

oregon daily emerald

Vol. 82, No. 78

Eugene, Oregon 97403

Wednesday, January 14, 1981

Ignored repair blamed in dorm rape

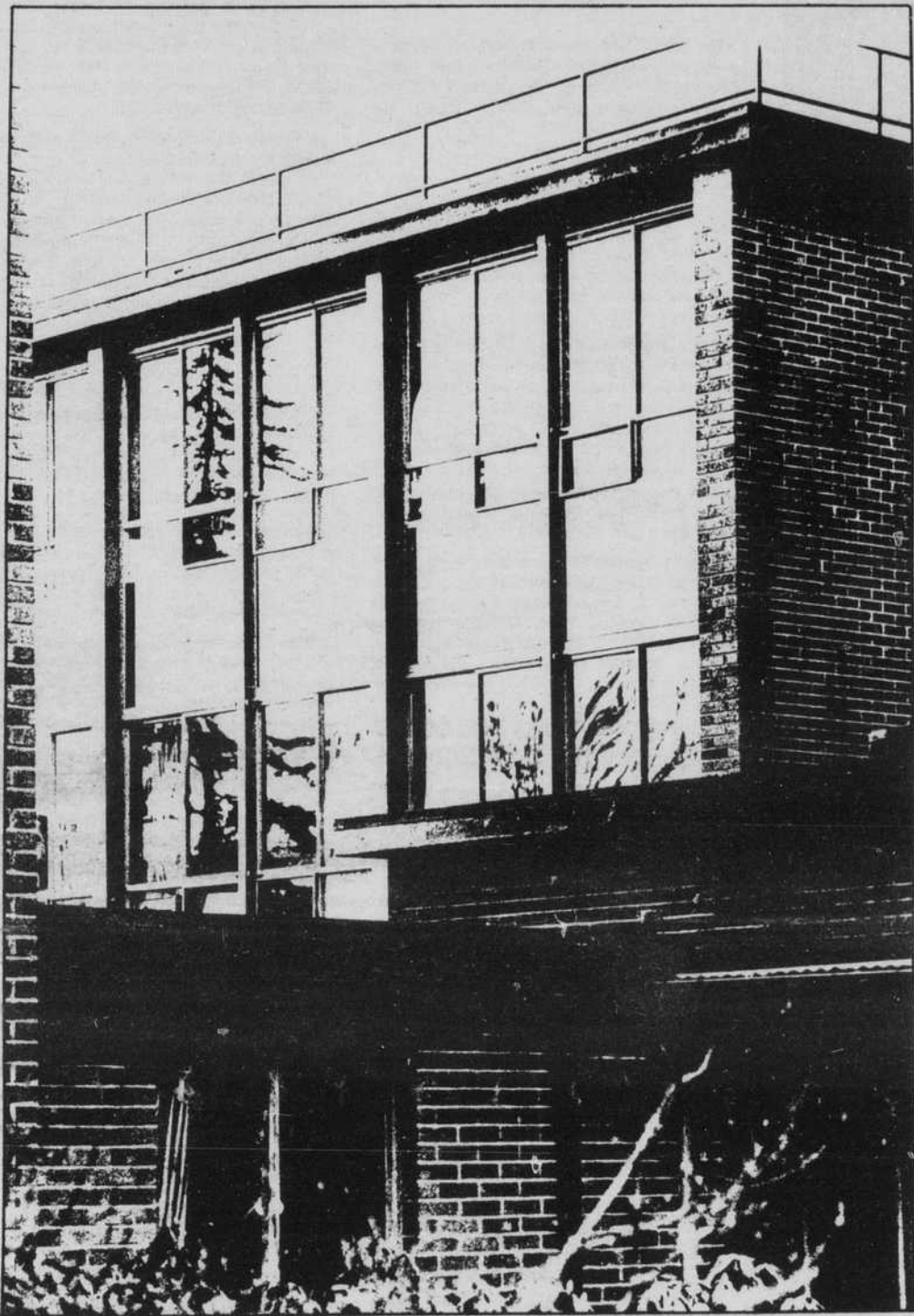


Photo by Steve Dykes

Some University dorm rooms on upper floors allow easy access through windows

By **BILL MANNY**
Of the Emerald

Despite repeated requests, University physical plant personnel failed to repair a window lock on the dormitory room where a female student was raped early Saturday, two students said Tuesday. Police believe the rapist entered through the window.

The physical plant repaired the window later that day.

Eight complaints were registered fall term with the University physical plant to repair the window's locking mechanism, Walton-Adams resident assistant Lisa Chase said.

The latch was loose throughout fall term, she said, and fell off during finals week, Chase said.

"The physical plant is famous for not doing what they're asked to do," an angry Chase said.

"I hope to God somebody gets their butts sued off."

David Clarke, chairman of the Carson-Earl presidents' council, charged in a letter to the Emerald Tuesday that "the latch on the woman's window was not unlatched, but altogether missing."

A woman has been raped due to an incompetent and negligent Housing Dept.," he said.

"Something like that is absurd," Clarke said later.

Housing Department officials Dick Romm and Larry Spencer said records show the physical plant had repaired the window.

A work order was dated Sept. 29, 1980, the officials said.

"According to the work order," Spencer said, "it had been done."

Chase said complaints continued long after Sept. 29.

According to Chase and Clarke, the raped woman's second-story window is located just above the roof connecting the 10 wings of the Walton complex. In warmer weather, students sunbathe on the roof, about four feet below the second-floor window.

Eugene police Sgt. Rick Allison admitted the window latch had been broken the night of the rape.

A short list of suspects has been compiled, Allison said.

Police are searching for a stocky white man with short, curly brown hair.

They said the rapist, thought to be in his early 20s, woke the woman at about 3 a.m. and raped her under physical threat. He fled through the window.

The rapist wore a light shirt or jacket and dark pants or jeans, police said.

Allison said he didn't think the University was responsible.

"I don't think the campus can be held liable for that," he said.

Housing officials said they knew of no precedent and wouldn't comment on the liability of the University in the case.

But lawyer Charles Spinner, director of University Legal Services, said there may be grounds for an "assertable claim" if the window latch was missing.

"But whether it would hold up in court is another matter," he said. "It's an emerging area of law, and at this point it's unclear."

Spinner said there are remarkable parallels with a case his private law firm is currently handling.

In that case, a woman is suing her landlord for faulty locks. She was raped — in front of her children — at gunpoint.

Oregon landlord-tenant laws require landlords to provide a "working lock," he said. But exactly what the term means is ambiguous.

Spinner said the state's landlord-tenant laws do not apply to students living in a dormitory.

Chase said she assumed the latch had been repaired over Christmas break.

She said problems on the first floor were quickly repaired because they were seen as security problems, but second-floor repairs were delayed.

Spencer said that first floor repairs are seen "as emergencies," but that upper level repairs are not "placed on the backburner."

Program conflict kills course

By **LAUREL STRAND**
Of the Emerald

Controversy over the ethnic studies program fall term has left the program in "a sort of suspension," says Barre Toelken, Folklore and Ethnic Studies Program director.

The most immediate effect of the "suspension" is Prof. Sharon Sherman's decision not to teach ES 102, the second in a three-course introductory survey.

"It got to the point where I was spending an awful lot of time (dealing with the controversy) and not getting anything else done," Sherman says.

At public meetings last term, minority students claimed last summer's merger of the ethnic studies and folklore programs weakened ethnic studies by moving the focus away from minorities. They also criticized the texts for ES 102 and Sherman's teaching methods.

This term and next, the texts and subject matter for the survey sequence will be re-evaluated, Toelken says.

FES graduate teaching fellows will compile a list of books appropriate for an introductory course, he explains. Toward the end of the quarter, the Ethnic Studies Committee and various ethnic groups will examine the list.

Toelken says he plans to discuss the program with small groups.

"A lot can be done by discussing what is appropriate (to teach). A lot is a matter of opinion and best handled in small groups."

If the courses are to represent minority interests, minority opinion is needed, Toelken says. He hopes to meet with different ethnic student unions because "we haven't been getting that input the last few years."

The evaluation will help determine whether ES 103 will be offered spring term, Toelken says.

The sequence originally was designed to focus on the four predominate racial minorities in the United States.

"We certainly want to maintain the minority focus, but that's not all there is," Toelken says. "I feel we would be shortchanging the students if we didn't take the broader view."

But Gary Kim, coordinator of the Council for Minority Education, says it is incorrect to say one group's view is broader than another's. The two approaches are based on different ideas of what ethnic studies should be, he says.

Kim says the FES program should be re-designed to meet the needs of both those who want to focus on folklore and cultural studies and those who want to focus on racial issues.

For the time being, ethnic studies and folklore should remain one program, he says.

But in a few years, "with proper support from the faculty and budget, ethnic studies could stand alone," he says.

Former coaches used slush fund in recruiting

From Associated Press reports

The University basketball program used a secret travel fund to recruit players in violation of National Collegiate Athletic Association rules, a Lane County prosecutor said Tuesday.

Deputy District Attorney Darryl Larson said in Lane County Circuit Court that the account was set up in 1977 in the name of former assistant basketball Coach Ron Billingslea and was kept secret from University administration.

Billingslea has been indicted on a charge of taking \$1,680 in 1978 from the account, set up with the Bronson Travel Agency.

Larson's comments came at a hearing before Judge Douglas Spencer on whether theft charges should be dismissed against Billingslea and former assistant basketball coach Mark Barwig.

The judge took the requests under advisement. Barwig has been charged with taking \$2,000 in 1978 from another fund set up in his name at Bronson Travel. The money came from refunds for unused airline tickets, purchased with athletic gate receipts.

Larson said the basketball recruiting account was similar to a \$6,000 slush fund maintained by former University assistant football Coach Andy Christoff and others. Existence of the football fund was disclosed in February 1980.

Larson said former head basketball Coach Dick Harter, now the coach at Penn State, was involved in setting up the basketball account. But Larson declined to say in what way Harter was involved.