♦ Internet

Continued From Page 1

Children's Internet Protection Act, does not turn librarians into censors.

A three-judge federal panel in Pennsylvania ruled last year that the law was unconstitutional because it caused libraries to violate the First Amendment. The filtering programs block too much nonpornographic material, the panel found.

The Supreme Court disagreed. Rehnquist's opinion was joined by Justices Sandra Day O'Connor, Antonin Scalia and Clarence Thomas.

Justices Anthony M. Kennedy and Stephen Breyer, in separate opinions, said the government's interest in protecting young library users from inappropriate material outweighs the burden on library users having to ask staff to disconnect filters.

Justice John Paul Stevens, David H. Souter and Ruth Bader Ginsburg said the law went too far in restricting material in public libraries, which are used by more than 14 million people annually.

"A statutory blunderbuss that mandates this vast amount of overblocking abridges the freedom of speech protected by the First Amendment," Stevens wrote.

Even without the law in place, some libraries use filtering software on their computers, with varying degrees of success in screening out objectionable material. Other libraries have varying policies that encourage parents to monitor their children's Internet use.

"We challenged this law because filters are very blunt instruments that block more than illegal speech, including a great deal of speech that is not even sexual in nature at all," said Paul M. Smith, the Washington attorney who represented the American Library Association. "We're disappointed that the court said that this one-size fits-all answer is the way to handle this problem of sexual content on the Internet in the library setting."

♦ Affirmative

Continued From Page 1

program that sought a "critical mass" of minorities, O'Connor sided with the court's more liberal justices. Chief Justice Justice William H. Rehnquist wrote the majority opinion in the 6-3 case finding against the undergraduate school. He was joined by O'Connor and Justices Antonin Scalia, Anthony M. Kennedy, Clarence Thomas and Stephen Breyer.

Justices John Paul Stevens, David Souter and Ruth Bader Ginsburg dissented.

Government has a compelling interest in promoting racial diversity on campus, but the undergraduate school's admissions policy is not the way to get there, the court majority said.

"The university's policy, which automatically distributes 20 points, or one-fifth of the points needed to guarantee admission, to every single underrepresented minority applicant solely because of race, is not narrowly tailored to achieve the interest in educational diversity," that Michigan claimed justified the policy, Rehnquist wrote.

The ruling affects tax-supported schools, and by extension private schools and other institutions, that have looked for ways to boost minority enrollment without violating the Constitution's guarantee against discrimination.

"A majority of the court has firmly endorsed the principle of diversity," University of Michigan President Mary Sue Coleman said. "This is a resounding affirmation that will be heard across the land from our college classrooms to our corporate boardrooms."

The University of Michigan cases are the most significant test of affirmative action to reach the court in a generation. At issue was whether racial preference programs unconstitutionally discriminate against white students.

The rulings follow the path the court set a generation ago, when it outlawed quotas but still left room for schools to improve the odds for minority applicants.

The two Michigan cases directly address only admissions at public, tax-supported institutions. But the court's rationale is expected to have a wide ripple through private colleges and universities, other government decision-making and the business world.

Opponents of affirmative action had hoped the Supreme Court would use this opportunity to ban most consideration of race in any government decisions. The court is far more conservative than in 1978, when it last ruled on affirmative action in higher education admissions, and the justices have put heavy conditions on government affirmative action in other arenas over the past decade.

Defending its general approach to affirmative action, the university has said that having what it calls a critical mass of minority students benefits the whole student body. Minorities must be present in more than token numbers to ensure all students can interact, the university has said.

Rehnquist dismissed that rationale in a dissenting opinion in the law school case.

"Stripped of its 'critical mass' veil, the law school's program is revealed as a naked effort to achieve racial balancing," Rehnquist wrote.

Michigan insists that it accepts only academically qualified students, no matter what their race.

Michigan's undergraduate school used a 150-point index to screen applicants.

Neighbor charged with murder in fatal arson fire

CEDAR RAPIDS, Iowa (AP) — The unemployed neighbor of a six-member family has been charged with two counts of first-degree murder for starting a fire that killed two family members including a 6-year-old girl.

Prosecutors said Brian Zirtzman intentionally started the fire so he could be credited with rescuing the family.

But the April fire spread so quickly that Jay Grahlman, 38, and his daughter, Jaymie Grahlman, 6, couldn't escape.

The murder charges were filed against Zirtzman on Friday. He remained in the Linn County Jail on $500,000 bond.

Zirtzman, 39, was arrested Thursday night on suspicion of first-degree arson.

County Attorney Harold Denton said the first-degree murder charges were filed because Zirtzman killed the Grahlmans while committing a forcible felony — first-degree arson.

Court documents said Zirtzman visited the home of Jay Grahlman and Vickie Reed-Grahlman the day before the fire, playing cards and socializing.

Some members of the family went to bed just after 10 p.m. The fire was reported around 11:55 p.m.

Reed-Grahlman, Kylie Reed, 9, Nicole Reed, 7, and Ida Mae Grahlman, 3 escaped the fire.

Jay Grahlman and Jaymie suffered fatal injuries.

Fire investigators said the fire started in a utility room and quickly spread to the kitchen and living room.

Zirtzman, who coordinated a church drive to obtain clothing and household items for the Grahlman family after the fire, made an initial court appearance Friday morning.

Kirk Hankins, vice president of the St. Louis-based International Association of Arson Investigators, said it is not uncommon for a person to set a fire so he or she can discover it and then warn or rescue others.