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Hawthorne defense asks public to keep open mind

Driver in fatal accident indicted on counts of intoxication manslaughter, aggravated assault with deadly weapon

By **CAITLAN OSBORN**
NEWS EDITOR

Brian Cody Hawthorne, the driver in a Jan. 29 car accident that killed three people, was indicted, or formally accused,

by a Lubbock County grand jury Tuesday for three counts of intoxication manslaughter and three counts of aggravated assault with a deadly weapon.

The collision occurred on the 500 block of University Avenue

and Glenna Goodacre Boulevard. An official with the Lubbock Police Department said Hawthorne, 26, was traveling south toward Texas Tech campus in a 2001 Toyota Tacoma and tried to avoid hitting 68-year-old cyclist,

Courtland Whitmore, as he was crossing the street. Hawthorne's truck hit Whitmore and flipped on its side. The truck then ran into a fire hydrant. Whitmore and truck passengers Arturo Hernandez Almaguer, 23, and Kendrick Laamar Johnson, 27, were declared dead at the scene. An LPD official said Almaguer, who was enrolled at Tech as a junior architec-

ture major, was the only one wearing a seatbelt at the time of impact. Hawthorne's defense team consists of Ryan Huie, Meredith Troberman and Jason Trumpler. Hawthorne was arrested at University Medical Center and his bail was placed at \$150,000. He is now free on bond, meaning the defendant is released from police custody with a promise to forfeit

the posted bail if he fails to return for trial. Trumpler said his client has been released from UMC and is recovering at home with his family. Trumpler also said Hawthorne plans to move out of Lubbock until he recovers from his injuries, but will return to Tech to finish his last 30 hours.

HAWTHORNE cont. on Page 2 >>

Lubbock police officer dead, investigation ongoing

An emergency phone call to the Lubbock Police Department on Tuesday lead investigators to the deceased remains of Officer Diane Daniel near 106th Street and Quinton Avenue. Daniel was a member of the Lubbock Police Department for seven years. The incident

is still under investigation, and no cause of death has been identified, LPD officials said. Authorities do not expect to file criminal charges. The Daily Toreador will follow up with more information related to the ongoing investigation. >>sdouglas@dailytoreador.com

Single Jingles group informs students about testicular cancer

By **EMILY REYES**
STAFF WRITER

The nonprofit organization, Single Jingles, has had several speaking sessions this week at Texas Tech, in order to provide education and support to young adult men, while raising awareness about testicular cancer. The information sessions — hosted at Sneed Residence Hall and Carpenter/Wells Residence Halls on Wednesday evening — were not only for men. In fact, the speakers encouraged women

to learn more about the disease as well. Matt Ferstler, a testicular cancer survivor and founder of Single Jingles, started the nonprofit organization in 2009 to raise awareness among young men about testicular cancer. Ferstler encourages young men to learn about the disease now to prevent future problems. "We want to educate students on testicular cancer," he said, "and we really just want to push the idea to 'man up' and get checked out."

JINGLES continued on Page 2 >>



PHOTO BY SCOTT MACWATTERS/ The Daily Toreador
Matt Ferstler, a testicular cancer survivor and the founder and CEO of Single Jingles, talks to students in Sneed Residence Hall on Wednesday about testicular self exams. Single Jingles is a non-profit organization that provides support and information about testicular cancer.

Capoeira Clique



PHOTO BY BRAD TOLLEFSON/ The Daily Toreador
CORTNEY GRAGSON, A sophomore exercise and sport sciences major from Rison, Ark., practices the Armada Kick with Svante Rocabado, a sophomore chemical engineering major from Austin, during capoeira practices Tuesday at the Robert H. Ewalt Student Recreation Center. Capoeira is a form of Brazilian martial arts that incorporates Portuguese music.

Tech organization teaches peace through capoeira training

By **MICHAEL DUPONT II**
STAFF WRITER

After only an hour into capoeira practice, every person on the training mat is immersed with sweat and loving every second of it. Svante Rocabado, a sophomore chemical engineering major from Austin, began practicing capoeira more than 10 years ago when he discovered his sister's boyfriend was a capoeira instructor. Rocabado said he was intrigued by the newness of what he was witnessing. The music and dance incorporated into a fighting style made him want to continue learning. "I tried it out when I was 10

and it was so much fun that I got hooked," he said. "It was so much fun, I never felt pressure from anyone else. It was such a fun atmosphere that I had to keep coming back." Landon Thiele, a junior architecture major from Austin, said capoeira is a fighting style that originated in Brazil

during the early 1500s. "It's an Afro-Brazilian martial art that was created by African slaves in Brazil," Rocabado said. "It was made so that the Africans could win their freedom and played a major role in their fight." He said the Brazilian martial arts style is masked by dancing and song because when

it was first being taught, capoeira was against the law. "In order to practice it they disguised it as a dance, because at the time it was outlawed in Brazil," he said. "They used song and acrobatic moves to disguise the fact that they were training to become killers." Rocabado said capoeira is a big part of life. To him, it is more than fighting — it is a lifestyle. "I love Tech," he said. "I know one of the main reasons I love Tech is because of this club." The organization meets every Monday, Tuesday and Thursday in the Robert H. Ewalt Student Recreation Center.

CAPOEIRA continued on Page 5 >>

"I tried it out when I was 10 and it was so much fun that I got hooked."

SVANTE ROCABADO
SOPHOMORE
ENGINEERING MAJOR

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**Today's
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4		2	3	7	5
	7		8		
3					8
	7		1		3
1		8	4		6
6		5			9
	5				2
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8	3	6	2		1

Puzzles by PageFiller

In Sudoku, all the numbers 1 to 9 must be in every row, column and 3 x 3 box. Use logic to define the answers.

2	5	1	7	8	9	6	3	4
3	4	7	2	5	6	8	1	9
8	6	9	4	3	1	5	2	7
9	7	3	1	4	8	2	5	6
5	8	2	9	6	3	4	7	1
4	1	6	5	2	7	9	8	3
6	2	8	3	1	4	7	9	5
7	3	4	8	9	5	1	6	2
1	9	5	6	7	2	3	4	8

Solution to yesterday's puzzle
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Hawthorne

CONTINUED FROM PAGE 1

"We want to thank everyone for the overwhelming love and support that has been given to Cody," Hawthorne's family said in a statement. "We especially want to thank the Best Buy family, the doctors and nurses at UMC, the Texas Tech community and all of the friends and family of those involved in the accident.

"Our thoughts and prayers go out to the Almaguer, Johnson and Whitmore families and friends. You are not alone in your hurt. We, including Cody, are hurting too. Our family wants the Almaguer, Johnson and Whitmore families to feel the outpouring of love, care and support that Cody has received.

This accident is so hard for all of us to comprehend, but we are holding close to our faith knowing that somehow, God is in control of this."

Jason Stewart, a district attorney for Lubbock County, said he is the prosecutor for the Hawthorne case and is representing the families of all three victims.

Stewart said both intoxication manslaughter and assault with a deadly weapon are second-degree felonies. In the state of Texas, both sentences are punishable by two to 20 years in prison and a fine of up to \$10,000 each.

Stewart said a state law passed in 2009 allowing stacked charges, meaning Hawthorne could serve three consecutive terms in prison.

Stewart said Hawthorne will go to trial if the prosecution and defense cannot agree on a plea

bargain. However, Stewart said if Hawthorne is tried, it would take at least a year for the case to be presented in court.

Trumpler said his client's conviction is in the early stages, making it difficult to predict the outcome.

"We have no idea how this is going to play out," he said. "We just ask that everybody keep an open mind and not judge Cody until all the facts come to light in a court of law, regardless of what they read or hear."

A joint statement was released by Hawthorne's attorneys, asking the public to be respectful of their client during this time.

"At this point, there are lots of questions that must be answered before the truth can even be assessed," they said. "Today, it is important to focus on the loss of the three members of

the Lubbock community. Words cannot express Cody's remorse and sorrow for the loss of his two best friends and Mr. Whitmore. Cody's heart, the entire Hawthorne family's heart, our hearts and the hearts of everyone in the Lubbock community should be focused on those that died in this terrible tragedy."

"We ask for everyone to respect the sensitivity of this case, and to remember that although Cody has been charged with very serious offenses, everyone deserves to be treated as innocent until proven guilty. Cody asked us to tell everyone that his thoughts and prayers are with all of those affected by this accident. He especially wants to extend his prayers to the Almaguer, the Johnson and the Whitmore families."

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Jingles

CONTINUED FROM PAGE 1

Ferstler shared his story of the mistakes he made and the precautions he failed to take before being diagnosed with testicular cancer. He used his own experience of cancer survival to educate men about the seriousness of the disease.

"I was 22 when I was diagnosed with testicular cancer," Ferstler said. "I knew something about me was different, but I wasn't educated enough to actually get checked out, so I lived with it for about six months before I did anything about it."

When detected early, there is a 99 percent chance of surviving testicular cancer, according to a Singles Jingles "Man Up and Check 'Em" pamphlet.

If left unchecked, testicular cancer can spread throughout other parts of the body. The cancer works its way up the torso and usually causes pain in the lower back as it moves up. The longer it takes to be diagnosed, the higher the risk of the cancer spreading and the lower the rate of survival.

Ferstler strives to inform young men about the severity of the disease. He stressed the importance of self-examinations and to be familiar with one's body.

Testicular cancer is the number one type of cancer in men between ages 15 to 35. Ferstler wants young men to take

precautions and know how to perform self-examinations.

"I think it should be something mandatory," he said. "Young men need to know how to check themselves."

Jason Morton, a unit manager information technology at the Health Sciences Center, is another advocate for Single Jingles and a testicular cancer survivor.

"This is a cancer that can be treated when detected early on," he said, "so it's our job to take control of the cancer and prevent it from getting worse."

Ferstler and Morton are working to bring the Single Jingles organization to Tech campus. Students will have the opportunity to advocate for a reputable organization and push awareness on the subject around campus, Morton said.

"One of our big goals is we want to get college guys comfortable with checking themselves, going to the doctor, talking to their significant others about what's going on," he said.

Travis Yarborough, a sophomore pre-med major from Hobbs, left the session with a better perception of testicular cancer.

"My mom is in the medical field, so I knew a little about testicular cancer, but not much," he said. "This isn't really a topic known about too well with guys my age."

For more information about testicular cancer and how to perform a self-examination, students can visit www.singlejingles.org.

>>ereyes@dailytoreador.com

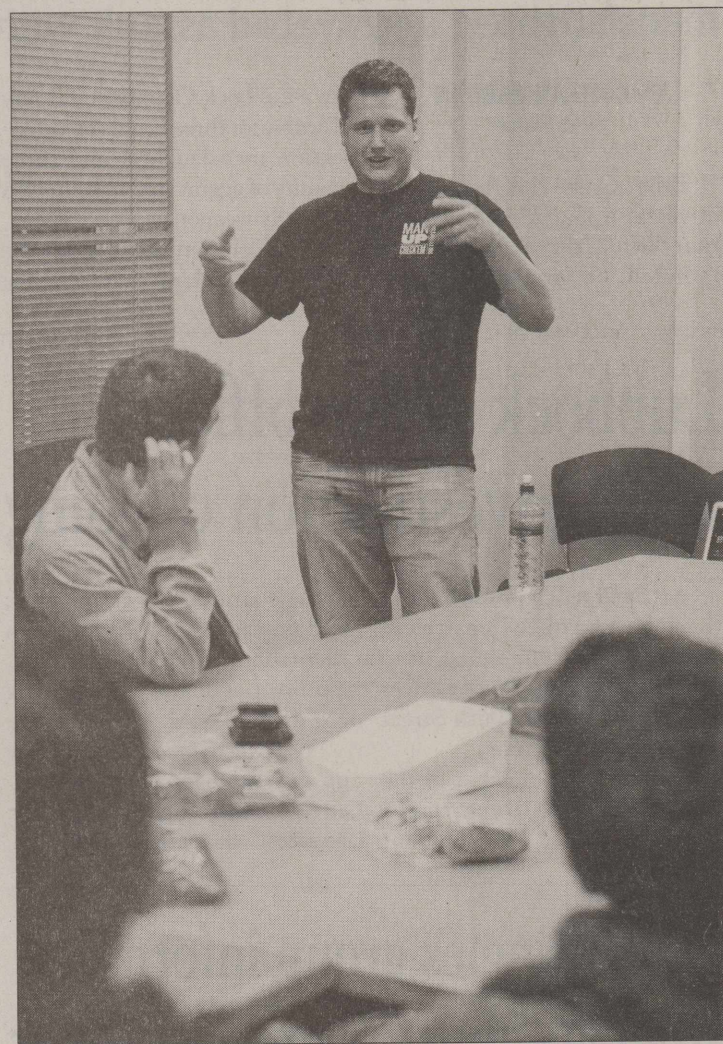


PHOTO BY SCOTT MACWATTERS/The Daily Toreador

MATT FERSTLER, A testicular cancer survivor and the founder and CEO of Single Jingles, talks to students in Sneed Hall on Wednesday about testicular self exams. Single Jingles is a nonprofit organization that provides support and information about testicular cancer.

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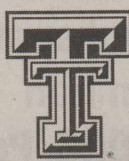
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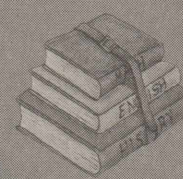
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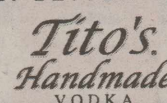
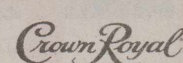
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Blotter: Non-student views inappropriate material on library computer

Tuesday

9:19 a.m. — A Texas Tech police officer investigated an accident, without injuries, in the B1 parking lot of the Health Sciences Center.

1:36 p.m. — A Tech police officer documented a medical emergency at the Student Wellness Center. A student was feeling ill and was transported to University Medical Center Emergency Room by Emergency Medical Services.

2:01 p.m. — A Tech officer investigated a theft at the Robert H. Ewalt Recreation Field. An

unsecured skateboard was taken.

2:33 p.m. — A Tech officer investigated a theft at Murray Residence Hall. A jacket was taken from a laundry room and then recovered by police. The suspect was identified and the owner did not want to press charges.

8:53 p.m. — A Tech officer documented unwanted communication at Carpenter Wells Residence Hall. A student reported being taunted by other unknown students.

10:50 p.m. — A Tech officer

investigated a theft at the Robert H. Ewalt Student Recreation Center. An unsecured Apple iPhone and purse were taken.

Wednesday

1:57 a.m. — A Tech officer issued a non-student a criminal trespass warning for all Tech property at the Texas Tech Library. The non-student was observed viewing inappropriate material on a computer.

Information provided by B.J. Watson of the Texas Tech Police Department.

MySpace used properly in murder conviction

HOUSTON (AP) — The Texas Court of Criminal Appeals ruled Wednesday an accused killer's MySpace pages were properly used as evidence by prosecutors to help convince a jury to convict the Dallas-area street gang member of murder.

Ronnie Tienda Jr. appealed his conviction and 35-year prison term for the slaying of 23-year-old David Valadez in a 2007 shootout on a Dallas freeway.

In the appeal, Tienda's attorney argued the judge at his 2008 trial in Dallas County was wrong to allow MySpace entries into evidence because it was questionable whether Tienda was responsible for entries that referred to the killing on his pages on the social networking site.

The appeals court said the content of Tienda's postings, which included photos, comments and music, was sufficient to show he created and maintained it and the trial judge wasn't wrong to allow it as circumstantial evidence for prosecutors to show Tienda was involved in the slaying.

Tienda's attorney, Leslie McFarlane, said Wednesday she wasn't sure where the case could go now. The Court of Criminal Appeals is the highest criminal

court in the state.

"I think it's fair to say it's troubling," she said.

Valadez, from Grand Prairie, died at a Dallas hospital of wounds suffered when gunfire erupted from at least two of three vehicles during a confrontation on Interstate 30 that began earlier at a club. Valadez was driver of one of the cars.

Court records indicate Tienda was present during the gunfire but testimony at his trial was inconsistent as to who fired first. Bullets from Valadez's body never could be matched to a weapon and no firearms ever were recovered.

Valadez's sister told prosecutors as they were preparing for trial about three MySpace pages featuring Tienda boasting about the killing. They also included entries of him complaining about wearing an electronic monitor while awaiting trial.

"I kill to stay rich!" according to one of the entries. Another features a photo of a tattoo of the Roman numeral for 18 on the back of Tienda's head, which a detective testified referred to the North Side 18th Street gang in Grand Prairie.

Tienda's trial lawyer unsuccessfully argued the evidence

wasn't credible and couldn't be authenticated.

Responding to the appeal, prosecutors said the social network pages contained "sufficiently distinctive information" to justify their admission into evidence.

The appeals court agreed, saying it also was aware electronic writings can sometimes be open to question.

"Computers can be hacked, protected passwords can be compromised, and cell phones can be purloined," the judges wrote. But the court said in this case an email address and subscriber name used Tienda's nickname, "Smiley," his home zip code, tattoos, photos, even a link to a song played at Valadez's funeral, to tie him to the MySpace pages.

"This is ample circumstantial evidence — taken as a whole with all of the individual, particular details considered in combination — to support a finding that the MySpace pages belonged to (Tienda) and that he created and maintained them," the court said.

Tienda, 26, already had a conviction on three counts of robbery when he was arrested for Valadez's murder. He doesn't become eligible for parole until August 2026.

BONGO BUNKER

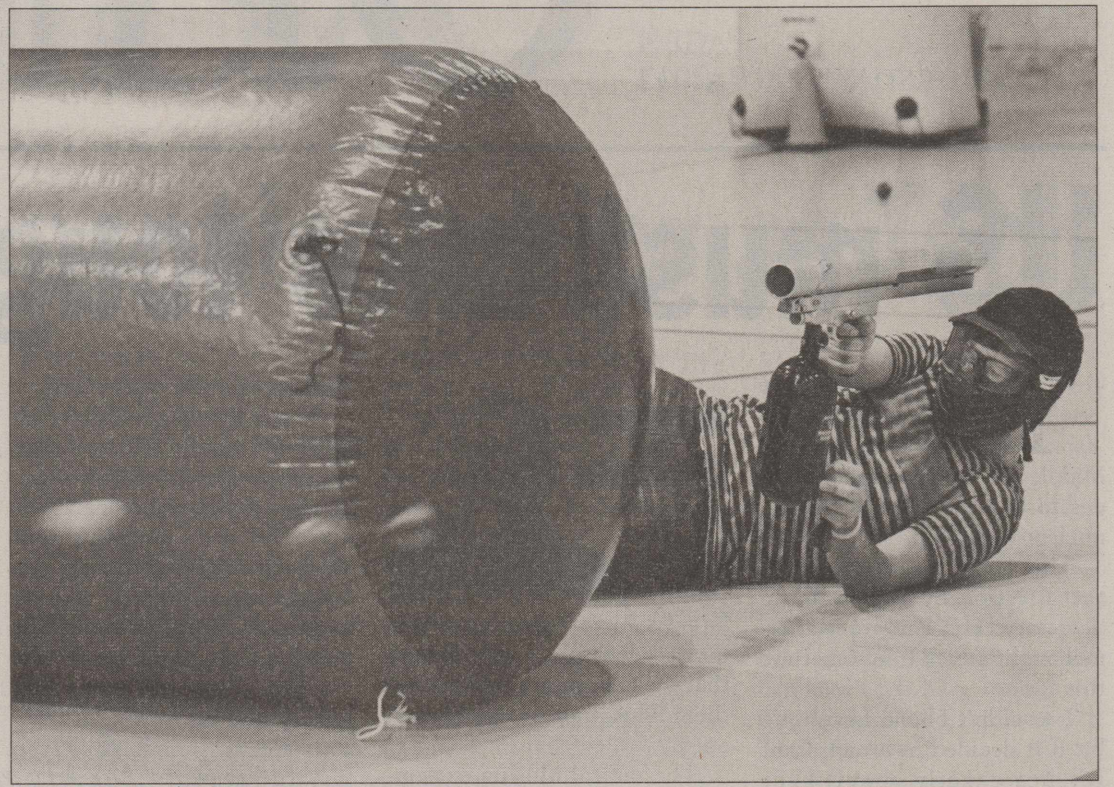


PHOTO BY LAUREN PAPE/The Daily Toreador

JACOB PACHECO, A sophomore architecture major from San Antonio, dives behind a bunker while shooting a nerf launcher during a game of Bongo Ball at the Robert H. Ewalt Student Recreation Center on Tuesday.

Feds seize 200 weapons in busted smuggling ring

SAN ANTONIO (AP) — Young housewives and older moms who bought assault rifles from Texas gun dealers are among nearly two dozen charged in an alleged weapons smuggling ring that armed Mexican cartels before the scheme was broken up, federal agents said Wednesday.

More than 200 weapons, including AK-47s and sniper rifles, were seized and 22 people have been arrested. Many are accused of being so-called "straw buyers" — gun shoppers without prior criminal records who legitimately buy from licensed dealers, then hand the weapons to smugglers.

During a news conference in San Antonio, the Justice Department trumpeted the arrests as a "big hit" in stopping the flow of guns to Mexico. The same agency was left beleaguered following Operation Fast and Furious, in which federal agents in Arizona tried tracking guns suspected of being bought by straw purchasers.

That operation erupted into controversy when the Bureau of Alcohol, Tobacco, Firearms and Explosives lost track of thousands of weapons, two of which turned up at an Arizona shootout where a Customs and Border Protection agent was killed.

None of the weapons seized in the South Texas case were tracked, said Crisanto Perez, assistant ATF special agent in charge.

Federal prosecutors declined to say whether any of the gun dealers who sold the ultimately seized weapons were under investigation.

Nine defendants have already been sentenced, including two Tuesday in Del Rio. Keith Edwards, 23, and Rick Gonzalez, 22, were sentenced to more than three years in prison each. According to court records, Edwards bought at least three weapons from different federally licensed gun dealers.

One of the alleged smugglers and ringleaders, Edward Levar Davis, 34, was sentenced to 14 years in prison, longer than any of the other defendants so far. More suspects await sentencing later this month.

Authorities said the straw buyers arrested include housewives, mothers and cousins. Most were paid around \$100 for each purchase, federal agents said. The seized firearms cost between \$800 and \$1,400, which would make the total value of the weapons caught before reaching Mexico at least \$160,000.

Not all the southbound weapons were intercepted. Perez said ringleaders successfully moved three shipments into Mexico before investigators caught wind of the operation. Perez did not know how many guns were involved. However, by way of comparison, five shipments were involved in the 203 seized weapons announced Wednesday.

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US must take tougher stance on Iran

Yet another round of sanctions has been placed on Iran as the Middle Eastern nation continues to move toward acquiring nuclear weapons.

This comes on the heels of the assertion by U.S. Defense Secretary Leon Panetta that Israel might attack Iran sometime this spring.

I wouldn't blame Israel one bit if it decided to attack Iran. It's not exactly a well-kept secret that Iran wishes to use nuclear warheads to annihilate Israel. It seems the only logical course of action for Israel would be to launch a pre-emptive attack against Iran's nuclear facilities.

Of course, if this happened, then it's likely other nations would attack Israel in retaliation. Many surrounding countries resent not only Israel's presence, but also its very existence. As such, Israel is in a very difficult position and needs all the support it can get.

This is where the United States should come in. The

Andrew Gleinser



Israelis have been our allies for decades, so it's only natural that the U.S. stands firm behind them. Plus, Iran is our common enemy.

The radical Muslim extremists in charge of Iran not only wish to destroy Israel, but the United States as well. They resent everything from our influence across the world to our free and democratic society.

At first glance, one would think it rather stupid of Iran to attack the U.S. With our far superior military power, it would essentially be David vs. Goliath.

Important to note, though, is that David wins in the Biblical tale. My fear is the United States government would decline to make the politically incorrect move of attacking first, thus giving Iran the opportunity to send

a nuclear missile to the U.S.

Israel, though, is Iran's first order of business. If Israel does not destroy Iran's nuclear weapons program, then Iran will make Tel Aviv its Hiroshima. With Israel being our ally, we simply cannot allow that to happen. If the U.S. stands idly by while Iran turns Israel into a radioactive crater, then we will be next.

You may think I'm paranoid, but let me explain. All of our military might amounts to jack squat if we have a weak and indecisive government. Iran's leaders obviously recognize this, which is why they are continuing to defy the wishes of the U.S. and the United Nations.

If you think I'm a warmonger, let me assure you I'm not. Diplomatic relations are the best

way to solve a dispute, but there are certain situations in which diplomacy does absolutely nothing. When you have a nation like Iran, which is essentially acting as a bully, then the only way to stop it is to stand up to it.

I also fully realize that I wrote a column last fall arguing that the U.S. should stay out of the affairs of other nations. If you think I'm contradicting myself, I assure you I am not. This is not an instance in which the U.S. is trying to overthrow an unfriendly government, stop the spread of a particular ideology, or establish a democracy. This is about protecting our country and our allies.

I mentioned in my previous column that the U.S. should devote its military resources to the defense of our nation. If we

don't stop Iran now, then we will most certainly come under attack. If Iran had no interest in attacking the U.S., I would not have a problem. However, it's clear that they want us to be destroyed, so therefore we must respond.

The appropriate first step would be to use the threat of military action if Iran does not immediately put a stop to its nuclear program. A firm and unwavering stance is necessary to ensure that Iran gets the message.

The CIA should be devoting a great deal of resources to work in coalition with the Israelis to gather intelligence about Iran's moves. We need to know what Iran is doing, how they are doing it and how close they are to being able to attack Israel. Also, U.N. weapons inspectors should be allowed to verify the findings.

If Iran continues its nuclear program, military action should be taken before an attack against Israel can be made. Air strikes and ballistic missiles should be the primary course

of action to destroy all of Iran's nuclear capabilities. Committing ground troops should be a last resort. There is no reason for our soldiers to be put in the line of fire.

With the U.S. and Israel working together, Iran-friendly nations would be ill-advised to retaliate against a strike on Iran. Even if they were to show poor judgment, the U.S. has enough military firepower to silence them without deploying troops.

Simply put, Iran can be stopped with a much tougher and firmer stance from the United States. We cannot allow Iran's leaders to start a nuclear war. If we stand firm with Israel, disaster can be averted.

So my message to our country's leaders is simple: Wake up and smell the enriched uranium. It's coming from Iran, and if we don't put a stop to it, it could eventually find its way here.

Gleinser is a junior political science and history major from Kingwood.
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“So my message to our county's leaders is simple: Wake up and smell the enriched uranium.”

Russia, China block action on Syria

By **ROBERT DAVIS**
THE DAILY ATHENAEUM (WEST VIRGINIA U.)

While Russia and China are busy stalling the United Nation's efforts to take action against Syria, a major human rights violation and all-out massacre is underway.

Since an outcry from the Syrian people began 11 months ago, more than 5,400 civilians have been killed by their own president, Bashar al-Assad and his cronies.

If these two powerhouses continue to put their self-interests before basic human rights, the Syrian crisis will become too massive to solve through diplomacy alone.

Despite the urgency of the situation, these antagonists have met the United Nations effort to halt Assad's brutal regime with good old fashioned Eastern obstructionism.

Last week, the U.N. Security Council voted on a resolution to the conflict unfolding in Syria. The resolution, which called for a U.N. endorsement of the Arab League's demand for Assad's resignation, fell flat on its face because of vetoes cast by permanent

U.N. Security Council members, Russia and China.

The vote was held in the wake of Syrian forces unleashing a hell-storm of mortars on the populous city of Homs, killing more than 200 people.

The double vetoes provoked a strong response from U.S. Ambassador Susan Rice when she told the United Nations last Saturday, “The United States is disgusted that a couple members of this council continue to prevent us from addressing an ever-deepening crisis in Syria.”

China, with its own iron-fisted government, maintains a long-standing non-interventionist policy and has been reluctant to send the message to its citizens that a revolution can achieve desirable results.

“By only exerting pressure on the Syrian government and explicitly trying to coerce its leader Assad to step down, the

resolution sends the message to armed groups and opponents of his regime that they have the support of the international community,” said The Chinese Daily Newspaper, a leading Chinese publication known for promoting government policy, about the veto.

What kind of message does a veto against efforts to protect innocent lives send to the Syrian government? The regime is becoming more violent toward its own people by the hour.

Taking diplomatic measures to stop the killings before more innocent lives are lost should be the top priority of the United Nations.

Russia and China's votes at the Security Council have only served to embolden Assad's efforts to quell those who speak out against him.

Russia's motivations for foiling U.N. attempts to oust Assad are numerous.

Running short of allies in the region, Russia stands to lose quite a bit, such as their only naval base on the Mediterranean sea, if they jump the bandwagon too early.

Choosing not to speak out against the inhumane acts committed by Assad, Russia has instead decided to supply him with arms.

“This intransigence is even more shameful when you consider that at least one of these members continue to deliver weapons to Assad,” Rice said in her statement to the U.N. Security Council, referring to Russia's much disputed military support of Syria.

As Syrian protesters burned Russian flags in the streets, Russia's U.N. Ambassador, Vitaly Churkin, could only vaguely justify the vote Saturday morning.

Russian officials have stated they do not want events in Syria to play out as they did in Libya during its Arab Spring uprisings — nor do leaders in the West.

The U.N. proposal reflects a desire for a diplomatic solution in Syria. However, this will be impossible to achieve via the Security Council as long as China and Russia flex their veto power.

As we've seen in the recent Arab Spring uprisings, oppressed revolutionary forces are unlikely to surrender to a leader who has committed crimes of such magnitude against the people of their nation.

“The Syrian regime's policy of maintaining power by terrorizing its people only indicates its inherent weakness and inevitable collapse. Assad has no right to lead Syria and has lost all legitimacy with his people and the international community,” said President Obama in a statement.

The situation will not resolve itself. The Syrian people will never be willing to give Assad a second chance, especially after the way he has handled the protests against his leadership.

Harboring the belief that Syrians will eventually come to a peaceful solution without the intervention of an international body will only allow the situation to intensify. Currently, U.N. members are not seeking a military intervention in Syria.

However, this posture is likely to change as the bloodshed in the troubled country intensifies.

If Russia and China are against a military intervention, then they must immediately join their U.N. counterparts to work toward a diplomatic solution.

Blocking constitutional rights can be dangerous

By **TONY BUHR**
DAILY EVERGREEN
(WASHINGTON STATE U.)

America's political parties sustain infamy for an inability to agree on anything. So when both sides of the political spectrum sue you, you are probably screwed.

The right-wing Second Amendment Foundation teamed up with the left-wing First Amendment Foundation to sue the Eastern Washington library system, which covers the Chelan, Douglas and Okanogan counties, because of the censorship of women gun-owner Web sites and magazines, according to The Seattle Times.

What started as the mere censoring of pornographic material on Internet sites has blown into a fight about how far a library system can go in controlling material children may be exposed to.

After blocking pornographic Web sites, the Eastern Washington library system began to regulate the use of magazines and Web sites featuring gun usage and drug and alcohol references, according to The Seattle Times.

On the other hand, the Seattle Public Libraries system has been known for patrons watching hardcore pornographic material in libraries, despite the nearby presence of children.

Both of these extremes go too far, but the restriction of information would be a darker reality than the danger of corrupting the youth of America.

Dictators have shown the value of books — many hold book burnings when a new regime rises to power. In order to suppress the populace, they must control the flow of free thought.

Ability to think independently leads to the realization that a few remain privileged over the despondency of the many and the perception of fallacies in the justifications made by the endowed. Thus, educated minds are the bane tyrants.

Despite the fact we live in a de-

mocracy, this remains applicable because the loss of access to different opinions shows changes in political climate. However, the restriction of pornographic material does not endanger society, unless the human race forgets how to reproduce.

The federal courts have particular tests to resolve issues like this so it is possible to get an idea of how they will rule before the parties ever see a court date.

Not so long ago, many books were banned in U.S., including “The Canterbury Tales.” According to Cornell Law School, they justified this by using the Hicklin's law — an English law that stated any speech intended to corrupt the minds of those who were open to it could be banned. This allowed for the banning of practically everything.

In more recent times the Supreme Court uses the test created by the Burger Court in Miller v. California and derived from the Warren Court in Roth v. United States. The Supreme Court's ruling asked whether the material could be seen as obscene and affects sensitive members of society — mostly meaning children.

Clearly pornographic material can be classified as obscene and children will have the possibility of being exposed to such material — unless public libraries designate a particular area for those 18 and older.

The library systems should not run on the same principles as the local movie store with access to an R-rated section, but gun magazines do not count as an obscenity. One of the Web sites the library blocked features pictures of women shooting guns — they are fully clothed, of every age and not posed or altered in any form to appear sensual.

I believe in access to gun Web sites and the freedom of information for the same reason that I do not think that the Second Amendment should ever be overturned by Congress or the Supreme Court. People should not be afraid of their governments, governments should be afraid of their people.

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Business ranked most popular major at Tech

By **HALLIE DAVIS**
STAFF WRITER

With 42 majors to choose from, the Texas Tech College of Arts and Sciences is home to more students than any other college on campus. However, the major with the highest enrollment is in the Rawls College of Business Administration.

In a list from Valerie Paton, vice provost for planning and assessment, the RCOBA claims two spots in the top 10 majors at Texas Tech with business administration as the number one and undeclared business in third.

The lead adviser for the college of business, Megan Balko, said the majors had such high

enrollment because both were for general business degrees. Students later specify a major, most often marketing, management, accounting or finance.

Still, she said, the institution of business is growing because students recognize business degrees as being useful.

"The job placement rate is really good," Balko said. "Even in a down economy, a business degree is valuable."

The business school's undergraduate program is growing, she said, and its reputation is getting better, not only for Tech's undergraduate students, but also among universities across the state.

Students are also more inclined to choose these majors as

a way to get to law or medical school, Balko said.

Between these two majors, exercise and sports science takes second place with 1,313 students enrolled.

The major has four tracks, said Jodi Dillard, senior adviser to undergraduates in ESS, and the variety encourages participants, as each track is different.

The track with the largest enrollment is exercise and sports sciences, she said, which focuses on the medical side of the field. Other tracks are sports studies, with a focus on business; exercise health promotion, with a focus on fitness; and the Physical Education Teacher Education program, which trains students to become

PE teachers or coaches.

The variety of careers students can get with these degrees is also attractive, Dillard said. Students can work in anything from law, to cardiac rehabilitation to owning, their own gyms.

"These are all people who want to learn about the human body," she said. "These are people who want to make other people's lives better."

As this year's students graduate, Dillard said, the job market will welcome them with open arms. As baby boomers age, she explained, they will look for ways to stay active, whether it is through personal training or just going to the gym. No matter what, Dillard said, an aging

population provides job security for this year's ESS graduates.

ESS was just one of four Arts and Sciences majors to make the list, along with psychology, biology and undeclared arts and sciences.

Those within the College of Arts and Sciences work to make students as well rounded as possible, making sure science majors take a foreign language, and art majors take science classes.

John Zak, the associate dean for research at the College of Arts and Sciences, said this creates a broad worldview and improves overall education, rather than just training someone for their career.

"You never know what aspects of your education you will have

to draw from," he said.

No matter which department a student is in within the college, Zak said, they will get an excellent education.

"It's one of Tech's hidden qualities," he said. "We have very qualified teachers."

More specifically, he said, biology, math, ESS and psychology in the College of Arts and Sciences each have earned the Department of Excellence in Teaching Award.

The remaining top 10 is rounded out with mechanical engineering, architecture, pre-engineering and multidisciplinary studies in the College of Education.

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Capoeira

CONTINUED FROM PAGE 1

Thiele said he started the organization when he moved from Austin to Lubbock, and has been practicing capoeira for more than 10 years.

Thiele and Landon are the main instructors during the training sessions.

Thiele is also the president of the organization and said the people involved with the organization are a family.

"We're very family-oriented," he said. "The techniques we learn are very devastating, but that isn't our focal point. The goal is for each person to help the person next to him or her get better every day."

Diane Bankhead, a senior nutrition major from Plano, said students who have never seen capoeira are usually very surprised at the number of different things they can incorporate into the style of training.

"The experience has been

really good," she said. "I've made some awesome friends and it's great exercise. You get to practice things you don't normally do, like cartwheels. It's like gymnastics mixed with dancing and martial arts."

Bankhead said she has been practicing capoeira for three semesters and the family environment is what she likes most about coming to practice.

"The people are really nice and great to be around. That's what makes me keep coming back," she said. "I even have classes

with some of them."

Cortney Gragson, a sophomore exercise and sports sciences major from Rison, Ark., uses capoeira as stress reliever from the every day hustle and bustle of college life.

"It relieves stress," she said. "It's a break from studying and class. You just go and hang out. I even practice sometimes in my dorm room."

Thiele said the best experience he is had since he formed the group is watching the growth of each person physically and spiritually.

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The experience has been really good. I've made some awesome friends and it's great exercise. You get to practice things you don't normally do, like cartwheels.

DIANE BANKHEAD
TEXAS TECH
STUDENT

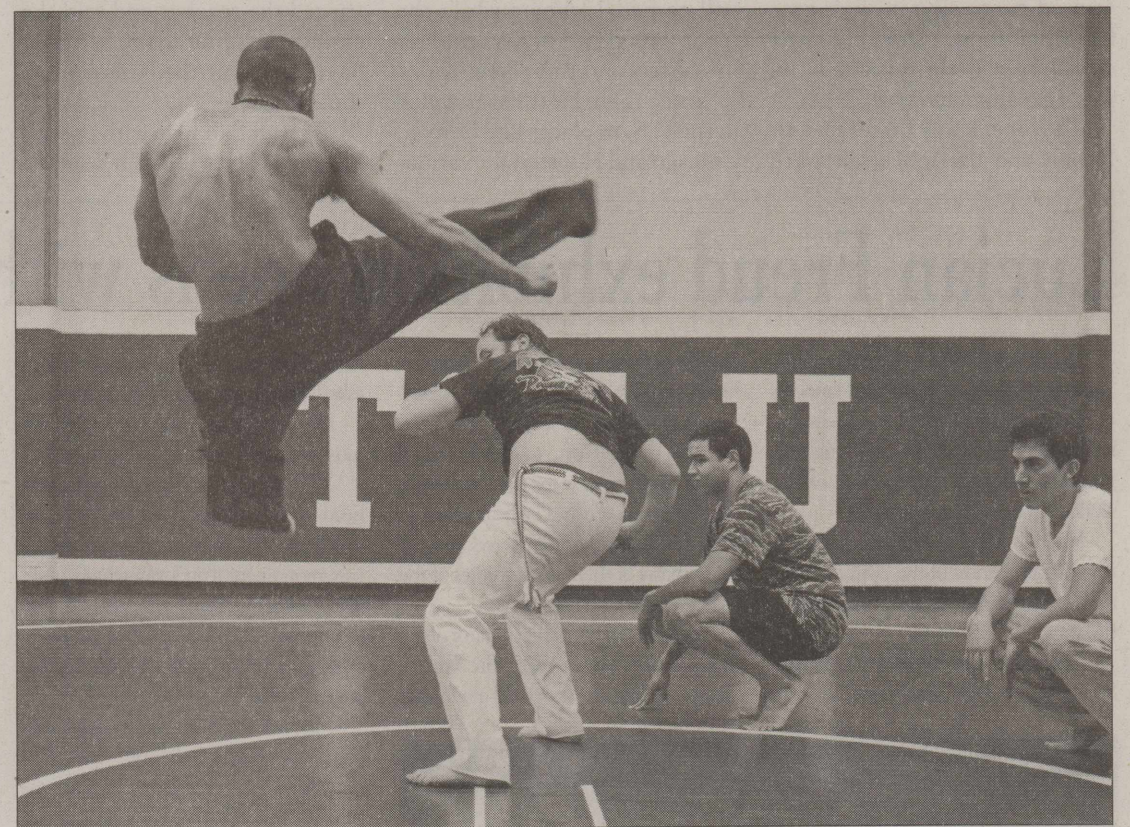


PHOTO BY BRAD TOLLEFSON/The Daily Toreador
MEMBERS OF THE capoeira group perform different moves and techniques during practice Tuesday at the Robert H. Ewalt Student Recreation Center. Capoeira is a form of Brazilian martial arts that incorporates Portuguese music.

Fashion models organize to fend off abuses

NEW YORK (AP) — Models are more than just pretty faces. They're often overworked, underfed and underage independent contractors with little say when things go bad behind the scenes.

Many are just teenagers far from home, in some cases earning as much in a day as their poor families back in Russia and Eastern Europe do in a month. As a result, many fear speaking out about sexual harassment, unscrupulous booking agencies, demands to alter their bodies, lack of backstage privacy and punishing stretches with little sleep.

"Modeling is precarious freelance labor," said model Sara Ziff, who was discovered at 14 walking home from her New York City high school. "We have very little job security. It's also a winner-takes-all market. There's only one Gisele. Basically, it's a labor force of children who are working in a very grown-up business."

In hopes of changing things, Ziff has founded The Model Alliance, dedicated to improving the working conditions of models and persuading the industry to take better care of its young.

Among other things, Ziff has set up a confidential system for models to

report inappropriate conduct or other abuses during New York Fashion Week, which opens Thursday. She is also working on a Models' Bill of Rights.

Backed for now by anonymous donors, the Alliance was launched Monday and has a board of directors and an advisory board drawn from the worlds of law, labor and entertainment.

Ziff, who has more than a decade on the runway and has served as the face of Tommy Hilfiger, Banana Republic and Stella McCartney, has enlisted some of her famous model friends, including Shalom Harlow, Doutzen Kroes and Coco Rocha, one of the first to speak frankly about eating disorders in the trade.

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Music student also professional opera singer

By HALLIE DAVIS
STAFF WRITER

Many parents will attend their children's T-ball games and recitals begrudgingly to show support for their children, but Elizabeth Hott's parents went all the way to Austria to watch their daughter perform.

As a professional opera singer, Hott, a senior vocal performance major from Las Lunas, N.M., has already traveled the world for her job.

She began her career at the American Institute of Musical Studies, a six-week program in Graz, Austria, in the Summer of 2010. She won the Meistersinger Competition there, in front of an audience she would later realize had some very important people in it.

One of them was a director, and shortly after, Hott said she received an email inviting her back to Austria to perform in his show.

"I couldn't believe that they wanted me to sing in their professional show," she said, still sounding a little surprised. "It was a dream come true."

The opera was performed in Italian and the rehearsals were

in German, she said, which provided a very interesting experience. Hott said many were fluent in English, but she still had a translator a lot of the time.

The whole production and three performances took about a month, she said, and it was stressful, but very fun.

"It was my professional debut," Hott said, "and it was also in Europe, so that was exciting."

Shortly after arriving back in the U.S., Hott made her solo debut at Carnegie Hall in April of 2011, through a competition at Texas Tech.

While the traveling is not exactly helpful to her schoolwork, she said, her professors have been very supportive of the time she has taken off to perform, and she still earned 12 hours while she spent a good part of her semester in Austria and then New York.

Since then, Hott has traveled in the U.S. to places like Denver, Chicago and Houston for various

auditions and competitions.

Hott credits her parents' musical talents and support with helping her get where she is today. Her mother is a music teacher and her father was a violist. When she was first beginning in music, Hott's mother would play piano for her.

"Being a professional opera singer — I have the best job in the world."

ELIZABETH HOTT
TEXAS TECH STUDENT
OPERA SINGER

"I got to witness the transformation when her voice opened up," Hott's mother, Libby Hott said.

The moment came in high school, Elizabeth Hott said, when her voice teacher at the time recognized her as a classical singer.

Though Elizabeth had plans of singing on Broadway, she trusted the teacher and said she cannot imagine a life without having become the lyric soprano she is today.

"I just fell in love with opera," Elizabeth Hott said. "It's such a

beautiful art form."

Opera is not just singing though. Hott said that of the two to three hours a day she spends on opera, most of it is bookwork. First she has to find a good translation of her songs, or translate it herself.

With all the history behind operas, she also spends a lot of time researching them and the character she will be playing. Then, after all of that and practice, she goes on stage.

Libby Hott said her daughter does not get nervous, and it shows in her stage presence.

"She's got this sparkle when she's on stage," Libby Hott said. "It just grabs people."

Next, Elizabeth Hott will perform in Mozart's "Cosi Fan Tutte" with the Tech School of Music.

In April, she has another professional job with Opera Southwest, performing an English opera called A Way Home.

And after that, sometime between auditions, Elizabeth Hott will probably make time to graduate.

"Being a professional opera singer — I have the best job in the world," she said.

hdavis@dailytoreador.com



PHOTO ILLUSTRATION BY BRAD TOLLEFSON/The Daily Toreador
ELIZABETH HOTT, A senior vocal performance major from Las Lunas, N.M., won the Meistersinger Vocal Competition hosted by the American Institute for Musical Studies, which allowed her to perform in Graz, Austria in March 2011.

Lucian Freud exhibition opens with royal visit

LONDON (AP) — There is a vast amount of flesh — clear and smooth or wrinkled and mottled — on display in the latest show at Britain's National Portrait Gallery, a retrospective of the work of Lucian Freud.

Freud was the most renowned British portrait painter of the 20th century, and he found that clothes often got in the way.

The artist, who died in July at age 88, approached the human body the way

his psychoanalyst grandfather Sigmund Freud approached the mind — determined to unmask its secrets.

The exhibition, which kicks off with a royal preview for the Duchess of Cambridge on Wednesday, features more than 100 paintings completed over 70 years, many of them nude studies of the artist's friends and family.

Michael Auping, chief curator of the Modern Art Museum of Fort Worth, Texas — where the show will move after

its London run — said Freud was often asked why he painted so many nudes.

"He would say, every time: 'It's the most complete portrait,'" Auping said.

The exhibition opens with early head-and-shoulders portraits from the 1940s and '50s, then moves on to the to vast, monumental nudes for which Freud became famous. He painted standing up in his London studio, layering oil paint on large canvases with a broad, coarse-haired brush.

Many of the paintings have generic names — "Naked Solicitor," "Man in a Blue Scarf" — but the portraits are revealing images of the artist's inner circle, or sometimes Freud himself, often naked and looking vulnerably exposed.

Freud kept his focus on depicting the human body even when the prevailing fashion in art turned to abstraction.

National Portrait Gallery director Sandy Nairne said that for seven decades Freud looked at people with an "unrelenting, determined eye."

"They sometimes feel in your face and very explicitly naked," Nairne said of the paintings. "But that was always with the cooperation of the sitter. In the end, they were sympathetic."

"None of these are casual sitters.

They are not figures — they are individuals."

Berlin-born Freud, who moved to Britain with his family in 1933 when the Nazis came to power in Germany, painted his mother, his brother, his daughters Bella and Esther, and an eclectic array of acquaintances. The subjects of his paintings range from performance artist Leigh Bowery and supermodel Kate Moss to Brig. Andrew Parker-Bowles, a horse-riding friend (who got to keep his uniform on).

He was at work until the very end. The exhibition includes Freud's unfinished final painting, "Portrait of the Hound," which shows his assistant David Dawson and whippet Eli, and appears to have been cut off mid-brushstroke.

Most of Freud's sitters seem to have loved the experience of posing for the master. Sue Tilley, subject of several nudes including "Benefits Supervisor Sleeping" — which sold at auction in 2008 for \$33.6 million, a record for a living artist — remembers long sessions of chat and laughter.

She said Freud was "a complete one-off ... exciting, interesting, funny and serious — every single personality trait wrapped up in one person."

More autism-friendly shows being planned for Broadway

NEW YORK (AP) — Two more autism-friendly performances of Broadway musicals will be offered this spring and fall following the success last year of the first showing of a Broadway show specially altered for those diagnosed with the disorder.

The Theatre Development Fund, a nonprofit organization focused on providing access to live theater, said Tuesday it plans to offer specially designed matinee showings of "Mary Poppins" on April 29 and "The Lion King" on Sept. 30.

The move comes after the Fund got enthusiastic feedback from grateful families when it launched a pilot effort in October with an autism-friendly showing of "The Lion King."

"It went so much better than any of us had hoped," said Victoria Bailey, the Fund's executive director. "The value of being able to go to the theater as a family with kids on the autism spectrum and their siblings in an environment that felt safe was huge."

Autism disorders strike one in 100 children, according to U.S. government estimates. Children with the diagnosis are often sensitive to loud noises and harsh lights and find it difficult to sit still or remain quiet. Autism spectrum disorders include both severe and relatively mild symptoms.

After news of the initial performance of "The Lion King," about 1,500 people expressed interest in additional shows, organizers said.

"It says to me that there is an enormous pent-up desire for this," Bailey said. "There's a huge need."

The Fund, which has bought out both theaters for the special dates, will offer tickets at discount prices from its website. It said the "Mary Poppins" performance at the 1,797-seat New Amsterdam Theatre is nearly sold out and tickets to the performance of "The Lion King" at the 1,677-seat Minskoff Theatre will go on sale in late spring.

Both shows, presented by Disney Theatrical Productions, will be slightly altered to make those with autism more comfortable, including cutting jarring sounds and strobe lights. Quiet areas with beanbag chairs and coloring books, staffed by autism experts, also will be created inside the theater for those who might feel overwhelmed.

To accommodate the special audience, experts identified several moments in "The Lion King" when the sound or lights needed to be toned down, but none was more than 30 percent softened. There were seven changes in all, including the volume adjusted down in the opening number, on steam blasts and on Mufasa's roar at the Elephant Graveyard. Actors walking in the aisles were kept, to the delight of the audience.

The Fund, which has consulted an advisory panel of experts in the field of autism, has also made itself available to consult with other theaters attempting their own autism-friendly performances. It also publishes a downloadable guide telling children with autism what to expect during the show, including what ushers do and what to do during a curtain call.

Organizers learned some lessons after the initial performance, including that some families can stay only for part of the show and that there's a need to warn theatergoers about any props or set design that might move over the seats. Converting bathrooms for unisex use also will be attempted this time to accommodate children and their parents.

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- 2000s New Hampshire senator John
- Be up against
- Roth of "Inglorious Basterds"
- Where pros play
- Vital statistic
- Actress Kudrow
- Word with the 57-Across in 10-Down
- Woolen caps
- "This American Life" host Glass
- Like some silverware
- Prefix with meter
- Lists of priors
- Man of the cloth
- Mean milt
- She, at sea
- En route to the mechanic
- Permit
- Twangy guitarist
- Eddy
- Word with the 57-Across in 25-Down
- In great shape
- Spot on a horse
- Signed up
- Hear here
- 48 Wish
- Cleveland pro, for short
- Dreyer's brand, east of the Rockies
- Olympics participant
- Far from fatty
- Actress Charlotte
- Night sky feature, and hint to a four-letter sequence hidden in 17-Across and 10-Down
- Short, for short
- Dry run
- Peter of "My Favorite Year"
- 100%
- Dallas opening?
- Stout

DOWN

- Dallas closing?
- Trophy, often
- "Dear YoKo" dedicatee
- Home perm features
- One opposed
- Word with the 57-Across in 17-Across
- Scratch
- Ill-fated brother
- Gin flavoring
- Like most valentines
- Aquarium gunk
- Right-of-way sign
- Put on ice
- Org. promoted by Betty White
- Relishes, as gossip
- Talking point
- Hersey's bell town
- Ammo for a simple cannon
- Buddhist monk, e.g.
- Steinbeck's "Cannery"
- Marching syllable
- It shines on the Seine
- Cabinet design feature
- Of the realm: noblemen
- Lucy of "Ally McBeal"
- Pa
- Stewed
- Work on film
- Aquafresh rival
- Locker room supply
- Alfalfa's sweetie
- Net sales?
- Belgian avant-garde painter
- James
- Facility
- Mercury or Saturn, e.g.
- GPS offering
- One of the small fry
- Bent piece
- Juan Carlos, to his subjects

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Coach Hays, Red Raiders set for first games of 2012 season

By **MATT VILLANUEVA**
STAFF WRITER

The Texas Tech softball team will open up its season this Thursday in Tempe, Ariz. at the Arizona State Kajikawa Classic, and both players and third-year head coach Shanon Hays are ecstatic at the opportunity to build off last year's success.

For the past five out of six seasons, the Red Raiders will open their season in the desert. Success has often followed, as Tech boasts a 14-5 record, including a 9-1 record under Hays in the tournament.

The tournament will be a homecoming for senior second baseman Logan Hall, who returns to her home state. Hall transferred from Pima Community College before the 2010 season. This will be her third, and perhaps final, time returning since her departure to Texas.

"I'm real excited," Hall said. "My family is going to be there. It's a good tournament to start out in, especially with the teams that we have."

The teams Tech will face in the Kajikawa Classic will be no cakewalk. Four out of the five teams the Red Raiders will play are nationally acclaimed. The highest ranked team Tech will face is No. 9 Stanford, followed by No. 14 Tennessee. Along with Tech, both San Diego State and Northwestern received votes for Top 25 consideration.

Players and coaches are viewing the tournament as a measuring stick for in-conference play the team will go against this season. The Big 12 Conference features six out of its nine teams in the Top 25 — No. 5 Oklahoma, No. 6 Missouri, No. 7 Baylor, No. 11 Oklahoma State, No. 17 Texas A&M and No. 18 Texas.

"You know it's always a good thing to get a couple of wins under our belt," said senior catcher Cydney Allen. "That's not our main goal, our main goal is to go out there and compete and do our best. But to get a couple of wins, that just a little bit of a confidence booster, and that'll be good to start the season off."

A big reason for the Big 12's recent success is the stellar pitching it brings. The conference features three pitchers who were on the 2011 USA Softball Women's National team, and another who was on the 2010 USA National Futures Team.

"You better have some good arms that can keep you close in the games and put some zeros up," coach Hays said. "Not only do these teams in the Big 12 have great pitching staffs, they have great lineups as well. I think the Big 12 is the big conference in the country this year and our pitching proves that." Opposing batters going against the Red Raiders will face returning

starters Kelsey Dennis and Brittany Talley. The two left-handed pitchers tallied a combined record of 27-12 and a 2.81 ERA.

Hays said the addition of freshmen right-handed pitchers Chandler Moore and Cara Custer should improve the rotation and compliment Dennis and Talley.

Scoring should not be a concern for Tech, as the team finished the season ranked No. 4 nationally in batting average hitting .340 and scoring, plating an average of 7.71 runs per game. The Red Raiders also set a Big 12 record last season for averaging a .361 batting average during conference play. The team was led by junior shortstop Raven Richardson, who went .384 at the plate last season, and senior third baseman Emily Bledsoe, who was just behind with a .383 average.

Two notable offensive offseason additions are two-time California JUCO catcher of the year Adriana Perez — who hit above .500 each of her two seasons at Antelope Valley College — and Northern Colorado transfer Melisa Ryba, who hit .323 during her sophomore season along with recording seven home runs and 32 RBIs.

With 15 players returning from last year's squad, including eight seniors, Hays said he has a positive outlook on the season ahead.

"It's easier for me this year knowing that we have eight really mature, solid quality seniors and we've got some very good juniors," Hays said. mvillanueva@dailytoreador.com



FILE PHOTO/The Daily Toreador
TECH'S LOGAN HALL catches a pop fly during a game against Kansas last season. Tech will start the season in Arizona playing in the Kajikawa Classic.



FILE PHOTO/The Daily Toreador
TECH'S CYDNEY ALLEN starts to run to second base during a game against Kansas last year. The team begins its season Thursday in Arizona.

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Rangers need to tread carefully with Hamilton's future

The Texas Rangers' superstar outfielder and former American League Most Valuable Player, Josh Hamilton, had another relapse on his road to recovery from addiction to alcohol and drugs.

And I don't feel bad for Hamilton.

I feel bad for everyone who believed in him.

I feel bad for the Rangers' organization, which has done so much to accommodate Hamilton's problems. I feel embarrassed for his family, who has to suffer publicly along with Hamilton. I truly feel sorry for Hamilton's fans, especially those who look up to him.

The worst part for all parties is the fact it can't simply be based on his on-the-field performance.

The Rangers have continued to give their star player chance

Cody Stoots



after chance. The organization has hired a new accountability partner. They have stood behind him in this trying time. It really is astonishing he has received so much support. Then again, Hamilton is both unique and not unique at the same time.

Hamilton is a religious white male.

If Hamilton were an African-American who didn't proudly display his faith, would he be so well received by the public? Roger Clemens, and more recently Ryan Braun, weren't vilified like Barry Bonds and

Rafael Palmeiro. Hamilton's race and religion have softened the public backlash that could have followed his missteps.

Hamilton's behavior needs to be taken into account by all.

In 2009, Hamilton shamed his name when he entered an Arizona bar. Pictures appeared all over the Internet, and they were not flattering. They showed a shirtless Hamilton dancing with women who were not his wife, among other unflattering actions. Hamilton was prompt about informing the organization and his family about the incident. A quote from Hamilton in his press conference that summer follows.

"Obviously it was one of those things that reinforce that I can't have alcohol," he said.

Then his most recent relapse happened. In Hamilton's statement following this particular

incident, he said he drank three or four beers that night.

I can't say I believe Hamilton.

I don't understand addiction. No one in my family has an addiction and I don't either. I do know from everything I have seen or read, addicts do lie. I don't think Hamilton fully told a lie in his apology press conference, but I don't think the whole truth is out yet.

Hamilton has passed two drugs tests since his relapse. That is promising news, but how long before his drug addiction becomes a problem too. This time it was only three or four beers, but how long before Hamilton is found with a needle in his arm?

I know it is tough to talk about baseball when a man like Hamilton is going through such a rough time, but baseball is a business. The Rangers will have

to make decisions on Hamilton's status with the organization in less than a year's time.

The reality of the situation is Hamilton is 30 years old with concerns on and off the field. He has averaged just more than 114 games the past three years, meaning his body lacks durability. One can speculate his years of drug and alcohol abuse might have him feeling older than 30.

Hamilton also plays for a team that is young and will need to make tough choices in contract negotiations. Nelson Cruz and Ian Kinsler will need new contracts soon, and the young pitching staff will soon be getting paid more if they keep improving. Yu Darvish, Adrian Beltre and Michael Young already make huge amounts of money from the team. The Rangers can't be paying Hamilton the big bucks if

he can't stay on the field, or out of trouble.

The off-the-field issues should be just as concerning for fans and management. Two relapses in four years with the Rangers may not seem like much but, as I said, this could get worse. Even if it doesn't get any worse, the temptations will always be there for him.

Hamilton is well loved by fans and management, but his value to the team needs to be demonstrated this year. Even then, the Rangers will have options to weigh on the future of the franchise. The hope is the team won't have to weigh any more baggage than what Hamilton already carries.

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No. 7 Kansas defeats No. 6 Baylor again this season, 68-54

WACO (AP) — One of the first things Baylor coach Scott Drew talked about after another loss to Kansas was wanting his team to now imitate the Jayhawks.

"Kansas did a tremendous job bouncing back after their tough game with Missouri," Drew said. "We need to do the exact same thing this Saturday."

Or the sixth-ranked Bears will have consecutive losses again.

Baylor lost 68-54 on Wednesday night, its second lopsided loss in just more than three weeks against the seventh-ranked Jayhawks, who were coming off a loss at fourth-ranked Missouri. That is where the Bears play Saturday.

Jeff Withey scored a career-high 25 points for the Jayhawks (19-5, 9-2 Big 12), who never led until a 14-3 spurt over the final 4½ minutes of the first half with Thomas Robinson sitting

on the bench with two fouls. Kansas then scored 14 points in a row early in the second half, with half of those coming on one possession.

"We're all embarrassed and disappointed by our play," Drew said.

The Jayhawks lost 74-71 at Missouri on Saturday, when the 7-foot Withey missed his only shot and was scoreless. They now have a share of the Big 12 lead with the Tigers and haven't lost consecutive games in more than six years — a span of 228 games since January 2006.

"Of all the things that these teams have accomplished, that may be one of the more impressive ones," Kansas coach Bill Self said.

Baylor (21-3, 8-3) was 17-0 with the longest winning streak in school history before a 92-74 loss at Kansas on Jan. 16. The Bears followed that with a one-point home loss to Missouri.

In the Jan. 16 game against Baylor at home, Tyshawn Taylor and Thomas Robinson had combined for 55 points and both matched career highs for field goals made. Taylor had a career-best 28 points in that game and Robinson had 27.

Taylor finished with 19 points this time, his ninth consecutive game with at least 15. Robinson, the only Big 12 player averaging a double-double, had 15 points with 11 rebounds.

Pierre Jackson led Baylor with 16 points, while Quincy Acy and Cory Jefferson had 11 each.

Baylor worked the already raucous sellout crowd of 10,344 into a frenzy by scoring the first seven points. Self called timeout less than 2 minutes into the game.

The opening play was an alley-oop pass from Jackson to Perry Jones III for a slam dunk.

Jackson then penetrated for a short floater, and the Bears were up 7-0 when Jackson had another assist, a bounce pass to Quincy Miller for a 3-pointer from the right wing.

Neither Jones, the preseason Big 12 player of the year, or Miller had another field goal. Miller came out for good after a flagrant foul with 16:38 left.

After making its first three shots, Baylor missed the next five and Kansas got even at 7-all when Withey made two free throws. But the Bears pushed back ahead 19-9 after Jackson's alley-oop pass to Acy for another rim-rattling dunk that reignited the fans, before Jackson stole the ball from Withey and scored on a baseline floater.

"Up 10 with 9:41 to go, and really the end of the first half was the beginning of the turning point," Drew said. "We should have finished with momentum going into the locker

room. We didn't. ... And then the beginning of the second half, we get a steal to start the second half. And then from there, nothing went right."

Withey had a turnover to start the second half before Jackson came away from a scrum on the floor with the ball for a Baylor layup.

Kansas then scored 14 points in a row, a stretch started by Withey's layup before he added a three-point play.

Withey then had consecutive steals that led to jumpers by Robinson, who fouled making the second basket. He converted the three-point play and it became a seven-point possession when Quincy Miller's foul during the free throw was called flagrant after officials looked at replay.

After Withey made the technical free throw, Tyshawn Taylor's 3-pointer with 16½ minutes left pushed Kansas to

a 47-32 lead.

"That seven-point possession took a lot out of us," Jackson said. "We just didn't answer back after that."

Withey had already matched his previous career high of 15 points on a free throw with 2½ minutes left in the first half to get Kansas within 30-25. He then blocked a shot, which led to a 3-pointer by Conner Teahan. Withey then made a tying layup with 1:34 left.

The Jayhawks finally led on Teahan's 3-pointer in the final minute for a 33-30 halftime lead.

"I'm very disappointed we lost at home," Acy said. "We made a couple of mental mistakes at the end of the first half, and the second half, we started out with a good stop then let one mistake lead to two. They got some easy transition buckets and we couldn't answer back."

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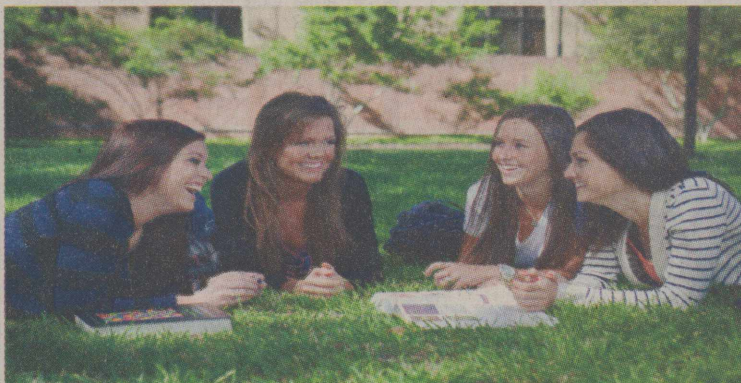
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