

Says University denies due process

# Traffic fine procedures illegal, claims attorney

By KATHY KUCERA  
Of the Emerald

The procedures now employed to collect fines for University parking tickets are illegal and deny due process, according to Eugene Atty. Edward Fadeley.

No notice of time and place for a hearing to question a ticket denies due process and constitutional rights, Fadeley said Thursday. The present setup for collection of fines assumes the ticketed person is guilty of a violation of University traffic rules, he said.

The burden of proof is left to the person who received the ticket, not the University, in the University's role of issuing tickets for traffic law violations, he said.

A legal opinion by Fadeley was requested by Bill Muir, a University student.

"In effect this (present Oregon law enacted by the 1969 legislature) says any person given a ticket has violated a parking regulation unless he does something about it," said Fadeley.

He said that under the method now used, which was authorized by the assistant attorney general assigned to the State Board of Higher Education, appeal procedures assume the conviction of a person for an offense, even though no guilt has been established by the University.

He cited the wording used on the ticket forms and compared the procedures used by city and state governments. The tickets issued by the University traffic department contain the following: "It appears you have violated traffic regulations as checked below: Appeals must be filed within 10 days from date." Below the regulation spaces is, "Present ticket with payment to University of Oregon Cashier, Emerald Hall, within ten days."

He contrasted this to City of Eugene tickets which specify a time and date for a court appearance with the option to waive that right, and provide for payment of bail, not a fine.

Fadeley said the University could adjust the regulations to make them more fair "if they want to," and "provide for practical due process."

Muir has asserted the two appeal procedures now used by the University assume the ticketed person is guilty and must prove his innocence.

Student protests of traffic tickets are handled by the student traffic court and the University appeals officer reviews faculty and staff appeals.

Muir's interest in this aspect of the parking regulations stemmed from a letter he received intended for faculty and staff members notifying him the fine for a traffic ticket he received would be deducted from his paycheck if no payment is received in 10 days. The notice was an error, but the fine could be deducted from his paycheck if he were a faculty or staff member and not a student as well. Student ticket fines are now deductible from student general deposits.

Muir said he plans to wait for University response for about 30 days before possibly initiating a class action suit against the University.

Fadeley mentioned that the Oregon law quoted in the form letter mailed to faculty and staff for unpaid tickets by the Business Office has been repealed and is probably a typographical error. The authority of the State Board to collect fines through the University is found in ORS 352.360 (2).

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# Senate urges vote against Haynsworth

By ART BUSHNELL  
Of the Emerald

The ASUO Senate urged Oregon's two U.S. Senators to vote against the confirmation of Clement Haynsworth in a resolution passed Thursday night.

In a meeting which saw two major debates resolved by referring bills back to committees for reconsideration, the student legislative body welcomed new senators with a demonstration of the manipulative abilities of parliamentary processes.

The Senate's resolution asking for both Robert Packwood and Mark Hatfield to vote against Haynsworth's confirmation cited a need "to withstand political pressures and threats, and to reaffirm the moral responsibilities of their office."

The statement made further reference to the need for integrity in the judiciary, the precedent-setting decision reached in the Abe Fortas appointment and the need to reflect the will of the people of the state of Oregon in asking for the negative votes.

The feelings of the Senate were to be made known to both of Oregon's Senators by ASUO Senate President Bob Winger, who flew to Washington, D.C. after the Senate meeting.

In its other decisions, the Senate approved the appointments of senators newly elected to ASUO committees and heard an executive report on the potential budgetary deficit which the ASUO now faces. But the most important decisions were the referrals back to committee.

Two bills, one setting up the guidelines for an ASUO Legal Affairs Committee and the other calling for the acceptance of membership in the recently formed Interinstitutional Union of Students of the Oregon State System of Higher Education (IUSOSSHE) were sent to committees for discussion.

IUSOSSHE is the proposed student lobbying body which was created at a meeting of the state's student leaders last month.

The IUSOSSHE bill had asked for the Senate to accept membership in the union and to accept the union's constitution.

However, several Senators argued that the ASUO should have the say in accepting membership in the union and in determining how they were to be represented in the IUSOSSHE delegate assembly.

In order for a general election to be planned and for adequate student discussion to take place on the proposed union membership, the matter was sent to committee for discussion.

If membership in the union is approved, the group would provide a student lobbying group for the state's students in both the state's legislative bodies and the State Board of Higher Education.

The outline of the duties of the legal affairs committee was referred to committee for the second straight senate meeting.

The proposed committee was set up to co-ordinate the efforts of the ASUO with their attorney. The central discussion in referring the bill to committee was whether the senate president and the ASUO president should be given sole power to act as agents with the attorney (as provided for in the proposed bill) or the entire committee should meet with the lawyer and discuss legal matters.

# Agnew attacks media as opinion monopolies

MONTGOMERY, Ala. (AP)—Vice-President Spiro T. Agnew, asserting there is "growing monopolization of the voices of public opinion," aimed particular criticisms Thursday night at the New York Times and the Washington Post.

In a followup speech to one last week in which he hit at the news programming of the television networks, Agnew said the day is over when the news media "enjoyed a form of diplomatic immunity from comment and criticism of what they said."

In remarks prepared for the Montgomery Chamber of Commerce, the Vice-president asserted, "Just as a politician's words—wise and foolish—are dutifully recorded by the press and television to be thrown up to him at the appropriate time, so their words should likewise be recorded and likewise recalled."

Arguing that many of the critics of his attacks on the networks ignored the main thrust of his remarks, Agnew elaborated

on what he said is his principal point:

"When they (the news media) go beyond fair comment and criticism they will be called upon to defend their statements and their positions just as we must defend ours. And when their criticism becomes excessive or unjust, we shall invite them down from their ivory towers to enjoy the rough and tumble of the public debate."

The Vice-President said, "I do not seek to intimidate the press, the networks or anyone else from speaking out. But the time for blind acceptance of their opinions is past. And the time for naive belief in their neutrality is gone."

The Vice-President, stating that, "I am opposed to censorship of television or the press in any form," argued that "a broader spectrum of national opinion should be represented among the commentators of the network news" and a high wall of separation built between news and commentary.

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