

Says D.A. misused office

Eugene attorney maintains charges

By GARY NORRIS
Of the Emerald

Despite an Oregon Government Ethics Commission ruling to the contrary, a Eugene attorney still claims that Pat Horton, Lane County district attorney, authorized an unethical plea bargaining agreement.

Charles Porter says Horton and deputy D.A. Thomas Meehan used "public office for private financial gain" by having a man arrested for possession of cocaine turn over a \$7,500 camper to the Lane Interagency Narcotics Team (LINT).

Porter also claims Horton misled the ethics commission last month when the dis-

trict attorney said John David Arthur had also agreed to return to California and work as an undercover agent for a year. Porter claims the undercover work was not mentioned at Arthur's sentencing.

The ethics commission Thursday reaffirmed its earlier decision that "no probable cause exists" to investigate Porter's complaint.

Commission Chairer Lewis Hampton said his vote was not "a blessing of everything the DA does," adding that "This vote is not carte blanche, but we are bound by statutes."

The only charge the commission can try Horton and Meehan for, according to Hampton, is "use of public office for private

financial gain."

In a January telephone interview Hampton said "based on what was before me (at the Jan. 12 hearing), there was clearly no indication of private financial gain. Our concern was whether LINT was a for-profit corporation."

Porter claimed at the Thursday hearing and in a Feb. 2 letter to the commission that "I know of no reason why 'business' must be interpreted narrowly as a for-profit business." Porter also claimed at the hearing that LINT and the D.A.'s office are businesses "in the broad sense," and that Horton and Meehan, as members of the D.A.'s office, acted improperly by having Arthur turn over his camper to LINT in return for a re-

duction of the charges against him from two felonies to a misdemeanor.

At the hearing Porter also repeated his claim that Horton misled the commission at its hearing by stating that Arthur returned to California to work for the Los Angeles Police as an undercover drug agent as part of the plea bargaining agreement.

Porter says Arthur's attorney told him Arthur returned to California to pay off the \$1,500 he still owed on his camper, because LINT has no funds to pay off money owed on vehicles and could not accept the camper until it was paid off.

The commission, however, has no power to investigate Porter's charge of Arthur's returning to California, Hampton said. Because Horton was probably not sworn in at the Jan. 12 hearing, Hampton said, he could not be charged with "false oath."

Porter said he may take his case to the Oregon Court of Appeals, and may also file a complaint with the Lane County Bar Association.

Horton was not present at the Thursday hearing, but at a Jan. 26 press conference he called Porter's charges "a sham," and said "Mr. Porter's repeated attacks on the D.A.'s office are becoming less and less meritorious."

Horton also said later that forfeiture of vehicles is provided for in the "narcotics forfeiture statute" either before or after a conviction has been obtained.

Packwood backs public's choices

Sen. Bob Packwood took wide swipes at federal timber control Friday, claiming that allowing the public to make as many decisions as possible is the best course of action.

Speaking to a state logging convention at the Lane County Fairgrounds, Packwood conditionally supported industry claims that the federal government has eroded the timber base through increasing wilderness and roadless areas.

If current forest management conditions continue, the harvest in Western Oregon will drop by as much as one-third by 1990.

The report said a decline would cost the jobs of 27 percent of those employed in the timber industry.

While never talking about the timber industry directly, Packwood said the solution to many problems lies with more business and less government regulation.

"The answer to the energy shortage, the answer to the work shortage, the answer to most of the problems facing this country is to turn to the free enterprise system and say ladies and gentlemen, can you help us? Will you do it?"

Packwood said they have usually been able to.

Finally, Packwood lamented the idea that most people in this nation are too dumb to manage their affairs.

"There's nothing wrong with the people in this country. The great middle income group that is overtaxed, overworked, under-represented, doesn't get food stamps or welfare and tries to figure out a way to get their children through college, good, decent, solid, clear-thinking, stable people. They can be trusted with the future of this country."



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