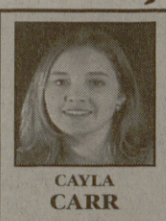


Whose fault is it?

Should 12-year-old be held fully responsible for wrestling murder of friend?



CAYLA CARR

murders often make the headlines, especially those committed by children. Society has grown impatient to such atrocities or solved the problem of kids killing kids. Instead, it finds a scapegoat. With each case, some new outside influence is blamed. In July 1999, 12-year-old Lionel Tate wrestled 6-year-old Tiffany Eunick to death. Tate was recently found guilty of first-degree murder in the first degree. Although sentencing does not begin until March, first-degree murder in Florida carries a mandatory sentence of life in prison without parole. Meanwhile, many people are wondering if this immature youth should have been prosecuted as an adult and spend his entire life behind bars just because he was imitating wrestling moves he watched on television.

This argument was echoed by Tate's defense. Jim Lewis, Tate's attorney, went so far as to request professional wrestlers to testify, but the judge denied him the opportunity. Many people are outraged that this child would be sentenced to life in prison. But sentencing for Tate does not begin until March 2, and even then, CNN experts say it is highly unlikely that he will be given a life term.

What will happen to Lionel Tate? It appears that the jury made an example out of him. This jury took all things into consideration and rightly convicted Tate. Society is becoming increasingly unsympathetic toward murderers regardless of their age. It is time to quit treating juveniles like children if they harm others. Murder has consequences, and Tate should deal with the consequences of his actions.

It was never in question whether Lionel Tate killed Tiffany Eunick. The debate was whether Tate intended to kill her or killed her accidentally. The accident theory is a stretch. The prosecutors pointed out that Tiffany's injuries were extensive, and experts testified that the injuries were comparable to falling from a three-story building. If Tiffany had actually fallen from a three-story building, Tate's intent may have seemed more accidental. But since her injuries were a result of his deliberate brutality, there is no doubt he committed first-degree, cold-

blooded murder. As CNN's Mark Potter said, "Wrestling was not on trial, violence in sports was not on trial, there was no excuse for what this was — murder."

Many argue that Tate's mother was to blame for Tiffany's death. They say she was present when the murder occurred, and Eunick had fallen asleep upstairs, while babysitting Tiffany. The mother is partly to blame, and she will be punished by her son's incarceration. She had the chance to accept her son's violent actions, but she refused. Prosecutors offered a reasonable plea bargain for Tate, consisting of a three-year sentence plus 10 years probation if Tate pleaded guilty to second-degree murder, and it was quickly turned down by him and his mother.

The defense attorney used Tate's age and vulnerability to violence in television to argue innocence. Tate's mother used her irresponsibility and ignorance to believe in her son's innocence, and Tate tried to use his immature and naive behavior to act as he wanted and avoid consequence. There would be no end to this behavior if the jury had not acted according to Florida law and found Tate guilty.

This set of circumstances was a combination of misdirected blame, ignorance and irresponsibility. Juveniles and children must realize the severity of murder, think twice before acting and refrain from television influence. The lesson is that parents should become more aware of their children's actions and familiarize them with the reality of murder. If Tate was found innocent, he would have acquired an even more inaccurate sense of right and wrong.

It is time children leave their fantasy world and learn that murder is not a fantasy — it is a serious act that deserves terrible consequences. It is unfortunate that Tate is so young and is faced with life in prison. It is more unfortunate that Tiffany Eunick was so young, and now has no life at all.

Cayla Carr is a junior speech communications major.



CHRIS CARTER

In July 1999, Tiffany Eunick died of horrible injuries inflicted on her by 12-year-old Lionel Tate, who said he was imitating professional wrestling moves. The New York Times reported that prosecutors in the subsequent criminal trial likened the damage sustained to Tiffany's 48-pound body to what would be incurred by that of "falling out of a three-story building."

The medical examiner's report found that Tiffany had a lacerated liver, a fractured skull and more than 30 other bruises and broken bones.

Upon being questioned about Tiffany's death, Tate claimed that he had only grabbed the girl in a bear hug but then accidentally dropped her, causing her to hit her head.

After further prodding from investigators, Tate testified that he

had swung Tiffany around and hit her head on a cast iron railing.

On Jan. 15, a jury convicted Tate, who stood trial as an adult in Florida, of first-degree murder after only three hours of deliberation. Moreover, according to The New York Times, a Florida child-abuse law was invoked so that the jury did not have to conclude that Tate had meant to kill, only that his actions were "intentional and abusive." With this conviction, Tate, now almost 14 years old, faces a mandatory life sentence without the possibility of parole.

Though it is undeniable that Tiffany's death was outrageously savage, the constitutionality of Tate's trial and conviction must be closely examined.

Upon Tate's indictment, prosecutors quickly worked to allow him to be tried as an adult, even though he was more than four years younger than the usual limit for prosecution as an adult. Because of the emotional outrage over the degree and nature of Tiffany's in-

juries, prosecutors secured a first-degree murder charge against Tate within a year of the girl's death.

By foregoing Tate's rights as a child, his right of equal protection guaranteed by the 14th Amendment was usurped by the state of Florida. Tate's capacity to stand trial as an adult was not judged by his cognitive development but by the grim details of his crime.

Despite his adolescence, Tate was viewed as a person with the mental capacity of an adult. He was held to of all the standards and responsibilities of an adult, like being able to separate fantasy from reality.

The fact remains that Tate committed this act when he was 12 years old and was judged for his actions as if he were 17 years old and of sound mind at the time.

Evidence strongly suggests that Tate did not have the mental capacity of an adult at the time of the murder, nor when the case went to trial. The prosecution asserted that Tiffany's death was the result of a crush Tate had on Tiffany's mother and said that he wanted to get rid of the young child.

Tiffany's mother, Deweese Eunick, testified to the jury that upon hearing of her daughter's death, Tate shrugged his shoulders and rolled his eyes. The next day, she said, Tate asked her if he could move in with her and have Tiffany's toys.

At trial, Tate sat in neat slacks and a long-sleeved shirt and drew on a pad of paper through much of the testimony. The New York Times said, in the courtroom, Tate "seemed still to live in a world of make-believe."

Tate should be held accountable for his actions but only as accountable as someone of his legal standing. Tate is a juvenile, and he should be subject to the laws and regulations of the juvenile justice system, despite the terrible details of his crime.

It is doubtful that, had Tate stolen a car or gotten in a fist fight after school, he would be charged with grand theft auto or assault. Instead, he would be sent through the juvenile justice system.

The law exists to protect defendants and victims alike. Though the law must seek atonement for Tate's crime, it should also shield him against the lynch-mob mentality stirred by gruesome injuries to a 6-year-old girl.

Chris Carter is a senior speech communications major.



ADRIAN CALCANEO/THE BATTALION

Mail Call

to understand how a University president can get away with making policies that have the goal of destroying even the memory of our school's great history.

When Bonfire fell, the tradition changed forever. As much as we would like for this to be the case, the truth is that Bonfire will never be the same. All that we have left of this great tradition are our memories of what is now "Old Army Bonfire."

Yet, the administration is making an effort to steal those memories from us. They tell us it's wrong to let our fish know what Bonfire was like and they discourage dorm unity, saying it's Bonfire related.

Our Bonfire is gone, our friends are dead, our dorm unity is falling apart and now the administration is trying to take away even our precious memories of it all. Pretending something didn't happen has never helped anyone to heal. What the administration is doing is only causing more pain.

Becky Bartschmid
Class of '03

Quiet please

Breakaway service does not interfere with Silver Taps

Since Texas A&M established, it has grown to become a University rooted in tradition. Among these traditions is Silver Taps, a memorial to enrolled Aggies who have died during the year. The first Silver Taps was held in 1898 to honor Lawrence Sullivan Ross, a former governor of Texas and president of the A&M College.

People gather to remember Aggies, reflect and pray; the Ross Volunteers offer a 21-gun salute; and Silver Taps is played. Silver Taps is held on the night of the first Tuesday of every month.

This is also when Breakaway Ministries, a Christian worship service for students, meets for its weekly worship. Many Aggies believe Breakaway interferes with the Aggie tradition.

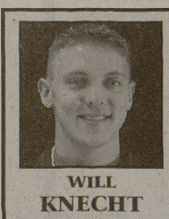
Despite falling on the same day as Silver Taps, it does not interfere — rather, it promotes attendance at Silver Taps. There has never been a shortage of students at Silver Taps, and Breakaway does not hinder students' abilities to attend the ceremony.

If there ever were a problem with a lack of students attending Silver Taps, it would not be the fault of Breakaway but rather the fault of the student body itself.

Gregg Matte, director of Breakaway Ministries, said every effort is made to give students the opportunity to attend both Breakaway and Silver Taps.

"We support Silver Taps 110 percent," Matte said. Students who wish to attend Silver Taps are asked to sit near the aisles, where they may leave without disturbing others. Breakaway promotes attendance at Silver Taps by reminding those attending, who may have forgotten, that it is a Silver Taps night.

There has only been one incident when Breakaway



WILL KNECHT

interfered with Silver Taps, and it was not even a significant occurrence. The last Silver Taps of Fall 2000 was interrupted by music from the Breakaway service at Olsen Field.

The worship service, which is usually held in Reed Arena, took place at Olsen Field that night. As people began to congregate for Silver Taps, the sounds of guitar music and singing broke the traditional silence.

Breakaway did not intend to interrupt the Silver Taps ceremony. Matte apologized for any disturbance.

"I am so sorry and I take full responsibility. It completely slipped my mind that it was Silver Taps night," he said. When it was brought to Matte's attention that Silver Taps was about to begin, he pulled the plugs and ended the worship service. "I didn't realize that the sound would travel so far," said Matte. "I am terribly sorry."

It is understandable that this incident would upset those attending the memorial service. Once Breakaway Ministries realized its folly, it rectified the situation immediately. The sound of worship music breaking the silence is not half as bad as the incessant drone of train whistles that often plague Silver Taps.

It is evident that a ceremony held outside will be accompanied by noises and distractions that cannot be helped.

This year there was no Bonfire. Losing one of the school's most cherished traditions left many students with a sense of emptiness. Even the use of "howdy" has become rather nonexistent amongst the student body.

Take pride in the traditions of this University. Breakaway Ministries does its part to help keep Silver Taps an important tradition at A&M. It is important that all Aggies work to keep alive the traditions that unite A&M as a family.

Will Knecht is junior journalism major.

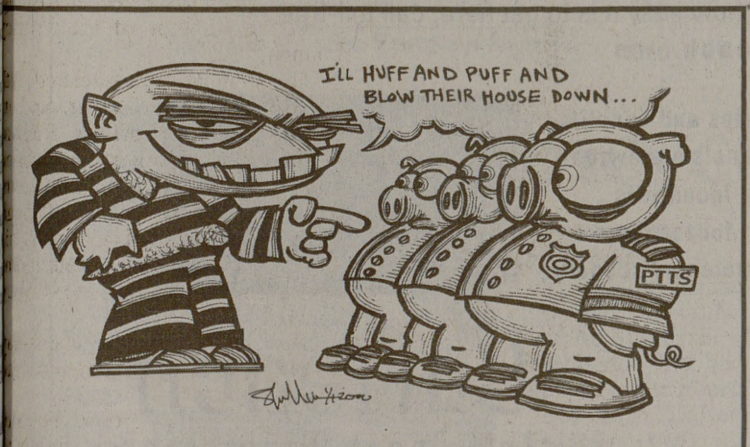
President Bowen should not have banned Bonfire logo use

In response to Mariano Castillo's Feb. 5 article.

President Bowen has most definitely over-stepped his boundaries this time in placing a ban on the Bonfire logo. Yesterday's article in *The Battalion* does not tell Dr. Bowen's reason for placing such a ban on the Bonfire logo, but it's all too obvious as to why he would choose to dictate policy like this. It is just one more step by the administration to get rid of all memories of the way Bonfire used to be.

I understand that it's not ethical for people to make money off a tragedy. The money raised by the Aggie Moms' Clubs, however, is used to fund student scholarships. Also, the selling of Aggie Bonfire memorabilia is not profiting from a tragedy but rather from a great tradition that is now part of the past. In a school where tradition is so important, it's hard

CARTOON OF THE DAY



THE UN-CARTOONIST

The Battalion encourages letters to the editor. Letters must be 300 words or less and include the author's name, class and phone number. The opinion editor reserves the right to edit letters for length, style and accuracy. Letters may be submitted in person at Reed McDonald 014 with a valid student ID. Letters may also be mailed to:

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