

Judge delays action on Wood trial location

By DAVID STEINMAN
Of the Emerald

The location of the criminal trial for former Lane County Commissioner Bob Wood remains uncertain despite the conclusion Friday of change of venue arguments.

Circuit Court Judge Edwin Allen spent 90 minutes listening to arguments, then took the case under advisement, saying only that he would deliver his decision in the future.

"I'm inclined to agree with Disraeli who said, 'Time is the great physician,'" Allen said at the close of the hearing. "Between now and July 8, other things will happen, and intervening matters and events will take the people's mind off the pre-trial publicity. They'll be wondering whether they can eat or make payments on their houses."

A county grand jury investigation led to the indictment of Wood in November on charges of official misconduct and per-

jury. The charges stem from Wood's involvement in a 1978 land exchange between the county and two real estate developers, Mike Safley and the late Al Phelps.

In the land exchange, the county traded Safley and Phelps several land parcels, one of which was later resold for about \$500,000 more than the county had appraised its value.

One aspect that makes this change of venue hearing different from others is the constant repetition of facts, Allen said.

Wood's attorney, Don Diment, argued Friday that Wood could not get a fair trial in Lane County, because of the "great volume of material," the Eugene media have produced in covering the events before and after Wood's indictments.

"The court can see a great deal of publicity has reached the community in one form or another," Diment said, referring to media coverage by television station KEZI, radio station KZEL, the

Willamette Valley Observer and the Eugene Register-Guard.

"The whole case gets reshaped, and even current articles go back and rehash what was reproduced before," Diment said. "Improper reporting is not the issue. It is whether Mr. Wood can get a fair trial. There are continued references to various facts discovered by reporters. Some of that may or may not be evidence and may or may not be accurate."

For instance, Diment said, "It's taken as a given that Wood is a friend of Safley and Phelps, but this is not certain. This kind of publicity puts a preconceived notion into the minds of the jurors."

"I can't imagine how a case could cry out more for a change of venue," the attorney continued. "I think virtually every citizen in Lane County knows about this and has formed an opinion on this case."

Doug Harclerod, assistant prosecuting attorney for the district attorney's

office, argued Diment is "asking the court to make a quantum leap from pre-trial publicity to the fact that he (Wood) can't get a fair trial."

A method for juror review and selection, similar to that used in the Anthony Charles murder trial, could be used, Harclerod said.

In that trial, in which Charles was found guilty of murder in late 1979, jurors were questioned and reviewed individually, and Charles' attorney was allowed to disqualify a certain number of jurors he believed could not judge the defendant fairly.

When Allen asked where Diment would want the trial moved if granted a change of venue, the defense attorney said Portland would be his choice. "The media coverage didn't reach the Portland area to any large degree."

After the hearing, Harclerod said he was unsure when Allen would make a decision on the venue change request.

making the news

From Associated Press Reports

SAN JOSE, Costa Rica — Costa Rica told Cuba Sunday it was willing to grant permanent asylum to all 10,000 Cubans still trying to leave their communist-governed homeland, a Foreign Ministry spokesman announced.

He said Costa Rica had made its offer known in a message to Cuban Pres. Fidel Castro. The message also appealed to Castro to let evacuation flights resume immediately.

Cuba allowed 32 refugees to leave Havana on a Spanish airliner bound for Madrid Sunday afternoon, but did not lift its ban on flights to Costa Rica. About 700 of the Cubans packed into the Peruvian Embassy compound in Havana were evacuated last week before Castro cut off the flights Friday. The Cuban leader said the refugees should be flown directly to the countries accepting them instead of using Costa Rica as a staging area.

Half of those flown here last week went on to Peru and the others remained here.

NEW YORK — Pres. Carter's Mideast peace negotiator said Sunday he believes Egypt and Israel will extend their discussions on Palestinian autonomy past the May 26 target date if "they are convinced that progress is being made and more progress can be made."

"What we are hoping for is that there will be sufficient progress that they will want to continue the negotiations ...," special ambassador Sol Linowitz said. "I think that's exactly what may evolve but both of them want to be sure that they are on a course that promises success."

Linowitz, interviewed on the CBS program "Face the Nation," said he believed there had been progress in Carter's recent discussions with Egyptian Pres. Anwar Sadat and Israeli Prime Minister Menachem Begin.

NEW YORK — An Air Force general was sent to Iran last year to lay the groundwork for a military coup to keep Ayatollah Ruhollah Khomeini from coming to power, the New York Times reported Sunday.

The plan never materialized because of the rapid disintegration of Iran's military forces, the newspaper said, quoting unidentified senior federal officials.

The paper said Pres. Carter sent Gen. Robert Huyser, a former Iranian military adviser, on a mission in early 1979 to try to keep the military forces in Iran intact and loyal to the government of Prime Minister Shahpur Bakhtiar. The Bakhtiar government was established by Shah Mohammad Reza Pahlavi as he left the country.

BELGRADE, Yugoslavia — In the grimmest medical bulletin since Pres. Tito was hospitalized 100 days ago, his doctors said Sunday that the 87-year-old leader's condition had worsened.

Doctors not connected with the treatment of the Yugoslav leader said he might not survive longer than a few more days.

The team of eight physicians treating Tito in a medical clinic in Ljubljana, some 400 miles northwest of here, said bleeding to the stomach as well as liver damage — regarded as his two gravest ailments — were both spreading.

The team's advisory said internal bleeding reported earlier in Tito's stomach had spread to his intestines and that the unspecified damage to his liver, accompanied by jaundice, "is further deteriorating."

CHATTANOOGA, Tenn. — Four black women leaving a tavern were wounded by shotgun blasts from a passing car, and a black leader on Sunday praised police for the quick action that led to the arrests of three Ku Klux Klan members.

Each of the three arrested were charged with four counts of assault with intent to commit murder. All were in the city jail Sunday in lieu of \$40,000 bond awaiting a Monday arraignment.

Begin offers military facilities

WASHINGTON (AP) — Israeli Prime Minister Menachem Begin says the United States should have conventional military forces in the Mideast and "if you want facilities in our country, we shall put them at your disposal."

Begin, in a nationally televised interview, declared that in light of the hostage crisis in Iran and the Soviet intervention in Afghanistan "I think the United States must now consider very carefully to have conventional forces on the spot, not to bring them from afar in time of crisis."

Begin appeared on ABC's "Issues and Answers." The program was taped earlier in the week at Blair House, the pre-

sidential guest quarters, during Begin's state visit, and aired Sunday.

Interviewer Barbara Walters asked: "What about U.S. forces in Israel, based in Israel?"

Begin: "Well, I said always to our American friends, we are allies, and if you want facilities in our country, we shall put them at your disposal. I would recommend it to the (Israeli) government. I can only speak on my own behalf."

The prime minister fell far short of recommending military action to free the Americans held at the U.S. embassy in Tehran, despite his own nation's record of using force in hostage situations. "We feel so

deeply for the American people," he said. "I understand the American people want the 50 men, with their loving mothers and wives, to be back home. I understand it perfectly well. If force is used, maybe the majority of them, perhaps all of them, will be killed."

Begin, who returned to Israel Friday, declined specific comment on the criticism leveled at him during his U.S. visit by Ezer Weizman, Israeli Defense Minister, who called for new elections and offered himself as a new prime minister. But Begin made it clear that while Weizman may be a thorn in his side, he has no immediate intention of trying to form a new cabinet which excludes him.



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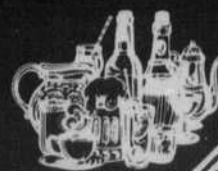
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