

Student at Brown Is Expelled Under a Rule Barring 'Hate Speech'

Special to The New York Times
PROVIDENCE, R.I., Feb. 11 — Brown University has expelled a student for shouting racial epithets, thereby violating an anti-harassment rule enacted in 1989 as part of an effort by the university to combat racism on campus. It is the first time a Brown student has been expelled for such a violation and is thought to be the first such expulsion in the country.

Officials at the American Council on Education, the American Civil Liberties Union and other organizations that track campus hate crimes said they knew of no other student who has been expelled for violating one of the many "hate speech" regulations instituted in recent years at universities like Brown, Stanford, Tufts and the Universities of California and Wisconsin.

The student, Douglas Hann, a junior, was found by the university's Undergraduate Disciplinary Council to have violated the rule by shouting anti-black, anti-Semitic and anti-homosexual remarks in a courtyard last October. The council, made up of five students and five faculty or administration members, also considered that he had been drinking at the time and that it was his second violation involving racial epithets.

A Brown spokesman, Mark Nickel, said that in past years students found guilty of serious behavioral violations had been dismissed and asked not to return but that the term expulsion was not used until about two years ago. Expulsion means a student is never permitted to return, while dismissal means a student may reapply after a specified period.

Students who committed academic violations like cheating or plagiarism have been dismissed with the under-

standing that they would never be readmitted.

Noisy Birthday Celebration
 A witness, who spoke on the condition of not being identified, said Mr. Hann was yelling an anti-black comment involving a common obscenity and the word "nigger," in the courtyard of a dormitory. He said the remark was yelled into the air and did not appear to be directed at any individual.

Mr. Hann, a varsity football player who was majoring in business economics and organizational behavior and management, was celebrating his 21st birthday last October when the incident occurred.

A student in the dormitory then opened his window and shouted "Keep it down," the witness said. Mr. Hann then used the word "faggot" and an obscenity combined with the word "Jew," directing his shouts at the student in the window.

Mr. Hann does not deny the incident but says the allegations as presented in university hearings were inexact. He declined to specify exactly what he had said, either during the incident or during his hearings.

political statement by the university."

Both Mr. Gregorian and university spokesmen declined to comment on the situation, and the university has never publicly released Mr. Hann's name nor the names of the witnesses to the incident. At least three student publications have printed Mr. Hann's name and picture.

The only statement the university has made was the release of a one-sentence Jan. 25 memorandum from Robert Ripley, chairman of the Undergraduate Disciplinary Council, announcing that "the president has affirmed the decision" of the council "to expel a student" for violating the university's anti-harassment clause.

Mr. Gregorian said. "It is my intention to prosecute vigorously, and to expel immediately, such individual or individuals for any attempt to inject and promote racism and thus insult the dignity of our students as citizens of Brown."

The case was the second charge against Mr. Hann that led to university hearings. In his first year at Brown, a committee of students and faculty members found Mr. Hann guilty of directing a racial epithet at a black student in a fraternity bar on Jan. 27, 1989. His punishment then was to attend a race relations workshop and counseling for possible alcohol abuse.

In April 1989, just 20 days after his inauguration as president, Mr. Gregorian addressed a group of students after racist graffiti and white supremacist leaflets were found in a dormitory.

"I issue a solemn warning that it is the policy of my administration to take action against those who incite ha-

tried," Mr. Gregorian said. "It is my intention to prosecute vigorously, and to expel immediately, such individual or individuals for any attempt to inject and promote racism and thus insult the dignity of our students as citizens of Brown."

Howard Ehrlich, the research director of the National Institute Against Prejudice and Violence, based in Baltimore, said that he did not know of any other such expulsions but that he was familiar with cases in which students who had harassed others were moved to other dormitories or ordered to undergo counseling.

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Douglas Hann, who was expelled from Brown University after shouting anti-black, anti-Semitic, and anti-homosexual remarks in a courtyard last October.

standing that they would never be readmitted.

Brown's rule, proposed by the president, Vartan Gregorian, shortly after his inauguration two years ago and put into effect in the fall of 1989, defines as unacceptable the subjecting of "another person, group or class of persons, to inappropriate, abusive, threatening or demeaning actions based on race, religion, gender, handicap, ethnicity, national origin or sexual orientation."

In addition to violating that rule, Mr. Hann was found to have violated longstanding university rules against excessive drinking and against showing "flagrant disrespect for the well-being of others."

Mr. Hann, whose routes of appeal at Brown were exhausted with a Jan. 25 statement affirming his expulsion, said he may pursue a remedy based on violation of his First Amendment rights, but he declined to be specific about what his next step would be. "I think it is, of course, a case of free speech," he said in a telephone interview from his home in Pittsburgh.

Throughout the country, university officials have adopted codes forbidding oral, written or even symbolic attacks on individuals or small groups of individuals on the basis of their sex, race, ethnic origin, color, handicap, religion or sexual preference.

Such codes have come under attack, on campus and off, as infringements of free speech.

In 1989, a Federal court ordered the University of Michigan to change its harassment prohibition, deeming it unconstitutionally vague. By contrast, Stanford's code restricts itself to "fighting words" intended to "insult or stigmatize an individual or a small number of individuals" on the basis of their sex, race, color, physical disability, religion, sexual orientation or national or ethnic origin."

Airlines Ban Smoking And Air Piracy, Too

SAN DIEGO, Feb. 11 (AP) — A man upset about being unable to smoke aboard a flight from Oakland to San Diego on Sunday wrote a note saying he was carrying explosives and demanding \$13 million and a flight to Cuba, the authorities said. A few minutes later the man said it was just a joke.

But the Federal Bureau of Investigation was not amused, and when the Southwest Airlines flight landed at Lindbergh Field here the man, Charles Lee Compton, was arrested for investigation of air piracy, a Federal crime.

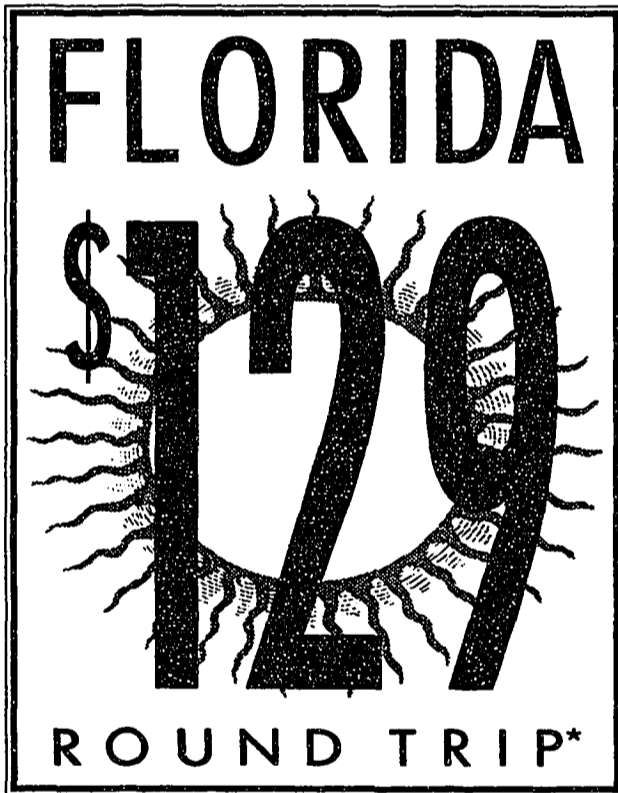
Soon after the plane took off, Mr. Compton, who is 54 years old, began arguing with crew members about whether he could smoke, said Ron Orrantia, an F.B.I. spokesman. Federal law bans smoking on flights shorter than six hours.

Shortly afterward, Mr. Orrantia said, Mr. Compton gave a flight attendant a note saying he wanted the jet refueled in San Diego and then wanted to go to Cuba. Mr. Compton also demanded \$13 million in the note and said he had explosives, Mr. Orrantia said.

No explosives were found on the plane. Mr. Compton was taken to the Metropolitan Correction Center, where smoking is also prohibited.

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