters, one page. All submissions become perty of the Daily Nexus upon being turned in and are edited for length and clarity.

## **How to Reach Us:**

Drop by the Nexus office under Storke Tower, call us at (805) 893-2691, call the Hot Line at (805) 893-2692 or fax us at (805) 893-3905.

# plerated

ism, Homophobia

ING

ned at an African American a residence hall restroom. ned at the same student; two and the other was calculated ght of May 19, homophobic nto two towel dispensers on evidence indicates that each against other students.

urder of Matthew Shepard, a was beaten and left for dead ore witness to arson attacks ngs and the brutal murder of death behind a pickup truck

racist and homophobic acts and hate did not take place hey took place in the heart of an Nicolas Residence Hall. d murder to what happened anate from the same disease. rganizations and groups beence simply for who or what . The manifestations of this iolence — threaten the very

nce Hall threatens the fabric only two individuals were

While O'Neill says S.F. stands for "Second place

could very well stand for "Supreme Force" of the NL

West. The Giants may be a team full of "overachiev-

ers." Still, we think most people would agree that

"overachievers" are far superior to "underachievers."

Baseball is a game played by a team, working together

to win. Our national pastime should be a game of

heart, desire and perseverance. When people treat it as

a game of money, television and greed, the integrity of

Unlike O'Neill's column, this letter was not written

to insult or belittle anyone. In fact, we believe both

teams should be respected for sharing in one of the fin-

est rivalries in sports history. Additionally, their re-

cords over the past decade are nearly identical. True

sports fans respect other teams as well as their own.

When their teams lose, they do not form excuses and

take out their frustrations upon other teams. Re-

peatedly bashing a rival may be fun for O'Neill, but it is

In keeping with O'Neill's attitude, we will say this:

Sometime in September when the Giants are still

"Too High" above the Dodgers, Yoda may turn to the

dark side, pay the Queen a visit, and "off with her

head!" Baseball's most powerful man may even have a

NICHOLAS SMITH MICHAEL BURTON

not honorable journalism.

show on FOX about it.

**HKIBUISHI** 

the game is undermined.

targeted: a young woman called the worst name anyone can call a black person in America, and a young man labeled in an attempt to humiliate him for his sexual orientation. While it is also clear that two segments of our broader community, the African American and the Lesbian/Gay/ Bisexual communities, have been injured, in truth we have all suffered harm. Our community has standards. It has standards of civility, standards of decency and standards of what is right; our community has expectations about how we engage, treat and respect one another. These standards have been fundamentally violated. An attack on the basic dig-



nity and humanity of any one of us is an attack on us all — this principle cannot be compromised.

So, what do we do? For me the answer is clear. We must continue to struggle against all forms of hatred and intolerance, whether physical, psychological, educational, political or economic. We must work even harder to identify and address the root causes, the foundations of dehumanization, hate, violence and intolerance, and redouble our efforts to

eliminate them. We must be about the hard, grinding, unglamorous work that requires daily attention, and, eventually, a lifetime of commitment. If we are to find value and meaning in our response to offensive acts, then we must be about the hard work of freedom. Freedom is not free: The price of freedom is vigilance — and it is also diligence.

Let me once again articulate what can be the only attitude of this administration about acts of violence and hatred on this campus. There is no place — absolutely no place — on this campus for physical violence, personal intimidation or demonstrations of hatred, as there should be no place for it in our society. No one should have to walk in fear for any reason, and certainly not because he or she belongs to a certain group, a particular race, ethnicity or gender, or has a certain sexual orientation. Acts of hatred, violence and intimidation will not be tolerated, never have been, never will be. The recent campus incidents are violations of campus policy. They are also violations of law, and are being investigated by both campus authorities and the police.

Ultimately, we must decide who and what we are as a people and as a community, what we truly believe in and what we do not. We must decide which values we just pay lip service to and which we live daily. At times like these, we learn who we really are, as opposed to who we say we are. If we can quietly allow some among us to target others with words that symbolize centuries of slavery, oppression, discrimination and violence, then what have we become as a people? If we can ignore filth directed at members of our community because of their race or sexuality, then what do we truly stand for?

Each of us has a responsibility to serve as a guardian of our community's standards. It is not for us to be the "thought police" (this is not about thought, but behavior). It is, however, our duty to stand up against indecent, abhorrent acts.

The UCSB community must demand dignity and respect for everyone. It is up to all of us to ensure that every member of our community can live, work and study here in dignity and safety. We must let those who would commit acts of hatred, dehumanization, intolerance and violence hear our outrage and disgust. We must be clear that this behavior has no place at

Michael Young is the vice chancellor for student affairs.

## Letters to the editor MUST include the author's FULL name, phone number, year and major.

DON'T MESS WITH THE SAN FRANCISCO GIANTS, PART II

Editor, Daily Nexus:

This is in response to the humorous comments in the sports section referring to the S.F. in San Francisco Giants as "Stupid Fans," "Sorry Franchise" and "Second place Forever" (Daily Nexus, "Abuse the Force," May 19). For those of you who don't already know, the S.F. stands for "Sucka Free" and it represents one of the unnoticed success stories in baseball.

One has to respect a franchise that, despite such a small market and such little-known players, is still able to consistently contend with, if not dominate, the West throughout recent years. Unlike a team like, let's say, the Dodgers, who know how to spend big money on big names, the Giants know how to win. I'll take an over-the-hill pitcher like Mark Gardner over an overaid star like Kevin Brown, and a no-name like Bill Mueller over an alleged superstar like Sheffield any day if it means that year after year the Giants finish in playoff contention, while the Dodgers are out of the chase in September wondering who they're going to

As far as fans are concerned, it is not uncommon to see souvenir bats being broken on heads wearing Dodger hats while sitting in the bleachers at the 'Stick during a BEAT L.A. weekend. On the other hand, I could wear my Bonds jersey to a Giants game at Dodger stadium, and the fans who haven't left already and who can actually read won't give a flying fuck.

I don't know if you've checked the standings lately, but the Giants are on top of the West (that's with Bonds on the DL), and as long as they have a manager like Dusty Baker, they're there to stay. This is why I'm convinced that all the money in the world couldn't buy what the Giants have, and what no L.A. team has: heart. Look at the Lakers, who have three of the NBA's best players in Shaq, Kobe and Rice, and who still manage to get their asses swept as the overrated underachievers that they are.

Sure, if you like all the glamour, fame and popularity that encompass L.A. organizations, you're going to jump on the wagon, but if you're a die hard who doesn't give a fuck about which celebrities are in attendance or how fashionably late you arrive to games, you're going to support the winning effort, not L.A.'s.

I'm a Golden State Warriors fan and I strongly believe that, had the G-State's ownership not puffed on so much Bay Area chronic, they would've kept stars like Vince Carter, Latrell Sprewell, Penny Hardaway and others, to demonstrate how a team with as much talent as the Lakers should be the dominating force in the

Oh, I'm not even going to mention the 49ers, the most respected franchise in all of sports.



On paper, the Dodgers and the Lakers would be world champions in their respective sports, but in reality, as long as they lack chemistry and soul - characteristics of the Giants that are vital to success - they will remain as worthless as the paper this is printed on, and L.A. will forever stand for Losing-Ass bi-atches!

POOYA SOHI

Misplaced Trust Actually uttered by **Associated Students** Off-Campus Rep Sara Azadi during Wednesday night's eg Council meeting: 'If they want to get nvolved in A.S., they probably have good ntentions." Ne couldn't make his up if we tried.

is anyone really surprised that the elecion of three memers of the Student Action Coalition to executive offices has ed to a bitter partisan squabble over committee appointnents? If you hought A.S. politics was petty before the advent of a party ystem, just wait intil next year.

**Drink of the Day** Due to the unseasonably crappy weather, today we recommend the Snuggler: Mix a generous amount of Peppermint Schnapps (preferably 100 proof) into a cup of hot cocoa. This one will keep you warm on those lonely winter nights, or these inexplicably rainy spring ones.

**Sour Grapes** 'Courtroom: A place where Jesus Christ and Judas Iscariot would be equals, with the betting

- H. L. Mencken

"Under current law, it is a crime for a private citizen to lie to a government official, but not for the government official to lie to the people. - Donald M. Fraser

"No one has a more sacred obligation to obey the law than those who make the law."

Sophocles

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Forever," statistics over the past few years show that it

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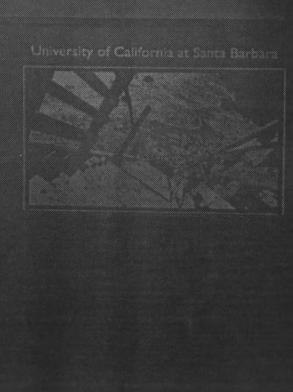
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wasn't the council's duty to reassess the validity of every one of the 181

appointments.
"We will never know if the people they were picked over were better than them. To find out we'd have to go out and meet every candi-

date and I'm not going to do that," she said. "When they don't do their job, that's when our job comes into

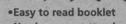
After over two hours of debate, the council approved all but 32 of the recommended names, leaving those in question to be decided upon in summer Leg

"I used to say that politics was the second oldest profession, and I have come to know that it bears a gross similarity to the first."

-Ronald Reagan

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# DELIVERY BA FINDA ( BFACK

Check the day's rating: 10 is the easiest day, 0 the most challenging.

Aries (March 21-April 19)—Today is a 6—The focus is on your career.

There are some conflicts and you may have to take quick action, but your friends will be there to bail you out. Just about the time you think you're

There are some conllicts and you may have to take quick action, but your friends will be there to bail you out. Just about the time you think you're standing all alone, the cavalry will come to your rescue. Your buddies want to help, so be sure to ask for it.

\*\*Taurus\*\* (April 20-May 20)—Today is a 6—You ought to move quickly. You're luckiest while the moon is in Capricorn. It gives you confidence and increases your natural good judgement. You might have an opportunity for a promotion, raise or even a better job, maybe back to something you've done before. Figure out what it is today, so you can take action tomorrow.

\*\*Gemini\*\* (May 21-June 21)—Today is a 6—The sun is in your sign and the moon is in Capricorn, going into Aquarius. This will be wonderful for you, but before that happens, you'd better take care of business. Finish paying those bills or calling in the money that somebody else owes you. Once that's out of the way, travel beckons.

\*\*Cancer\*\* (June 22-July 22)—Today is a 5—As long as the moon's in Capricorn, you'll find it easier to work with a partner, so now's the time to discuss a big purchase. Later in the day or tomorrow will be excellent for going shopping for an expensive household appliance that will require the pooling of your resources. Talk about it today, so you can buy it tomorrow.

Leo (July 23-Aug. 22)—Today is a 6—You're probably just about ready to feel overwhelmed, and that's saying a lot for a Leo. The last couple days have definitely been hectic. Well, you could go right on trying to do everything by yourself, or you could get help. Do the latter. Pick a partner with advanced technical abilities.

\*\*Virgo\*\* (Aug. 23-Sept. 22)—Today is a 6—You start out relatively calm, and the properties of the properties of the properties of the properties of the properties.

Virgo (Aug. 23-Sept. 22)—Today is a 6—You start out relatively calm, cool and collected, but later on you might get a little rattled. This is not where you want to go. You always want to be well prepared and able to handle any situation, so take care. You'll do fine if you've done the home-

handle any situation, so take care. You'll do fine if you've done the homework and have the facts at your fingertips.

Libra (Sept. 23-Oct. 23) —Today is a 7—You're about to come into a lucky phase, making you even more powerful than you have been lately. You've been through sort of a metamorphosis. You've had to get rid of some things that no longer worked and now you're about to start new projects. A surge of creativity could happen today, or certainly tomorrow.

Scorpio (Oct. 24-Nov. 21)—Today is a 6—What you're learning today should have something to do with domestic matters or fixing things up around the house, now that you know, you can plan ahead, which is what Scorpios love to do. Anticipate what might break at your house in the next few days and see if you can fix it before it does.

Sagittarius (Nov. 22-Dec. 21)—Today is a 6—Conditions are right to do lots of learning — not just theoretical stuff, but the kind of knowledge you can take to the bank. Get serious about updating your skills, making your self useful and putting all you'll want to do is party.

Capricorn (Dec. 22-Jan. 19)—Today is a 6—The sun is in Gemini and the moon is in your sign, going into Aquarius. For most people, when the moon

ш

Capricorn (Dec. 22-Jan. 19) — Today is a 6—The sun is in Gemini and the moon is in your sign, going into Aquarius. For most people, when the moon goes into Aquarius, it means they should study technical matters. It's the sign of the scientist. But it means you should study money, since Aquarius is in your solar second house of money. That's your assignment right now. Aquarius (Jan. 20-Feb. 18)—Today is a 7—The sun is in Gemini and the moon is in Capricorn, going into your sign. That means you're getting stronger. Over the next couple of days you'll be absolutely awesome. Just about whatever you want could come your way, with a little nudge from you, of course, Pay attention to what's coing on and push things in the direction you.

course. Pay attention to what's going on and push things in the direction you

want them to go.

Pisces (Feb. 19-March 20)—Today is a 6—That Capricorn moon has enhanced your friendships and made it easier for you to work with groups of people, but now you're going to become a little more introspective. You'll be thinking about your own,hopes and dreams, and trying to figure out ways to achieve your goals. Don't forget your friends, because they can still be helpful.

Today's Birthday (June 3). If you and a dear friend put your money together, you might be able to take the vacation of your dreams. Make up a plan in June with the help of a loved one. In July, figure out how much money you'll need. Don't be scared, Getting it is part of the game. In August, a secret friend could teach you something important, if you're willing to listen. In September, your outspokenness could help your relationships in ways you never would have imagined. December is a little stressful, but exciting, too, and certainly not boring. Changes in January could lead to increased profits, and February is the best time for your trip. Even an old, familiar location will look different this time. Social activities put a strain on your budget in April, which could force you to learn more profitable skills by May.

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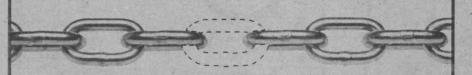
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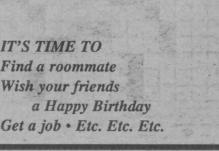


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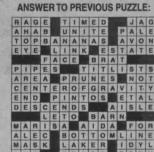
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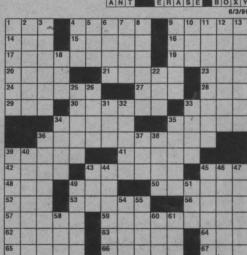
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By Rich Norris
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6/3/99

# Sports

# Daily Nexus Male Athlete of the Year: Carl Larsen

# Larsen Laps Opposition on His Way to Olympics

By MATT HURST Staff Writer

It would be easy to have attended UCSB and still missed senior swimmer Carl Larsen's many feats this past season. With the sporting scene focused on the success of the basketball teams, Larsen's incredible season was overshadowed. However, throughout the nation, Larsen made sure the swimming world took notice of him, turning heads with record times and causing opponents to shake their heads after coming up short.

Larsen, whose best event is the 1,650-yard freestyle, has qualified for an Olympic trial time in that event, along with two others in the 400-yard individual medley and the 500-yard free. The trials take place in August of 2000 in Indianapolis and the top eight finishers get an all-expense paid trip to Sydney, Australia.

"We always knew that Carl was good," UCSB Head Coach Gregg Wilson said. "We were just waiting for him to fulfill his potential. Because of injuries ... he didn't really make his big breakthrough until this year."

And break through he did. Larsen was named 1999 Big West Swimmer of the Year, leading the Gauchos to their 21st-straight Big West Championship. During the course of the season, the Honolulu, Hawai'i native broke two conference records in the mile with a 15:12.62 and finished in 4:23.09 in the 500 free.

Larsen also set three UCSB records with a 4:21.49 in the 500 free, 9:07.91 in the 1,000 free and a 15:03.62 time in the 1,650. The record Larsen set for the 1,000 free happened while he was racing for the mile, accomplishing the feat during one of his flips. Larsen was the only representative that the Gauchos sent to Indiana, but he didn't disappoint. Larsen came back to the beach having scored enough points himself to give UCSB a #24 national finish.

"It definitely was a new experience," Larsen said about the NCAA Championships where he set the three records. "I was in a good position going into the meet because no one knew who I was. I went into the meet feeling very relaxed and not pressured. After I set the records and came out [of the pool], then people began to notice who I was — that Santa Barbara has a swimmer and that he placed in the top 25."

Larsen — who first started swimming when he was eight years old to relieve asthma — swam his way into the top five distance swimmers that this country has to offer.

"You look at the four guys that are ranked ahead of him in the mile this year, those same four guys were ranked in the same four places with the same times [last year]," said LICSB distance swim coach



JASON SCHOCK/ DAILY NEXT

JUST ADD WATER: The UCSB swim team added its 21st-straight Big West title as senior Carl Larsen set many records on his way to qualifying for Olympic time trials in August of 2000.

Mani Zarrehparvar. "They're not getting any faster, he's getting a lot faster. I think he's just going to keep getting better and better and if he keeps going the way he is, I think he has a real shot at being on the Olympic team in 2000."

To Larsen, representing the stars and stripes down under would be the ultimate dream come true for him.

"I had no idea coming to this university that I was going to make it this far," the communication major said. "I'm just as surprised as you guys are. Just to be lat the

Olympics] is any athlete's dream. I just want to get there. I don't care if I get last place or if I get first place, just competing at the Olympic Games is [a dream]."

While Larsen's competitive swimming career at UCSB has ended, he is far from finished. Larsen will continue working out in the campus pool, training for the Olympic Trials. But, the team feels lucky to have his presence returning to the water.

"He's more of a silent role model," freshman Kevin Herlihy said. "He leads by example and he's a serious workhorse. He works his butt off in practice and everyone

wants to work as hard as he does."
Wilson continued on Herlihy's

"He endears himself to people because he's a good person," Wilson said. "He works hard, he inspires others to work hard. It's been very good for the program to have him lead. It will be very good to have Carl here, especially next fall, for our training. He'll be here in the fall, training, and we're very excited. He adds a lot of good positive things to the team."



## Carl Larsen Season Highlights

Larsen set three UCSB records this year in the 500-yard freestyle, the 1,000-yard freestyle and the 1,650-yard freestyle.

The senior swimmer led the Gauchos to their 21st-straight Big West title and was named the 1999 Big West Swimmer of the Year.Larsen also qualified for Olympic time trials in the 400-yard individual medley, the 500-yard freestyle and the 1,650 yard freestyle.