

The Baylor Lariat WEDNESDAY | OCTOBER 24, 2012 www.baylorlariat.com

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Don't Feed the Bears Listen to the Lariat's sports desk break down last weekend's football game against Texas and talk about this week in Baylor athletics. Only on baylorlariat.com

Viewpoints

"Though it is not a perfect system, affirmative action is the best *policy we have* so far to ensure racial diversity in higher education... To jeopardize the most influential policy regarding university racial *diversity in the* country on this case alone is a fluke."



Kountze High School cheerleaders and other children work on a large sign Sept. 19 in Kountze, Texas. Texas Attorney General Greg Abbott announced that he is intervening in a lawsuit that cheerleaders filed against the school district in which the district told the cheerleaders to stop using Bible verses at football games.

Religion on the field set to be debated in court

By Linda Nguyen Staff Writer

Cheerleaders at a Texas public school have jumped headfirst into litigation that could have implications on the division of church and state and the First Amendment as it affects the public school system.

The Kountze High School cheerleaders are suing the school for the First Amendment right

to use Bible verses on their runthrough banners at football games.

The cheerleaders have been including Bible verses on banners displayed in public at school football games since the beginning of the year.

After the superintendent of the Kountze public school district received a complaint from the Foundation for Religious Freedom, the cheerleaders were

told to stop, although District Judge Steve Thomas granted an injunction on Thursday allowing them to continue using religiousthemed banners at games.

A trial is set for June 24. Dr. Charles McDaniel, former associate director of the Church State Institute and assistant professor for the Baylor Interdisciplinary Core, said any constitu-

SEE **SPIRIT**, page 6

Fourth tech bankruptcy adds to losses

By PAUL J. WEBER Associated Press

AUSTIN - A fourth Texas high-tech startup that received taxpayer dollars through Gov. Rick Perry's signature economic development fund has filed for bankruptcy in the \$194 million portfolio's biggest bust yet.

The collapse of bioenergy producer Terrabon Inc., which was awarded \$2.75 million in 2010 and was backed by large Perry political donors, raises questions about whether the state's Emerging Technology Fund launched in 2006 could now be worth less than what taxpayers have put into

Terrabon is the fund's second bankruptcy in the past four months, losses that severely cut into state estimates that the fund has so far delivered a \$4.5 million return on investment.

The state's venture capital-like fund has raised concerns about accountability and transparency, including a critical report from the state auditor's office last year. Perry's political opponents have also hammered him over ties between campaign contributors and fund recipients.

Terrabon's bankruptcy, which was filed in a Houston federal court in September, brings the total losses of four failed investments to \$5.25 million. In the

fund's 2012 annual report re leased in January, Perry's office estimated that the portfolio's 133 investments were worth \$4.5 million more than what the state had handed out.

When first asked by The Associated Press about the fund's four bankruptcies apparently wiping out the gains entirely, Perry spokeswoman Lucy Nashed said the annual report was outdated and argued the fund's value could have increased. She later amended her comment, saying the January report factored in the first two companies to go under in 2010, in what was a combined \$2.25 million loss.

But the fund's current financial health remains unclear. Nashed said new figures are not expected until January, and further defended the fund by pointing to \$592 million that the startups have collected from private investors.

"Nobody expected that there wouldn't be some companies that didn't make it. This type of fund will always have companies like that," Nashed said. "But I think the amount of money that we're bringing in from outside funding and the increase in the state's investment value is significant."

The Associated Press learned of the loss and the tech fund reaching what could be a tipping

SEE **PERRY**, page 6

'Where Dreams Die Hard' offers inspiration

By DAVID MCLAIN

Chamber took over in 2008," said Alexis Weaver, director of community development for the chamber.



The week after it was pub-

Emotion is an important part

Page 2

Bear Briefs

The place to go to know the places to go

Observe your roots

Celebrate the history of Hispanic culture with the 2012 Hispanic Heritage Banquet presented by the Hispanic Heritage Society and Multicultural Affairs at 7 p.m. today in the Barfield Drawing Room of the Student Union Building. Emmy award-winning author and journalist Sandra Guzman will be the keynote speaker. Tickets are \$10.

Be in the audience

Don't miss Baylor's A Cappella Choir perform at 7:30 p.m. Thursday in the Jones Concert Hall of the McCrary Music Building



Reporter

Journalist and nationally recognized author Carlton Stowers spoke Tuesday to several Baylor classes, offering writing advice from his own experiences.

The event was in conjunction with One Book, One Waco, a program of the Greater Waco Chamber of Commerce in which a new book is selected each year that community members will read simultaneously.

"One Book, One Waco is a community literacy program that started at Baylor that [the Waco]

Stowers' book "Where Dreams Die Hard" was selected for One Book, One Waco for fall 2012.

For the book, Stowers spent nearly a whole school year with the community of Penelope to chronicle the life of a small town that thrives on six-man football.

"It's a book about a town not far from here, with a population of about 200," Stowers said. "It's the 16th-poorest school district in the state of Texas. It's a great place?

ARLTON STOWERS

lished, Stowers said, he received a phone call from the office of the New York Times book review.

"It told a story that hadn't been told," Stowers said. "It told what rural America is today. I had no expectations other than 'I want this to be recognized as a good book."

Stower said he has been writing for a long time.

"I have always seen my role as a writer as that of a matchmaker," Stowers said. "What I like to do is to seek out, and if I get lucky, find that person, place, situation that really interests me."

of writing a successful story, Stowers said He told students that much of his success as a writer comes from the emotion that he puts into his works.

"You'll hear that it's important as a reporter that you stay detached. That's bull. Forget that," Stowers said. "If you have not evoked some kind of emotional response from your reader, there is something missing in what you've done."

Robert Darden, associate professor in the department of jour-

SEE AUTHOR, page 6

Man alleges that NYPD paid him to bait Muslims

By Adam Goldman AND MATT APUZZO Associated Press

NEW YORK - A paid informant for the New York Police Department's intelligence unit was under orders to "bait" Muslims into saying inflammatory things as he lived a double life, snapping pictures inside mosques and collecting the names of innocent people attending study groups on Islam, he told The Associated Press.

Shamiur Rahman, a 19-year-old American of Bangladeshi descent who has now denounced his work as an informant, said police told him to embrace a strategy called "create and capture." He said it involved creating a conversation about jihad or terrorism, then capturing the response to send to the NYPD. For his work, he earned as much as \$1,000 a month and goodwill from the police after a string of minor marijuana arrests.

"We need you to pretend to be one of them," Rahman recalled the police telling him. "It's street theater."

Rahman said he now believes his work

as an informant against Muslims in New York was "detrimental to the Constitution." After he disclosed to friends details about his work for the police — and after he told the police that he had been contacted by the AP - he stopped receiving text messages from his NYPD handler, "Steve," and his handler's NYPD phone number was disconnected.

Rahman's account shows how the NYPD unleashed informants on Muslim neighborhoods, often without specific targets or criminal leads. Much of what Rahman said represents a tactic the NYPD has denied using.

The AP corroborated Rahman's account through arrest records and weeks of text messages between Rahman and his police handler. The AP also reviewed the photos Rahman sent to police. Friends confirmed Rahman was at certain events when he said he was there, and former NYPD officials, while not personally familiar with Rahman, said the tactics he described were used by informants.

SEE NYPD, page 6



PAUL CARR I BAYLOR DIRECTOR OF STUDENT PUBLICATIONS

Stars in the stadium

Movie stars Natalie Portman and Michael Fassbender make an appearance at the game between Baylor and the University of Texas on Saturday in Austin while on the set of an untitled Terrence Malick project shoot that uses the game as background footage

Supreme Court should uphold affirmative action

Editorial

Affirmative action has always been a controversial issue since it's inception in 1961 by John Kennedy. The goal was to counter the effects of a history of discrimination by eliminating the discrimination of minorities in college admissions on the grounds of gender, religion, ethnicity, handicap and yes - race. This not only applies to college campuses, but to the workplace as well.

In 2008, Abigail Fisher's application was rejected from the University of Texas. Fisher graduated from Stephen F. Austin High School with a 3.59 GPA, a score of 1180 on the SAT. She was ranked 82 from a class of 674 (in the 12 percentile).

Fisher sued the university, arguing that she was rejected because she is white. The U.S. Supreme Court heard the case on October 10, 2012, and a decision is expected sometime in June 2013. This case calls into question the use of race as a determining factor in enrollment by universities to increase diversity on campus. In 2003, this same question was brought under scrutiny in Grutter v. Bollinger, in which the Supreme Court supported the University of Michigan Law School's use of race and ethnicity as one factor in making admissions decisions.

A ruling in Fisher's favor would overturn the previous ruling and set a precedent against affirmative action in universities all over the country.

The heated debates surrounding Fisher v. University of Texas,

the current Supreme Court case call for a clarification of the policy. We are in favor of the University of Texas in this particular case.

Affirmative action is still needed to help colleges increase racial diversity in their admissions. Fisher, the student suing the University of Texas does not have a strong enough case to risk overturning affirmative action. Though it is not a perfect system, affirmative action is the best policy we have so far to ensure racial diversity in higher education, and thus diversity in the workplace.

While Baylor is a private institution, its enrollment methods and decisions are not answerable to the state. However, the Fisher v. University of Texas decision will undoubtedly influence Baylor's tendencies. As of Fall 2011, Baylor's race/ethnic percentage was at 32.6. UT's ethnic undergraduate enrollment for Fall 2012 is 50.9 percent, with the white population falling at 49.1 percent (a 1.2 percent decrease from Fall 2011). This marginal difference of ethnic majority in the university is bound to be affected by the upcoming ruling. Of the 50.1 percent of the ethnic population, 20.9 percent is Hispanic and 4.9 percent are black.

UT has gotten three-quarters of its students through a program that guarantees admission to the top students in every high school in Texas. In Fisher's time it was the top 10 percent. Since then, it has been changed to the top 8 percent due to the traffic jam of competition the top 10 percent created in the surrounding high schools. The university uses race as a factor in admitting the other one-fourth of its incoming students, and is arguing that it must be allowed to continue to do so in order to achieve a healthy balance in the diversity of its campus population.

The Fisher v. University of Texas case undermines the goal of affirmative action, which is to promote diversity in college admissions

Yes, affirmative action has lived in murky waters but that's no reason to dismantle such an influential policy completely, in exchange for one that would create another problem. If the Supreme Court rules in Fisher's favor, it will be affirming the argument that the University of Texas did not accept Fisher solely on the grounds of her race, which is not true at all.

As part of its current admissions policy, the University considers race in evaluating students that do not fall in the top 10 percent. Fisher was in the top 12 percent and thus fell into mob of tens of thousands of students in similar situations.

Fisher's case is not viable because the university would have rejected her regardless of her race. She did not have the grades to compete with the tens of thousands of other students that apply every year. Reverse discrimination simply does not work in this situation. One rejected white student does not make the white population disadvantaged in any way comparable to that of minorities. To jeopardize the most influential policy regarding university racial diversity in the country on this case alone is a fluke.

Some believe that affirmative action has outlived its usefulness

DON'T EVEN BOTHER APPLYING TO THAT SCHOOL. THEIR STUDENT BODY IS ALMOST ENTIRELY WHITE. I DON'T ... UH ... I DON'T THINK I FOLLOW YOUR LOGIC

Casherfreeman

and is no longer a viable option problem of a lack of diversity in higher education. for ensuring racial diversity in In fact, this would merely put Rather than race, lawmakers it on the backburner and open the propose that socioeconomic sta-

door for a different type of argument. If this was implemented, what's to stop the wealthy from claiming discrimination on the basis of their financial status?

In short, two wrongs don't make a right.

The problem with this issue is that there is no clear "good guy" and "bay guy." The Supreme Court is faced with the task of finding whose rights are infringed on the most, and the principle of non-discrimination hangs in the balance.

Abigail Fisher's situation does not justify ending a policy that continues to help so many.

Binders full of women' quote a ghost of opinions long gone

About those "binders full of women."

That, of course, is the infelicitous phrase Mitt Romney used in last week's second presidential debate when he was asked how he would address paycheck inequity between the sexes. Romney responded with a homily about how, as the newly elected governor of Massachusetts in 2002, he became concerned that the only job applications that crossed his desk seemed to be from men.

"I went to a number of women's groups," said Romney, "and said, 'Can you help us find folks?' And they brought us whole binders full of women."

And there, the ridicule began. The phrase "binders full of womTumblr all laughing at Romney's expense. Indeed, there's a good chance someone in a "binders full of women" costume will knock at your door on Halloween.

But, though there seems to be general agreement that there is something off-putting about what Romney said, there seems relatively little discussion of what that something is. As CNN's Piers Morgan put it, "I don't get what's wrong with it. I don't get why it made him a laughing stock." His confusion reflects the fact that people seem to have sensed something here they have not always been able to articulate. So let's start articulating.

And let's begin by acknowledging the obvious: Romney



Leonard Pitts Jr. | Guest Columnist

cians bob and weave like Ali when confronted with questions they'd rather not answer. That's not what people are reacting to.

No, what was irksome about

wanted to seem concerned about diversity performed some act of ostentatious outreach, collected binders full of women (or Cubans, gays or whatever) from their various advocacy groups in order to make sure they were part of the

tus replace racial consideration in

enrolling the remaining portion

of the student body that does not

meet all of the academic require-

ments. Whether this tactic is vi-

able or not, it will not solve the

That would have sounded enlightened in 1985. But as the answer to a question about gender inequity in 2012, it just makes you wonder: Were the governor and his men really so isolated from capable women as recently as 2002 that they had to ask women's groups for help? Were strong women really a species so exotic the governor needed a native guide to their world?

A pattern takes shape here.

cause she thinks contraception should be part of her health insurance package, between Rep. Todd Akin's belief that the uterus somehow filters out unwanted sperm and Rep. Allen West's chastisement of an opponent's failure to act like a "lady," it becomes increasingly obvious some socially conservative men are stuck in a time warp. Akin, West and Limbaugh hunker down like Davy Crockett at the Alamo, behind modes of sexist condescension that were getting old when the Beatles broke up. Romney tries to show he "gets it" by disinterring a trope from the era of Jheri curls and Max Headroom.

When's the last time any of these boys had a date?

perform surgeries and grab rebounds. And yes, they still tend boo-boos and fix meals, too.

Some men are apparently still holdouts from that world, like Japanese soldiers on remote Pacific islands who fought World War II into the 1970s. But as those soldiers had to learn _ the world moves on, whether you accept it or not

To his credit, Romney at least made the effort. But the next time he's looking for capable women, one hopes someone gives him some apparently needed advice.

Close the binder and open your eyes.

Leonard Pitts Jr. is a columnist for the Miami Herald. Read-

candidate pool.

higher education.

en" leapt across the Internet like didn't answer the question. But some digital prairie fire, wits and then, he hardly invented the untwits from Facebook to Twitter to responsive response. Most politi-

the governor's answer is that it seemed 30 years out of date, relic of a time when the person who

Between Romney's binders full of women, and Rush Limbaugh branding a woman a "slut" be-

In the world outside their time bubble, women run states and nations, fight fires and litigate cases,

ers may write to him via email at lpitts@miamiherald.com.

PETA video games detract from others' fight for animal rights

Viewpoint

PETA, known for its outlandish protests in an effort to protect animals from abuse, have returned to attack video games over the past year and a half, and it's growing to an uncontrollable level

Around this time last semester, People for the Ethical Treatment of Animals launched a smear campaign against Nintendo and its trademark franchise, Mario Bros. With the release of "Super Mario 3D Land," the animal rights group erected a web-

site in response to the release, with a game of its own: "Mario Kills Tanooki" is a flash game that PETA created where you play as a skinned Tanooki (racoon-dog) chasing after a carnivorous Mario flying with the help of the Tanooki tail.

More recently, PETA has begun yet another smear campaign, attacking the folks over at Pokemon. According to a statement on the web-page erected for the campaign, PETA believes that fictional creatures created by a Japanese company have been violently beaten and killed for the cause of entertainment.

fictional? I wanted to emphasize that fact.

Of course, in the spirit of the trend, they created a flash game designed in the style of the ongoing Pokemon games called "Pokemon: Black and Blue", where, rather than fighting against other Pokemon, vou are a Pokemon fighting trainers directly.

The efforts of PETA are logical enough from an outside point of view. They want to protect the animals from harm that may or may not exist. Trust me, I don't want animals to be hurt, but I know that actions in video games pose no harm whatsoever to the actual animals of our world.



James Herd | Reporter

But yes, from their point of view, an Italian plumber trying to by going in and out of tubes while wearing a hat and tail that makes him magically fly is a message that children shouldn't be exposed to.

Or in the case of their Pokemon campaign, children shouldn't be playing games that deal with human/animal cooperation against an organization that actually wants to hurt the Pokemon.

I think we need to entrust the safety of animals to organizations that actually help the animals, such as the Society for the Prevention of Cruelty to Animals or World Wildlife Foundation, organizations that refrain from

companies who have nothing to do with acts of cruelty to animals.

In all reality, if members of PETA wants to help animals, they should do things that will actually help. Such as holding fundraisers, working to stop poachers, pursuing legal action against anyone who is abusive to pets, etc.

There is absolutely no need for campaigns attacking children's entertainment, especially when it makes next to no sense in the scheme of things.

James Herd is a sophomore journalism major from Huffman. *He is a lab reporter for The Baylor* Lariat.

> **Opinion** The Baylor Lariat

welcomes reader

viewpoints through letters to the editor

Oh, did I mention that they're

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To contact the Baylor Lariat:

Newsroom: Lariat@baylor.edu 254-710-1712

Advertising inquiries: Lariat_Ads@baylor.edu 254-710-3407



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immature stunts such as blaming save the princess from a dinosaur

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Texans not out of the woods yet

Despite winter, researchers warn to stay on alert for West Nile virus

> By MAEGAN ROCIO STAFF WRITER

Despite the cooling temperature, the mosquitoes could still bite.

Richard Duhrkopf, associate professor and chair of the Institutional Animal Care and Use Committee at Baylor, said the number of positive West Nile virus cases will decrease over time because some mosquitoes will die off due to cooler temperatures. However, the West Nile virus will continue to spread because not all mosquitoes will die from the cooler temperatures.

"Because their development is closely tied to the temperature, there will be very few once it gets cold," Duhrkopf said. "It will persist in the winter because some mosquitos can reproduce better in this weather."

According to the Center-for Disease Control and Prevention, West Nile virus is a seasonal epidemic that flares up during the summer and continues into the fall. The virus is commonly spread by mosquitoes that feed on infected birds. The infected mosquitoes then spread the disease to humans when they feed on their blood.

"There will be infected birds during the winter," Duhrkopf said. "There will be mosquitoes circulating the virus from bird to bird throughout the winter. Those that feed off birds prefer colder temperatures."

Duhrkopf said while most of mosquitoes in the area will die off due to the cooling temperatures, others will take action to prevent being killed by the cold.

"Different mosquitoes do different things," he "Some said. will seek a shelter. Oth-





Students take initiative

December graduates prepare for the upcoming commencement festivities on Tuesday at the Bear Faire in the Stone Room of the Ferrell Center

Italy disaster experts quit over debated 2009 earthquake trial

By Annalisa Camilli AND FRANCES D'EMILIO Associated Press

ROME — Four top Italian disaster experts quit their posts Tuesday, saying the manslaughter convictions of former colleagues for failing to adequately warn of a deadly 2009 earthquake means they can't effectively perform their duties.

A court in the quake-devastated town of L'Aquila convicted seven former members of Italy's so-called "Great Risks Commission" and sentenced each of them to six years in prison, prompting predictions that experts would be discouraged from working in Italy for fear of similar risks of prosecution.

Commission President Luciano Maiani and two other members resigned, along with a top official for earthquake and volcano risk in the national Department of Civil Protection. Maiani said Monday's court ruling made it impossible to work in a "calm and efficient" way.

Prosecutors alleged the defendants - who included some



BU evangelical Christians define political voice

BY ADAM HARRIS Reporter

Religious values and established voting patterns have traditionally been very influential in the way ballots are cast.

The nation saw its first "bornagain" Christian president with the election of Jimmy Carter in 1976.

Dr. Andrew Hogue, author of "Stumping God: Reagan, Carter, and the Invention of a Political Faith" and political science lecturer, considers the 1980 presidential election to be the point at which evangelical white Christians found their political voice.

Among other efforts. around three million members of Jerry Falwell's "Moral Majority" group registered to vote. The Moral Majority group was founded in 1979 in an effort to support the

ideals of the evangelical Christian community through politics.

In the election, these votes ended up going to the Republican Party, and Ronald Reagan was ultimately elected. The Christian vote played a part.

Since the 1980 election, the "Christian Right" has been composed of evangelical Christians who align themselves with many of the social values the Republican Party holds, Hogue said. Their ideas on social policies like abortion and gay rights agree with the religious ideals they hold.

"Something like 74 percent of evangelical white Christians voted for John McCain in the 2008 election," Hogue said. He said this high number is a decrease compared to voters in the past. Hogue said there was a difference when it came to younger members of this religious group. "Younger white evangelicals have been more likely than their parents to vote Democratic," he said.

As a private Christian university, Baylor comprises 89.8 percent Christians including Catholics and Protestants, in its undergraduate student body, many of whom are of age to vote in the upcoming electopics that you need to know your stuff," Shaerrell said.

She said her religion plays a part in how she thinks but doesn't completely mold her ideals.

"It's more about the stances they have," she said.

Others take a conflicting stance toward the generalization. Houston junior Victoria Manon, said she considers these generalizations a poor decision.

"It's upsetting," Manon said. She said she believed voting based solely on a religious affiliation is a mistake.

"If you're going to vote, be informed," Manon said. Others are

taking a more "I think we need to public stance. exercise care in assuming that one *political party has it* all right." Dr. Andrew Hogue | lecturer of

political science

Weaver, a doctoral candidate at Baylor, has a Master of Arts in Church-State Studies from the J.M. Dawson Institute and has written a book

Aaron

called "James M. Dunn and Soul Freedom," which focuses on the idea of separating religious identity from politics.

When he was growing up, Weaver had a bumper sticker on his guitar case that read "Christian and a Democrat." He says today, groups such as evangelical white Christians seem to support the Republican Party overwhelmingly.

"Now if you are an evangelical white Christian, you are told to be a Republican," Weaver said. He says that this thinking is bad for Christianity and creates a "hyper-Americanized" group that finds itself generalizing their political ideals.

Weaver said that as a Christian, members of the religion should be involved with politics.

He says every Christian is a lobbyist in the same way that they are advocates. This means that as a citizen, they should have a voice for the views they hold.

Both parties have focused their energy to find ways to appeal to the religious values of their voters. Like the Republicans who focus on social values, Hogue said the Democratic Party uses its views of social injustice to provoke the votes of re

ers will lay eggs that will Durhkopf pass through the winter.'

According to the CDC West Nile virus website, 1,634 positive cases of the virus have been reported this year in Texas. Of those cases, the CDC has reported that 41 cases of West Nile virus have occurred in McLennan County. Kelly Craine, the spokeswoman for the Waco-McLennan County Public Health Department, said the facility has not received word of any new cases of West Nile virus.

"Well, we haven't had any new cases since October 2," she said. "We're seeing less active cases. The cool weather is slowing them down but not killing them. It's less mosquito activity, but they are still there."

Despite the lack of new cases, Craine said the Waco-McLennan County Public Health Department continues to watch for any new positive cases of the virus.

"We're always monitoring the West Nile virus number," she said. "Our health authority, Dr. Farley Verner, is always looking for patients that are showing symptoms and that have the virus. We're staying aware if they have symptoms or not."

According to the CDC, one out of 150 people infected with the virus will develop severe illness, while up to 30 people who have the virus will experience milder symptoms. Approximately 80 percent, or four out of five, people infected with West Nile virus will be asymptomatic, or not experience any symptoms. For the 20 percent who are infected with West Nile virus, symptoms will develop between three and 14 days after a person is bitten by an infected mosquito.

Craine said people still need to be alert about the virus. "Be vigilant, be aware," she said. "Anything could happen. It's nature."

of Italy's most internationally respected quake experts - didn't properly inform town residents of the risk of a big quake following weeks of small tremors. But scientists have ridiculed the case, saying earthquakes cannot be accurately predicted. The convictions are expected to be appealed.

With the verdict, "we understood why the Great Risks Commission has that name," a front-page commentary began in Corriere della Sera, a Milan daily. "The great risks are those to its members, as one deduces from the verdict." Senate President Renato Schifani has called the convictions and prison terms "strange, embarrassing."

Many scientists and commentators have noted that the court case failed to address a major cause of fatalities in disasters like quakes and mudslides: erecting homes, schools, hospi-

tals and other public buildings on quake-prone terrain without the proper construction techniques or materials to make the structures more

> resilient. After the 2009 April

quake, which left 308 people dead, many experts said that the 6.3-magnitude temblor wouldn't have caused such extensive damage if buildings been constructed or retrofitted to meet modern quake zone construction standards.

In Washington, the American Geophysical Union described the verdict and prison sentences as "troubling," and expressed concern that they could "ultimately be harmful to international efforts to understand natural disasters and mitigate associated risk."

"While the facts of the L'Aquila case are complex, the unfettered



closely and knows the defendants

professionally, called the outcome

entists on trial, and contended that

the death toll would have been

lower had buildings in the quake-

prone area been better reinforced.

others in the field wondering about

the way they articulate their work.

ful about what we say, and the

information we provide has to be

precise. We cannot allow ourselves

to slip," said Magnani, an associate

research professor at the University

the verdict abounded, with refer-

ences to Galileo, the Italian scien-

tist who was tried as a heretic in

1633 for his contention that the

Earth revolved around the sun and

not vice versa as Roman Catho-

lic Church teaching then held. In

1992, Pope John Paul II declared

that the church had erred in its

ruling against the astronomer.Still,

some experts argued that the trial

was about communicating risk and

not about whether scientists can or

communicated" with a frightened

public, said David Ropeik, a risk

communications consultant who

teaches at Harvard and offered ad-

vice to one defendant scientist. It

predicted that the L'Aquila court's

verdict would have a chilling effect

on officials tasked with protecting

Italians in natural disasters. Public

officials would be afraid to "do any-

thing," Dinacci told reporters.

Defense lawyer Filippo Dinacci

was "not Galileo redux," he said.

"This was about how they

cannot predict earthquakes.

Comments on Twitter about

The verdict left Magnani and

"We need to be extremely care-

She disagreed with putting sci-

"pretty shocking."

of Memphis.

sci-

society,

In this April 10, 2009, file photo, a woman with a toddler gets closer to the coffin of a child prior to the funerals for quake victims in L'Aquila central Italy. An Italian court has convicted seven scientists and experts of manslaughter on Monday for failing to adequately warn citizens before an earthquake struck central Italy in 2009, killing more than 300 people.

exchange of data and information, as well as the freedom and encouragement to participate in open discussions and to communicate results, are essential to the success of any type of scientific research," the union, a professional and scientific organization with members from over 146 countries, said in a statement Tuesday. Relatives of some who perished in the 2009 quake said justice had been done. Ilaria Carosi, sister of one of the victims, told Italian state TV that public officials must be held responsible "for taking their job lightly."

The world's largest multidis-

ciplinary ence *"We need to be extremely"* the American Association for *careful about what we say,* the Advanceand the information we ment of Science, provide has to be precise." condemned the charges, verdict Maria Beatrice Magnani | Quake and sentencing as a complete scientist

misunderstanding about the science behind

earthquake probabilities.

There are swarms of seismic activity regularly in Italy and most do not end up causing dangerous earthquakes, said geologist Brooks Hanson, deputy editor of the organization's Science magazine.

He said that if seismologists had to warn of a quake with every series of tremors, there would be too many false alarms and panic.

"With earthquakes we just don't know," Hanson said Monday. "We just don't know how a swarm will proceed."

Quake scientist Maria Beatrice Magnani, who followed the trial tion.

Some students are saying they won't vote for one party or the other solely based on their religion.

Emily Roberson, Tatum sophomore, is a Southern Baptist. Roberson said she believes there is a generational difference when it comes to politics.

"I believe differently than my parents on some issues," Roberson said. She said that she leans toward the candidate who shares the majority of her ideas on hot-button topics.

Dallas sophomore Stephanie Shaerrell echoed Roberson's statement about the individual stances of politicians.

"There are so many different

ligious groups. These social matters include care for the poor as well as work to help the environment.

This leads to an increase of Democratic votes in the young community.

"Their issues tend to resonate among young voters," Hogue said. "I think we need to exercise care in assuming that one political party has it all right."

Hogue said there are many questions voters must ask themselves before voting.

"What can those offices reasonably achieve with respect to our values?" Hogue said, "No political party can fully encapsulate the will of God."

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'Paranormal Activity,' what a terrifying waste of time

By Amando Dominick Staff Writer

As an avid horror movie fan, I was eager for the release of the newest "Paranormal Activity."

"Paranormal Activity 4" is the latest film in the "Activity" series, and many had hyped it up to be a good one.

I excitedly waited several months in hopes of leaving Waco's Starplex Cinema startled at every shadow and wary to hang out with any people named Toby.

However, as I left the theater, I took it upon myself to rename the film, "A waste of \$4.50 of my admission."

Because I had seen the previous three films, I knew the formula for the sequence of events.

I knew that I was going to have to sit through about an hour and 10 minutes of rather boring set-up, but the last 10 minutes of the film would tie everything together and really get my heart rate up.

As the movie approached its final ten minutes, my formula seemed to hold true as the occurrences in the film began to force me to the edge of my seat.

With this notion in mind, I was sorely disappointed by the film's final few minutes and especially its ending.

I expected, as in the second and third films, for the last sequence of events to be some terrifying nightmare of happenings that would haunt my dreams and make me scared to open my closet doors for weeks.

MOVIE REVIEW

However, just like every haunted house and the movie's three predecessors, "Paranormal Activity 4" does not rely on genuine horror in the conventional sense.

Instead, the film abuses the anticipation of events, and does it so much so that it has become an absolute crutch for the entire series.

By this statement, I mean that the vast majority of time spent in this movie is the viewer sitting in the audience terrified of something that has not happened, is not happening, and will not happen. Instead, they are scared of things that have the possibility of happening at any given moment.

The movie relied on floating objects, eerie occurrences and a silent soundtrack to spook the audience.

This works occasionally in horror movies, but one cannot base an entire series of films around the same concept and not expect the audience to grow tired of the fragile scare the movie delivers.

There were many times in the film that I found myself and those around me questioning aloud why characters, when presented with questionable situations, would pursue the demonic forces deeper into its lair for no real, apparent gain.

To be fair, there is another side to this film.

Aside from the lack of deeply disturbing or frightening activities

This film image released by Paramount Pictures shows Kathryn Newton in a scene from "Paranormal Activity 4." The film was released last Friday.

of horror.

one would expect to find in a good horror movie, this film did do a lot to advance the over-arching plotline of the series as a whole.

I feel that although this film could not, and does not, stand alone as a great horror film, it is an integral and necessary portion for

the storyline as a whole.

An aspect of the film that I did enjoy was the "Cloverfield"-esque first-person camera. The teenage protagonist Alex, played by Kathryn Newton, used her laptop's webcam for most of the film, and this really helped the audience

become engaged in her personally and be concerned for her well being.

Also, I enjoyed her friend Ben, played by Matthew Shively, whose sarcasm brought a dose of reality and humor to the film.

Overall, I would recommend

"Paranormal Activity 4" to anyone who is a fan of the series.

For those who are just getting into the "Paranormal" series, watch the first three movies before venturing into the theater for this one.

Who needs Halloween with horror on TV every night?



By Diane Werts McClatchy-Tribune

"The Walking Dead." "American Horror Story." "True Blood."

TV dares to scare us every day now. Who needs Halloween?

All of us, apparently. Networks are ramping up eerie episodes and spooky specials like never before. And you know TV only gives us what we want. Halloween now is commonly cited as America's second most popular holiday (after Christmas). Take that, Valentine's and Mother's Day.

"I think the popularity stems from how there's no agenda on Halloween. It's just about having fun," says Thomas Vitale, executive vice president of programming at Chiller and Syfy. Both of his NBC-owned cable channels are doing it up big this month — Syfy is running its annual 31 Days of Halloween, while smaller sibling Chiller debuted the fright flick "Dead Souls" and now premieres the documentary "The American Scream" on Oct. 28 at 8 p.m., following three families who turn their homes into elaborate houses

"It's not a religious holiday," Vitale ticks off among Halloween's selling points. "It has no political implications. It's popular among people of all ages. There are no romantic entanglements, no family agenda, no worry about aging."

Just lots of personal catharsis. Don a costume. Be somebody else. Let loose. Scare others, and get scared yourself.

"A good scary movie has to have that emotional release," Vitale says. "You come out of it almost feeling cleansed, like all the tension has evaporated from your life."

Heavy, no? So lots of TV treatments keep it light.

Sitcoms go gonzo for ghost day, with nearly two dozen having at it for 2012. (Did you even know there were that many sitcoms on mastime.

That yearning for magic/catharsis has spilled over from onceyearly stunts like ABC Family's annual 13 Nights of Halloween to weekly doses of danger - HBO's on-hiatus hit "True Blood," AMC's new third season of "The Walking Dead" and FX's just-back second round of "American Horror Story," subtitled "Asylum." Vitale says "the attitude has changed both with the audience and with critics," who often used to dismiss such "genre" offerings as being akin to comic books — something for kids, or adults with arrested development.

Vitale, a longtime devotee of fantasy/ fright, thinks the mainstreaming seen in scare series on broader-based outlets like AMC and FX reflects new appreciation for the imagination unleashed in

Norman Reedus, center, and Steven Yeun are shown on the prison set of "The Walking Dead," the zombie series on AMC that recently began its third season with high viewership and critical acclaim.



the air?) New TV movies jump on board. Vintage marathons line up ("Roseanne," the queen of scream). And unscripted schedules fill with titles boasting the words "ghost," "scare," "monsters" and "paranormal." In the run-up to Oct. 31, viewers seek the supernatural, the way we indulge miracles at Christ-

Answers at www.baylorlariat.com

these shows.

"I love the fact that 'genre' is looked at not just as popular now, but it's looked at as quality. People used to say, 'Wow, for Syfy that's good,' like 'for genre.' Now, they say, 'That's good.' No more genre qualification."

McClatchy-Tribune

DAILY PUZZLES

Across 1 Brains

7 Like many a reply env. 10 Low-tech missile 13 New Age physician 14 Zeno's home 15 Namibia neighbor: Abbr. 16 Florida export 17 *"Dittol" 19 *1955 Communist defense treaty 21 Old Russian dynast 22 Pulitzer playwright Rice 23 The tiniest bit 25 __ Moines 26 Sink, as a snooker ball 28 Flattering deception 31 Daddy-o 33 Marsupial sometimes called a bear 34 Friction reducer 37 *"I can answer your questions" 40 Map reader's aid 41 Firefighter Red 43 Gaming console with a fitness component 44 County in eastern Ireland 47 R&B's ___ Hill 49 Peoria hrs. 52 Score tempo 54 Opposite of neo-56 Fr. miss 58 *Momentarily forget 60 Like the best bonds, and a hint to the answers to starred clues 62 Dumpster fill 63 Reunion attendees 64 Goes down in the west 65 Done for the first time 66 Sew up 67 __ de deux 68 Trusty mounts

Down

Made an appearance
 Team captain's concern
 Morning janglers
 Teeth-cleaning step
 Title writer in a John Irving novel

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38 Lehár operetta "The Merry ___

39 Breathable gases
42 Car at a long light, say
45 Herbal brew
46 Everglades birds
48 Cheerful
49 Painter Monet
50 Had an inkling
51 Small gifts
53 Extremists, for short
55 2004 remake starring Jude Law
56 Fabricate
57 Rested
59 Venus de Milo's lack
61 Egyptian snake

Offense cripples defense

By DANIEL HILL Sports Writer

There is no doubt that Baylor's defense is the Achilles heel of the team. But why is the defense so awful? It sounds strange, but Baylor's offense might be one reason the Bears have never had a vaunted defense. Is head coach Art Briles' offensive philosophy hurtful to his defense? Baylor possesses a highoctane prolific scoring offense that any team in college football would be jealous of. But the quick-strike ability of the offense might be crippling the defense.

SPORTS TAKE

For example, the Baylor offense has scored 13 touchdowns in one minute or less and 22 touchdowns in less than two minutes. It sounds insane to say this, but the offense is scoring at such a rapid pace that it is actually hurting the defense. Plus, Baylor lacks quality defensive depth at nearly every position. A heavy burden is being placed on the defensive starters because they have to spend so much time on the field. Last season, the offense was so spectacular with RG3 at the helm that the defense was hardly talked about. Last year the Baylor defense conceded 56 points to Washington in an Alamo Bowl victory. Why hasn't the Baylor defense made improvements this season? This is year two under new defensive coordinator Phil Bennett, and it's still the same old story: the Baylor offense has to win in spite of the defense.

Is Briles so offensively minded that he does not care about defensive statistics? In order to build a winning program and enjoy sustainable success, a college football team must have a defense. That's the bottom line. In the BCS rankings, 11 of the top 15 teams also possess a top 15 defense. The formula for winning in college football is not a glamorous offense but rather a punishing defense. Let's be real, most opposing offenses probably lick their chops when they see Baylor on the schedule.

Ultimately, Briles is responsible for winning football games at Baylor. As it stands, Baylor is 0-3 in the Big 12 Conference and has the worst scoring defense (124th) in all of the Football Bowl Subdivision. Changes must be made with Baylor football. Briles needs to sacrifice the sky-rocketing offensive statistics in order to keep the defense on the sidelines. When Baylor gets the lead in a game, Briles has to milk the clock and slow down the offense to conserve the lead. The lack of attention that Briles pays to his failing defense is troublesome. Briles isn't just some offensive guru; he's the head football coach. All aspects of the team fall under his jurisdiction and responsibility. The bottom line is Briles needs to deliver a better Baylor defense by any means necessary.



ASSOCIATED PRES

TCU quarterback Trevone Boykin (2) runs past Baylor cornerback Chance Casey (9) in the first half of last Saturday's game in Waco.

Taking care of business?

By Krista Pirtle SPORTS EDITOR

What looked like a successful start for the Baylor defense against SMU on Sept. 2 has turned out to be fool's gold. In the non-conference games to follow, the warning signs were there that the defense was struggling.

Phil Bennett, who has become the No. 1 target of the blame by those outside the team.

"If a car is rolling down the highway, you're not going to jump out while it's moving. We've got

what we expect them to do, we switch players," Briles said. "If it's a scheme deal, we look at our schemes.

Of the many problems this defense has had, start with third downs

The Bears' defense is allowing opposing offenses to convert at a 63 percent rate. Baylor prided itself in its nine forced turnovers during non-conference play. Currently, it's another facet where the defense is lacking.

extremely good job of that prior." While the defense has failed to turn the ball over, the offense has not, committing nine in conference play, including six in the 49-21 loss to TCU.

"A lot of outside people like to point their fingers at the defense, but the offense and special teams have made their share of

Onside kick for President

By Greg DeVries Sports Writer

The old adage "defense wins championships" has held true throughout time. In the BCS top 15, 11 teams have a top 15-ranked defense. Last year, Alabama won the national title on the back of its defense, and it might win another this year. The Bears' defense currently ranks dead last in points against, total defense, first down defense and third down defense.

SPORTS TAKE

The way that teams eat up yards and pile on points is demoralizing for the Baylor defense. These are not encouraging facts, but the season is still salvageable. If the problem with the defense is a personnel issue, then the offense needs to be on the field for more drives than the defense. The best way to offset this is the onside kick.

Down in Little Rock, Ark., there lives a man named Kevin Kelly. He is a football coach at Pulaski Academy, and his philosophy is simple: never give the other team the ball when you don't have to. This means that on every kickoff, the Pulaski Academy Bruins try onside kicks. The team goes for it every fourth down, even in fourth-and-long situations. The strange thing is that Kelly's system works. The Bruins have won multiple state titles under Kelly and have been nationally ranked in the past. Baylor's record would probably be better if it implemented Kelly's system. It certainly wouldn't be any worse.

Let's take the West Virginia game as an example. Baylor kicked off 10 times in that game. All the special teams would have to do is recover the ball twice to equal the output of the defense's two stops.

According to Kelly, the likelihood of a team scoring from their own 40-yard line is only 15 percent greater than the likelihood that it scores from its own 10-yard line. In college, this disparity is even smaller because of the new touchback rule that brings the ball out to a team's 25-yard line.

So not only is Baylor getting a chance to recover the ball, but the

The Bears are 3-3, losing three straight games where they allowed 63, 49 and 56 points respectively.

So far this season, the Baylor defense is No. 120 in the nation after allowing 553.2 yards and 44 points per game through the first six games.

The Baylor offense is setting up shop on the opposite end of the spectrum, ranking No. 3 nationally in both total offense and scoring offense with 574.2 yards and 48 points per game. Baylor head coach Art Briles thinks that if there's room to improve, it will happen.

The spark for improvement, Briles thinks, is not found in the removal of defensive coordinator

six games left.

Art Briles | Head Coach

At the football conference on Monday afternoon, Briles was asked about Bennett's job status throughout the remainder of the season.

"He's a good football coach and has taken care of business on that side of the ball," Briles said. "If a car is rolling down the highway, you're not going to jump out while it's moving. We've got six games left."

The solution for the lack of tackles is being searched for in the Bears' schemes and personnel. "If the players don't do

"That's really the most disturbing fact, in Big 12 Conference play ,that we don't have a turnover," Briles said. "We're minus-nine in that category. It's not a good stat to have on your side if you're a stat guy. As far as forcing turnovers, creating turnovers - that's a constant thing that you're always doing. It's kind of a momentum deal to where things get rolling, you get one or two turnovers - it stops or creates the flow of the game depending on which side you're on. Our job is to protect the ball on offense and get turnovers on defense. We haven't done an

mistakes," Baylor quarterback Nick Florence said. "We're in this together. It's a team game. Our defense made some stops (against Texas) that we could have taken advantage of, and we didn't."

Baylor junior nickelback Ahmad Dixon said he has complete faith in Bennett and sees the No. 1 target as the players' production on the field. "Even though we're not winning and looking bad defensively, I still stand behind him," Dixon said. "I know the plays he calls and the kind of guy he is. If we line up and play good it's going to work. He's calling plays, but we're missing tackles and not batting down balls and getting interceptions. It's on us."

chance that opponents will score is only a little bit greater than it was when Baylor kicked it deep. The new rules give the receiving team the option of calling for a fair catch. This new rule all but nullifies the onside kick towards the sidelines. Solution: Dribble the ball up the middle.

The idea is that a kicker dribbles the ball straight ahead at a slow speed. The fastest players then outrun the ball and hit the first wave of opposing players going after the ball. As soon as the ball reaches the 10-yard minimum, the kicker dives on it and the offense takes the field.

Baylor has the speed to execute this play and the lack of results to give them reason to do it.

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NYPD from Page 1 -

Informants like Rahman are a central component of the NYPD's wide-ranging programs to monitor life in Muslim neighborhoods since the 2001 terrorist attacks. Police officers have eavesdropped inside Muslim businesses, trained video cameras on mosques and collected license plates of worshippers. Informants who trawl the mosques - known informally as "mosque crawlers" - tell police what the imam says at sermons and provide police lists of attendees, even when there's no evidence they committed a crime.

The programs were built with unprecedented help from the CIA.

Police recruited Rahman in late January, after his third arrest on misdemeanor drug charges, which Rahman believed would lead to serious legal consequences. An NYPD plainclothes officer approached him in a Queens jail and asked whether he wanted to turn his life around.

The next month, Rahman said, he was on the NYPD's payroll.

NYPD spokesman Paul Browne did not immediately return a message seeking comment on Tuesday. He has denied widespread NYPD spying, saying police only follow leads.

In an Oct. 15 interview with the AP, however, Rahman said he received little training and spied on "everything and anyone." He took pictures inside the many mosques he visited and eavesdropped on imams.

By his own measure, he said he was very good at his job and his handler never once told him he was collecting too much, no matter whom he was spying on.



MATT HELLMAN I LARIAT PHOTO EDITOR

One Book, One Waco "Where Dreams Die Hard" author Carlton Stowers speaks to students Tuesday in Castellaw Communications Center.

AUTHOR from Page 1 -

nalism, public relations and new media, introduced Stowers to the students gathered to listen.

"He's written a lot of true crime and straight history, but he's probably best known in this part of the country for his book on sports," Darden said.

Stowers is a former reporter for the Dallas Morning News and has written articles for a variety of publications, including Sports Illustrated, Time and People. Much

of his time at the Dallas Morning News was spent covering crime and police stories. Stowers' books have been awarded Best Fact Crime Book of the Year by The Mystery Writers of America and nominated for a Pulitzer.

"Everyone who writes has to find his or her niche," Stowers said. "Whatever it is that gets your motor running is what you should write about."

PERRY from Page 1 -

point in profitability by independently analyzing bankruptcy filings and state records.

In May, Austin-based Nano-Tailor Inc. folded two years after receiving \$250,000, which was one of the fund's smallest risks. Terrabon was among the fund's biggest investments and flashed a higher profile, in no small part thanks to Perry.

He twice held public events with Terrabon executives trumpeting the company's potential to develop renewable fuels from waste and help steer the nation toward energy independence. The first was for the 2008 groundbreak-

SPIRIT from Page 1 -

tional question involving this case will come down to the banners the cheerleaders were using.

"There is a case, Tinker v. Des Moines, involving students who wore black armbands protesting the Vietnam War," McDaniel said. "David Starnes, the cheerleaders' lead attorney, is suggesting that the Tinker case is the precedent."

McDaniel said precedent is important in court cases because courts will normally uphold previous decisions.

"The court has a tendency to let a decision stand unless there is a significant reason for change," Mc-Daniel said.

In Tinker v. Des Moines, 15year old John Tinker, 13-year old Mary Beth Tinker and 16-year old Christopher Eckhardt wore black armbands to their public schools in protest of the Vietnam war.

The students sued in federal court but lost because the court felt that the school acted out of reasonable fear that wearing those armbands would disrupt order in the school.

The case made its way up to the Supreme Court, which overturned the federal court's decision allowing the students to wear their armbands.

The decision was decided 7-2 stating that the First Amendment applies to public schools and administrators have to have constitutionally valid reasons to regulate speech in the classroom.

ing of the company's \$2.6 million

facility near the Texas A&M Uni-

versity campus. The second event

happened two years later at a Ter-

rabon-designed water treatment

plant in Laredo that used technol-

goes as planned, I believe you'll be

making a difference that will be felt

all around the world," Perry said at

being liquidated as part of a fire

sale along with office furniture and

lab equipment, according to the

company's Chapter 7 bankruptcy

filings. The Laredo plant ceased

That research facility is now

the groundbreaking ceremony.

"If everything here at Terrabon

ogy hailed as the first of its kind.

"It seems to me they're calling it private speech," McDaniel said. "If they're running through a banner, though, I think it changes things."

Private speech, in this case, is speech on behalf of the individual.

McDaniel said he thinks the banner ties the case more closely with the Santa Fe Independent School District v. Doe case, a case in which the courts ruled against pregame prayer at football games.

"If cheerleaders wear Bible verses on their uniforms, or even make placards individually and place them on fences surrounding the field, I doubt the courts would rule those practice unconstitutional," McDaniel said. "But I think the case hinges on the run-through banner. The fact that they're having football players run through those banners, it appears to be school sponsored. It makes it a constitutional question."

McDaniel said he doesn't see the outcome or involvement of government officials Gov. Rick Perry and Texas Attorney General Greg Abbott having much influence on people's views.

Perry issued a statement saying he supports Abbott's efforts on behalf of the Kountze cheerleaders.

Perry said that he believes government leaders must protect and ensure that everyone has the right operation a year after going online. City officials said the unit was only able to purify less than half of the 50,000 gallons of water a day the project originally promised.

Mark Holtzapple, the chief inventor behind Terrabon's technologies, told The Associated Press that the startup was abruptly forced to fold after Houston-based Waste Management Inc. stopped pouring money into it this summer during a cost-cutting restructuring in which the trash and recycling company also eliminated about 700 jobs.

Waste Management was the company's biggest shareholder, with 18 percent in preferred stock,

to express their faith and voice

Viewpoint Anti-Discrimination

Act in 2007 that "allows students

to express themselves in the same

manner as students involved in

secular or non-curricular activi-

to "treat a student's voluntary re-

ligious expression the same as a

student's expression of any other

viewpoint on a permissible sub-

so polarized regarding church and

state," McDaniel said. "Their minds

are pretty much made up and giv-

ing support one way or another

Assistant professor of political

"The main issue there is wheth-

science Dr. Patrick Flavin said he is

unsure what kind of precedent this

er the school is promoting the reli-

gious-themed banner," Flavin said.

'The Supreme Court has ruled

several times that the school can-

not sanction or promote religious

prayer, but if students are doing it

on their own accord, it's usually

not have total freedom of speech.

against the school's right to protect

Students in public schools do

"I would say they're totally lacking free speech, but it's balanced

would not have much influence."

"I think American citizens are

It requires the school district

Perry signed the Religious

their opinions.

ties."

ject."

case will set.

been deemed ok."

according to court records. Terrabon also had three other stakeholders that owned 10 percent or more of its equity interests: the state, the company's co-founder, David Carrabba, and Valerie Sarofim, a Houston socialite formerly married to the son of billionaire investor Fayez Sarofim.

Terrabon filed for bankruptcy listing about \$372,000 in assets and nearly \$21 million in debt.

"Terrabon's bankruptcy had nothing to do with their technology or management," Holtzapple said. "They are simply a victim of larger forces acting on them."

students and protect order," Flavin said.

Flavin said the school has to decide reasonable limits of expression.

"The courts are ruling because students are doing it independently, the school doesn't have a reasonable case," Flavin said. "It would be different if it was during school. It is unclear what kind of precedent this will set."

Annie Laurie Gavlor, co-president for the Foundation for Religious Freedom said the foundation got involved because someone requested they do so.

"A member in the community who knew this was wrong and coercive and unconstitutional told us and sent us photos," Gaylor said.

Gaylor said she believed the case would not be individual speech, because the cheerleaders represent the school.

"They have to sign a document saying they represent the school," Gaylor said. "Saying this is individual speech is like saying football players don't represent the school. Everyone on the field represents the school and this gives the notion that the school knows and approves of it. We can't have the cheerleaders misusing their authority. It is very exhibitionist."

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