

ACLU suit challenges funding of chaplains

The present system of funding chaplains in Oregon state institutions "is a clear violation of the Oregon constitution," Stevie Remington, American Civil Liberties Union's (ACLU) executive director, said recently.

The ACLU has filed suit chal-

By IAN THOMPSON
Of the Emerald

lenging state funding of chaplains who work in state institutions, saying it is a constitutional violation to use state funds for religious purposes.

Remington, in a press release, said "The state has an affirmative obligation to afford inmates and patients of its institutions an opportunity to worship in accordance with their religious beliefs and to receive spiritual counseling from ministers of their faiths. But the Oregon constitution requires that the costs of providing the services must be borne by the religious communities involved."

The suit refers to a law signed in 1913 requiring the provision at all state mental health and correctional institutions of "adequate chaplaincy services, including but not limited to Protestant and Roman Catholic."

At present the state spends approximately \$500,000 each biennium on chaplaincy services. The state currently employs 12 chap-

lains and has 13 positions in state institutions scattered across the state, including the State Penitentiary in Salem, Fairview Mental Hospital and the different state hospitals. Each has a Protestant and Roman Catholic chaplain.

Remington stated that with the Department of Human Resources selecting the chaplains, the state chooses the prominent faith to be represented. "The chaplains should not be responsible, not to the state nor to the heads of the institution, but to their own church," Remington said.

State reaction to the suit has been of almost immediate opposition. Gov. Bob Straub says "The program has been very successful and I am in favor of continuing it." He adds that he will "vigorously contest" the lawsuit.

Straub also says the state can't and shouldn't support all of the religious representatives. The smaller religious organizations, he says, have the right to send in representatives to administer people in the state institutions.

The chaplains who work at the state institutions do not see the state control of funding as a threat to their work, but as a necessary source of revenue with which to continue their work. Jesuit Father Frank Callan, who works at the Oregon State Hospital, considers private funding impractical. He notes that it would be too difficult

to get the many churches together to fund one or two ministers for the state institutions.

"About 70 percent of the people I serve are not of my faith," says Father Callan who runs non-denominational services. "Besides, they can't pay 75 to 80 chaplains to work."

Callan views the lawsuit as a "very delicate thing," saying there is too much concentration on the relationship between church and state. "It's to give a service to people who have the right to exercise the First Amendment," Callan said.

Callan notes there is no real advantage of any one religion, calling the job "universal."

"This is a necessary place where we can't separate church and state, for here is where church and state go together as one to serve the people," says Callan.

State Treasurer Clay Meyers, one of the defendants named in the suit, says that although the lawsuit does raise a serious constitutional question on the separation of church and state, the situation in Oregon "is a unique relationship in this instance."

If the ACLU does succeed in its lawsuit, the state would have four possible alternatives to the pres-

ent system, according to Meyers.

One would be voluntary funding from private sources, but with several hundred religious groups in the country, Meyers says that would create a "tower of Babel situation."

The other alternatives include a state constitutional amendment to allow the state to continue funding chaplains, federal aid to continue

funding or a shutdown of the program.

Meyers says the last alternative would deny people in the institutions religious freedom, and that would be totally unacceptable to him.

Beside filing the suit on Jan. 5, the ACLU also seeks an injunction against the payment of the chaplains from public funds.

Jerry Rust

five member board, since the commission will now be elected on a district basis rather than at large.

"We make county ordinances," emphasizes Rust, "not district ones. I fear for some parochialism to get into the decision-making process."

However, he is glad that the three areas will be getting greater representation.

"Five members is going to be healthy. It will help share the load and bring in more viewpoints."

In the meantime Rust is content with his \$26,000 a year job of sharing responsibility for an annual \$100 million county budget. However, he is not sure whether he will run for re-election when his term is up in three years.

"I like the job a lot," says Rust, "but I'd have to consider what I'd have to contribute three years from now."

Rust discerns that certain issues will be of prime interest to the county in 1978, including development of an energy plan at the local level, consideration of the T-2000 master transportation plan for Lane county, investigation into water quality in terms of sewer management and the possibility of implementing composting toilets, and the final phase of land-use planning.

Rust is particularly concerned with creating greater visibility and public accessibility for the 1990

plan, which is a blueprint for the county's future development.

"The 1990 plan has been buried under some rocks," says Rust. "It has no meaning, people are unsure why we have the plan, the plot process is unclear and people feel they cannot influence policy direction."

"It is crucial to develop inter-agency cooperation. It is vital that cities, counties, state agen-

cies, the forest service, the University, Lane Community College, EWEB and all local bodies be aware they are not separate from each other."

In essence, Rust sees the function of county government as playing an integral part with all other components of government.

"We are shepherds of the public's trust, purse and policy. Red tape mustn't eat us up."

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