Bald Knob restoration continues despite lawsuit

Donations, fundraisers pay for bulk of project

LEAH STOVER
Daily Egyptian

The restoration of Bald Knob Cross will continue despite a pending lawsuit filed by a Buffalo Groven man who claims a chunk of the improvement money was unconstitutionally provided by the state.

Rob Sherman, a self-described atheist who has been active in church-state separation issues for the past 30 years, filed the suit against Bald Knob in August. In the suit, Sherman said the $20,000 grant awarded to Friends of the Cross by the state is forcing taxpayers to pay for a religious symbol.

"It's a free country, and people have the right to build a Christian cross on private property as high as the FAA allows," Sherman said. "They just can't send me the bill as a taxpayer for the cost of constructing that Christian cross." According to the lawsuit, the money given to Friends of the Cross is on hold until the case is decided. However, D.W. Presley, vice president of Friends of the Cross, said restoration of the cross is nearly finished because of other fundraising efforts. Through contractor donations and other outside sources, Friends of the Cross has raised more than $53,000 for its restoration project:

Friends of the Cross was formed about three years ago, when the cross was falling into disrepair and there wasn't an efficient board of directors, Presley said. The objective of the board was to raise money ahead of time so there would be money for when the board did come back into existence, Presley said.

"It's something the area and a lot of people have really gotten behind. It's definitely been a good couple of years as far as the fundraising and the completion of the cross," Presley said. The state awarded the $20,000 grant to Friends of the Cross in 2008. In a transaction that Sherman said was unconstitutional, the state transferred the $20,000 grant to Friends of the Cross in 2008. The state awarded the $20,000 grant to Friends of the Cross in 2008 in a transaction that Sherman said was unconstitutional.

"The constitution says that no person is required to support any ministry or place of worship without his consent," Sherman said. "You shall any preference be given by law to any religious denomination." Sherman said supporters of the grant claimed the repairs were used for secular purposes, those being tourist attractions. Sherman said the claim is factually incorrect.

"In a recommendation issued Dec. 30, U.S. Magistrate Judge David Berntahl sided with the state and the cross' organizers, saying the grant was made by the state's executive branch and was not designated a legislative ' earmark' as Sherman had called it. Sherman said Berntahl didn't take all facts into consideration when he made the decision. In the suit, Sherman said Berntahl didn't take all facts into consideration when he made the decision.

"I agree with Rob on the principle of it, but the court is going to do what they're going to do," Whitmer said. Whitmer said Sherman's case would've been a lot stronger had he filed the suit before the state gave the money to Friends of the Cross.

"We're going to have to ask the court to resolve this," Whitmer said. Presley said members of Friends of the Cross have been advised by their lawyers not to discuss the lawsuit because the case is pending, but restoration of the cross continues.

Presley said the board of directors at Bald Knob will fill nine open positions at its annual elections in February and take control of the renovation process. After the new board members are elected, they will work to raise funds for the purchase and installation of new lighting, Presley said.

He said other renovations, including the construction of brick walkways around the cross, are also on the way.

Leah Stover can be reached at leah@dailyegyptian.com. Visit www.dailyegyptian.com for more updates.
The Weather Channel® 5 day weather forecast for Carbondale, Ill.

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About Us

The DAILY EAGLE is published by the students of Southern Illinois University Carbondale 50 weeks per year, with an average daily circulation of 2,000. Fall and spring semester editions run Monday through Friday. Summer editions run Tuesday through Thursday. All semester editions will run on Wednesdays. Spring break and Thanksgiving editions are distributed on Mondays of the preceding weeks. Free copies are distributed in the Carbondale, Murphysboro and Carterville communities. The DAILY EAGLE online publication can be found at www.dailyeagle.com.

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The DAILY EAGLE, the student-run newspaper of Southern Illinois University Carbondale, is committed to being a trusted source of news, information, commentary and public discourse while helping readers understand the issues affecting their lives.

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Upcoming Calendar Events

Martin Luther King, Jr. community service project

- In the spirit of Dr. King and his vision of community service, come take part in volunteering for a neighborhood beautification and recycling project by cleaning up the Northeast side of town.
- 2 p.m. - 4 p.m., Monday
- Location: Emma Hayes Center parking lot
- Event is free
- Sponsored by AmeriCorps and the city of Carbondale
- Please Contact 457-3725 for more information.

The Best Rentals in Town

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*Available Now*
F. Lee Bailey: Paper proves O.J. Simpson's innocence

It's time somebody put out the real facts of the case.

— F. Lee Bailey
author of The Simpson Verdict

CLARKE CANFIELD
Associated Press

YARMOUTH, Maine — Evidence of O.J. Simpson's innocence was held back in the 1995 trial in which he was acquitted in the murder of his ex-wife and her friend in Los Angeles, one of his former lawyers says in a new document.

In the 20,000-word document, F. Lee Bailey tells of four people who could have bolstered Simpson's case but never testified. He also gives an overview of the sensational trial from his own perspective.

Simpson was found not guilty. Most Americans are convinced he is guilty, Balley said, but the document might persuade some doubters that he is innocent.


"It's time somebody put out the real facts of the case," he told The Associated Press.

In the document, Bailey said the defense team was prepared to call four people who never testified — a forensic scientist, an expert on battered women, a blood expert and the person whose possible testimony he says is the most important of the four: a man who might have seen the killers.

That witness, he wrote, saw a woman the night of the murders matching Nicole Brown Simpson's description in an apparent confrontation with two men, neither of whom was O.J. Simpson. Upon hearing of the murders the next day, the witness recalled what he saw on a tape recording and wrote a detailed description and sketch of his observations.

But the defense team decided not to call any of the four to the witness stand out of fear that additional jurors would be dismissed and a mistrial declared if the eight-month trial didn't soon end, Bailey wrote. Bailey said Monday he thinks the real killers were out to collect a drug debt and killed Nicole Brown Simpson and her friend Ron Goldman after mistaking them for their targets.

The document might sway a sector of the public into believing in Simpson's innocence in the 1995 case, Bailey said. But he knows there's another group whose minds couldn't be changed "with a sledgehammer" and thinks the trial damaged his reputation among that group.

"Among the rednecks of America, which there are many more than people seem to realize, it was terribly damaging," he said. "I got blamed for O.J.'s acquittal."

Balley was part of Simpson's defense team when the former NFL star was acquitted in the June 1994 death of Nicole Simpson and Goldman.

Balley, who now lives and works as a consultant in this town 10 miles north of Portland, said his agent asked him to write an overview of the Simpson case for a publisher who was interested in a book. But the idea was shelved following the turmoil and eventual cancellation of Simpson's book, "If I Did It," in which Simpson put forth a hypothetical description of the murders.

But Bailey has shared his document with several dozen people over the years, and a number of them have urged him to release it. His website developer suggested he put it online, and it first appeared on both his website and that of the Portland Press Herald newspaper.

Although Simpson was found not guilty in a court of law, Bailey said it's important to present him innocent "in the court of public opinion."

"O.J. has what I call the distinction of an acquittal," Balley said. "Los Angeles attorney Gloria Allred, who represented Nicole Brown Simpson's family during Simpson's trial, said she doesn't see any "smoking gun" in Bailey's document that might persuade people who think he was guilty to think otherwise.

If Bailey's evidence were that strong, she said, it would have been brought into the later civil trial in which Simpson was found liable for the deaths and ordered to pay a $33.5 million judgment.

"If Mr. Bailey can't think of anything better than trying to help the public reputation of O.J. Simpson, that's really sad," Allred said.

The last time Bailey talked to Simpson was in 2005, the night before Simpson was found guilty of kidnapping, armed robbery and other charges for his role in the gunpoint robbery of two sports memorabilia dealers at a Las Vegas hotel. He is serving a nine- to 33-year sentence.

Balley said he isn't shopping his document in hopes of a book deal — although he wouldn't turn down the right offer — but still hopes to get it into the public arena.

He's not surprised that the document got more than 20,000 hits its first day online.

"I can get a firestorm going anywhere in the United States by saying 'O.J.' he said.

Besides Simpson, Bailey has represented clients including Dr. Sam Sheppard, Patricia Hearst and Albert DeSalvo, the man who confessed to being the Boston Strangler, over the course of a storied legal career. He has also been a controversial figure, and has been barred from practicing law in Florida and Massachusetts.

Balley was disbarred in Florida in 2001 for mishandling $6 million worth of stock for a client. After reviewing the Florida case, Massachusetts disbarred him two years later.
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Men, women make strides in homestand

BRANDON COLEMAN
Daily Egyptian

The Saluki basketball teams shined at moments during each of their last two games, as the men split games against Creighton and Illinois State and the women lost matches against Drake and Creighton. The men played Creighton Friday and the Illinois State Redbirds Sunday at the SIU Arena.

The Saluki men's team (2-12, 0-4 Missouri Valley Conference) lost 70-57 to Drake Thursday and dropped a 61-58 decision to Creighton Saturday. The men's team split its home season against Creighton and Illinois State to improve its record to 9-7 overall and 3-2 in the Missouri Valley.

Senior forward Carson Fejzula who shot 3-10 Friday in a 72-66 loss to the Bluejays (12-2, MVC 4-1), led the men's team offensively with 33 points Sunday in a 63-59 win against Illinois State (8-8, MVC 5-5).

Men's coach Chris Lowery said the game against the Bluejays came down to free throws. The game would have ended in regulation by a score of 58-57 had Fay hit both of his free throws during the final minutes of the game.

The Salukis shot 5-11 from the line, while the Bluejays shot 20-31.

Sophomore forward Genie Teague saw his first action in more than two weeks against Creighton. Teague sprained his right ankle in practice Dec. 27. Lowery said Teague's not 100 percent yet, but he's getting better. Had Teague been fully recovered the Salukis may have won because of how he matches up inside with Creighton center Gregory Echenique, he said.

The Salukis improved their free-throw shooting to 16-19 against Illinois State. Fay and junior forward Hamadi Sack were perfect from the line, shooting 8-8 and 4-4 respectively.

The win against the Redbirds came down to a 3-point shot by Fay with 13 seconds to go in the game. Lowery said it took everything from Sack to senior guard John Freeman to give Fay the open shot.

Lowery said the win against the Redbirds was important because the team plays Missouri State and Northern Iowa on the road this week. Getting a 1-1 split would be good because of how tough it is to play in those two venues, he said.

The team plays the conference-leading Missouri State Bears (13-3, MVC 5-0) at 7:05 p.m. today in Springfield, Mo.

The women's team entered halftime tied, 34-34, with Drake, (8-6, MVC 3-1) Thursday, but fell behind in the second half.

Sophomore guard Teri Oliver said the Salukis' intentions defensively were to prevent Drake from hitting 3-point shots.

Bulldogs senior guard Kristin Thul broke loose during the game to score 21 points when her team needed it. Oliver said.

Freshman guard Brooks Le-Star said the Bulldogs switched to bonus on-ball screens in the second half of play, which made it more difficult for the Salukis to penetrate the lane and get to the rim.

"Our shooting percentage was not as good as the second half, and it wasn't because we weren't getting good looks, we just weren't making them," coach Misty Tiber said.

Against the Bluejays (19-5, MVC 9-0) Saturday, the Salukis closed the first half down by three but were outscored 40-26 in the second.

The Salukis saw spikes of offense from freshman guard Renzie Reide, senior forward Kristina Swagler, junior forward Charistine Mitchell and sophomore guard Teri Oliver.

Bluejays coach Jim Plancher said the only difference between the Salukis and his team was having three seniors to lead the team through difficult points in a game.

Tiber said it's going to take the team time to gel together and learn each other's strengths and weaknesses because it is loaded with freshmen.

"Most of the youthful mistakes happened on the defensive end," Tiber said. "There's not one high school kid who comes in here that's a great defender."

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