

Discuss victims' rights, problems

By ELLEN KYLE
Of the Emerald

"Tonight we're going to talk about rape," said Pat Horton, District Attorney. This began the two-hour Rape Forum, attended by a capacity crowd in the EMU Dad's Room Wednesday night, Nov. 28.

The idea for the forum originated in the D.A.'s office, and was sponsored jointly by the University Feminists and the ASUO. It is the second in a series that Horton is presenting to further public education and awareness of different problems in the community and how to handle them.

Four speakers made up the panel—Janie Burcart, a Ph.D. candidate in sociology, who is a recognized local expert on rape; Jack Baraggar, a detective representing the Eugene Police Department; Wayne Allen, a defense attorney from the firm of Biggs and Allen; and Pat Horton.

The format was informal: After a brief introduction by each of the panelists, the remainder of the time was spent answering numerous questions from the audience.

One thoroughly discussed subject was the rape victims by police and courts. Many times a woman is considered to have

Burcart pointed out the class bias present in our legal system. Juries are usually made up of middle to upper-class citizens, mostly men. A lower-class rapist usually gets convicted, while one from the middle-class has only a one-in-four chance of ever getting a conviction.

Although it is common for a rape victim to have her sexual past brought before a jury, a defendant's life can not be mentioned in court. "This is just one discrepancy in our laws proving they are stacked against women," stated Burcart. She said that many defense lawyers who know their client is guilty try to get him off by browbeating the victim.

Allen disagreed, saying a man has the right to a trial, and a lawyer's primary objective is to defend his client by trying to put the victim on trial. "A client deserves the best defense he can get," stated Allen, although he said he would not sympathize with a rapist. He didn't feel it was right for a woman's prior sex life to be brought up in court, but until it became illegal he said he would not "pull the punches" on a client.

One woman in the audience announced the recent formation of a Rape Crisis Center, to deal with the problem of rape in the

areas of education, prevention, and psychological problems of the victim. So far the group has initiated, through White Bird, an emergency transit service for women. It lasts throughout the week, from 7:30 p.m. to 12:30 a.m. Anyone interested in helping should call 345-9895.

Many facts were brought out during the discussion. For instance, did you know that the majority of rapes in Eugene occur from 11th to 19th, between Oak and Alder? That the number of rapes are growing although less women are reporting them, and that rape is not considered rape unless ejaculation occurs? Or that forced oral sex is not considered rape but sodomy, and so is male rape involving homosexuality? Or how about the fact that, according to current Oregon law, it is impossible for a man to rape his wife, even if she files a complaint against him; and the same applies to couples who are living together.

Horton said he intended to help all he could, to remedy the situation, saying, "our penal systems are inadequate, and law enforcement agencies are the first to admit how bad they are."

But, as he pointed out, social change is a slow and arduous process.



Photo by Susan Miller

Members of the Rape Forum panel answer questions from a capacity crowd in the EMU Dad's room. Panel members are, from left to right, Janie Burcart, a doctoral candidate in sociology; Wayne Allen, Eugene defense attorney; Pat Horton, Lane County district attorney and Jack Baraggar, a detective representing the Eugene Police Department. Panelists answered a variety of questions on

subjects like who is considered a "legitimate" rape victim, the legal system's treatment of the rape victim and the precise legal definition of rape. The Forum was the second in a series of programs that Horton is presenting to further public education and awareness of problems in the community and how to handle them.

"asked for it" by dressing provocatively or walking in a sexy manner.

According to Burcart, this is called a legitimate victim. "A woman is accused of having instigated the attack if she goes out at night alone or, in the case of Eugene, goes in a ladies' restroom alone," said Burcart.

A rape victim's moral character is closely questioned and her prior sexual activities also dragged into the issue. According to Burcart, a woman could be considered immoral by a jury if "she is not a virgin or if she entertains a man after dark, which is not hard to do these days!" Horton felt the victim's credibility would be weakened if she had previously had intercourse on more than one occasion, or with more than one person. Allen felt there was no cut-and-dried basis to judge by, although his example of immorality was having sex with three different men in one month.

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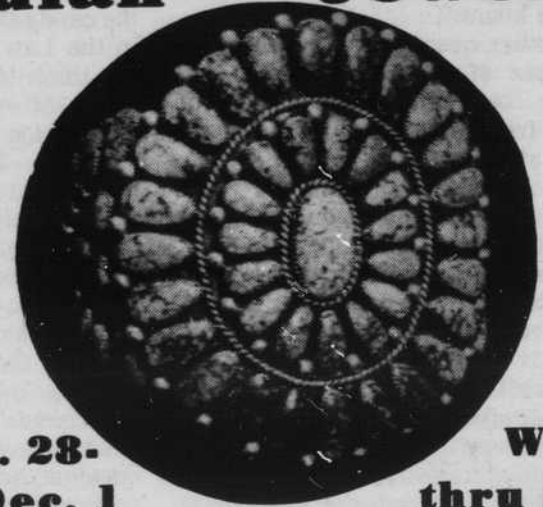
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