

Let's score another one for the First Amendment

When a William Paterson University graduate student responded sourly to a professor's e-mail about the showing of a movie about two aging lesbians, she brought him up on charges of sexual harassment and threatening. The graduate student was censured.

Now, nine months later, in a grievance hearing sought by his union, a WPU hearing officer has cleared the student, Jihad Daniel, of these serious charges.



JEFFREY PAGE

But Daniel, who is also a university computer tech specializing in repairing printers, was found to have sent his message on the WPU computer system when he was supposed to be working.

For such a petty offense, he's to get what amounts to a verbal slap on the wrist.

This nasty little story began last winter when Professor Arlene Holpp Scala, a member of the Women's Studies Department, posted an e-mail throughout WPU's Wayne campus announcing that she would be showing the movie "Ruthie and Connie: Every Room in the House."

In her e-mail, Scala described the film as "a lesbian relationship story." It had its first showing at the 2002 Berlin Film Festival.

"Ruthie and Connie" is no Hollywood fiction but a documentary about two New York women who found each other later in life, left their families and began their own relationship.

Jihad sent Scala an e-mail and told her — in unmistakable terms — precisely what he thought about the movie, which he had not seen, and about lesbians. And he asked not to be sent any more such notices.

"Do not send me any mail about 'Connie and Sally' and 'Adam and Steve,'" Jihad wrote to Scala. "These are perversions. The absence of God in higher education brings on confusion. That is why in these [WPU] classes the Creator of the heavens and the earth is never mentioned."

Scala saw the word "perversions" as a reference to lesbians and their relationships, and filed a formal protest with the university. She said she felt threatened by Daniel's e-mail.

A hearing was held. Daniel explained that his response was born out of his Islamic faith. But Scala was upheld. As a result, a letter of censure was placed in Daniel's otherwise spotless employment record.

With the assistance of the Philadelphia-based Foundation for Individual Rights in Education, Daniel fought the finding and lost, appealed it and lost; asked Arnold Speert, the president of the university, to reverse the finding, and was rejected.

Finally, this fall, Daniel went before a WPU hearing officer.

And this week he found that the craggy old First Amendment was still intact when the hearing officer cleared him of charges that he harassed the professor because he had the temerity to state his views in a response to an unrequested e-mail.

In fact, Jihad Daniel, 63, didn't threaten anyone.

In the appeal before Sandra DeYoung, the dean of the College of Science and Health, Daniel said he did not know Scala and was responding strictly to her e-mail. Of likening a lesbian relationship to a perversion, he testified, "God said this, if you believe in God. It is in both the Bible and Quran."

DeYoung found that the university had failed to support the charge of harassment.

"Mr. Daniel's use of the word 'perversion,' though it may be upsetting to some, does not appear to have caused any discriminatory actions," DeYoung said.

With her finding, the university dropped Daniel's reprimand.

A spokesman for Speert said he would not comment on personnel matters.

Youth stabbed girl, judge told

Clifton teen points finger at murder suspect's younger brother

By RICHARD COWEN
STAFF WRITER

A new account of the grisly killing of Randolph teenager Jennifer Parks emerged Wednesday in a Morris County courtroom — one that says Jonathan Zarate had the help of his younger

brother in killing the girl and dismembering the body.

Until this week, the Morris County Prosecutor's Office had maintained that Jonathan Zarate, 18, had acted alone on the night of July 30, when he allegedly beat, choked and stabbed Parks, his 16-year-old neighbor, to death

during an argument.

Authorities said Zarate had invited Parks over to watch TV in the basement of his home on Old Brookside Road in Randolph, where the killing took place.

But new DNA evidence, coupled with a statement given to police by another boy who pleaded

guilty last month to helping the Zarates try and dispose of the body, has led the Prosecutor's Office to file a murder charge against the younger Zarate brother, of Garfield.

Portions of that statement were read aloud during a proba-

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What's next

Having charged 15-year-old "J.Z." with the murder of Jennifer Parks of Randolph, the Morris County Prosecutor's Office will now seek to try him as an adult. A Jan. 6 hearing is scheduled in Superior Court, Morristown. The case against J.Z. and his brother, Jonathan Zarate, will be presented to a grand jury in early 2006.

Forget all you know about recycling



DANIELLE P. RICHARDS/STAFF PHOTOGRAPHER

Al DuBois explaining recyclable and non-recyclable packaging for Pioneer Academy seventh-graders at Acme Shopping Center.

Clifton official wants to change system

By COLLEEN DISKIN
STAFF WRITER

The mustard aisle seems an unusual setting for a dissertation on the wasteful ways of our society and its halfhearted attempts at recycling.

But here Al DuBois stands — a man with a mission and a mustard jar in each hand.

One mustard brand is in a plastic container with the number "1" stamped on the bottom. The other is stamped "3."

The distinction likely goes unnoticed by shoppers clutching a 20-cents-off coupon, but not by DuBois, Clifton's recycling coordinator.

The numbers connote the different chemical makeup of each type of plastic.

What we recycle

10.3 million tons each year in New Jersey, including:

- 30 percent of plastic containers
- 33 percent of office paper
- 43 percent of newspapers
- 50 percent of glass containers
- 52 percent of aluminum cans
- 71 percent of white goods (large appliances)

Some types — such as the mustard bottle with the number 3 — are not as easily recycled as others. If one type of plastic is inadvertently melted with another, the whole batch ends up in a landfill instead of being

recycled back into plastic or transformed into fibers for carpet or clothing.

"Just throwing it in the recycling bin doesn't make it disappear," DuBois tells the dozen seventh-graders listening to the tour he conducts in the aisles of Acme Shopping Center. "There are some things we create that there just simply isn't another use for. There's no place for it to go except a landfill."

With recycling participation dwindling, DuBois is not the only government official trying to raise the public's awareness these days. Only 32.7 percent of municipal waste generated in New Jersey is recycled, down from a high of 45 percent in 1995 and well short of the state's goal of 50 percent.

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KEVIN R. WEXLER/SPECIAL TO THE RECORD

Ray Jackson, 39, of Paterson is being tried on charges stemming from the rape of a woman at her home on Valentine's Day 2003. He claims that he was framed.

Man on trial in alleged rape scheme

Stands accused of ruse, attempted murder

By EMAN VAROQUA
STAFF WRITER

It will be up to a jury to decide if Ray Jackson was the man who hatched an elaborate scheme to rape a Paterson woman on Valentine's Day 2003 — also the day of her second wedding anniversary — and then steal the wedding band off her finger.

Jackson, 39, of Paterson, has aggressively claimed that he was mistakenly identified and that he is being framed.

Jackson is on trial in Superior Court in Paterson on charges of aggravated sexual assault, burglary, robbery, stalking and impersonating an officer, and he also faces charges of attempted murder for allegedly trying to hire a hit man from behind bars to kill the woman involved.

Opening statements began Wednesday with Paul DiLella, Passaic County senior assistant prosecutor, who told jurors that "you will have no doubt this defendant is guilty."

Immediately after that, defense attorney Jack McGinnity, told the panel that Jackson was "wrongly charged" and that "this gentleman is not the one who did it."

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Haledon readies Katrina relief

Gathers supplies for Mississippi city

By PAUL BRUBAKER
SPECIAL TO THE RECORD

HALEDON — When Jennifer McLaughlin learned of plans to help Bay St. Louis in Mississippi — her hometown until the city was ravaged by Hurricane Katrina in August — she sent her gratitude in a letter to borough officials.

"I just wanted to extend my heartfelt thanks for what you are doing for the town I miss so much," wrote the high school teacher who had relocated with her husband to Houston.

"Some people are still living in tents because they have no other place to go," McLaughlin's handwritten letter read. "I know through your efforts BSL [Bay St. Louis] will once again be the proud city it once was. God bless each of you everyday!"

To Allan Susen, the municipal clerk who received the letter Tuesday, the message personalized the hurricane victims more than any national news coverage or government statistic could.

"It helps you identify with a person that went through this," Susen said.

But if a message helps people identify with one person, this weekend's humanitarian endeavor is based on identifying with an entire community.

On Saturday at 8 a.m., a truck will be parked at the Municipal Complex, 510 Belmont Ave.

When the truck's door is flung open, borough residents are expected to fill the truck's 26-foot-long cargo bay with provisions sorely needed in the Mississippi Gulf Coast city that was "adopted" by the Borough Council on Nov. 30.

At 2 p.m., the door will slam shut, and three borough firefighters — Eric Lukasciwicz, Amy De Virgilio and Ray Gonzalez — will begin the 22-hour trip to the Mississippi community.

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Fast facts

The two communities compared:

Haledon
Population: 8,252
Median household income: \$45,599
Median home value: \$164,100

Bay St. Louis
Population: 8,209
Median household income: \$34,106
Median home value: \$92,400

Source: 2000 U.S. Census

Fast facts

The defendant: Ray Jackson is being tried on charges of aggravated sexual assault, robbery, attempted murder and other crimes in the 2003 Valentine's Day assault of a Paterson woman.

Potential motive: Authorities say Jackson saw the woman at a supermarket and became infatuated with her, later stalking her.

Penalty: If the jury finds Jackson guilty, he faces up to 20 years in prison for aggravated sexual assault or attempted murder — the most serious offenses he faces.