

After second conviction

Horton favors rendering rapists impotent

Second-offense rapists should be made incapable of raping again, says Lane County District Attorney Pat Horton.

In a recent interview, Horton said first offenders should be given a mandatory minimum 10-year prison sentence. Upon second conviction, the state should surgically prevent the rapist from attacking again, he says.

Horton says such definitive action would stop repeat offenders and deter potential rapists.

Horton's theory applies only to forceful rapes. He says sex with a consenting minor is not quite as bad as forced sex "unless the victim is 10 and the assailant is 30 or 40."

His plan also excludes the rape of a partner. The 1978 Oregon law against rape of a spouse should be abolished, Horton says.

"It was a gimmick when it was passed," he says.

Horton says it is difficult to convict an

accused rapist, especially when the victim knows the assailant.

Only consent distinguishes making love from acquaintance rape, Horton says. When force is used or threatened, it's rape. Horton says it's difficult to prove that force was used without consent.

For example, Horton describes a scenario where a woman has submitted sexually to an ex-lover under threat of physical injury. After reporting the rape, the man denies the allegation, saying the woman consented. If the woman persists

and takes her case to court, the jury will have a hard time finding the man guilty, Horton says.

Even if the members of the jury instinctively feel the man is guilty, they have no evidence to base their intuitions on. They've heard conflicting stories, they've seen no signs of physical force and they've heard no eyewitness testimony, he says.

Two lawyers from Horton's office work almost exclusively prosecuting sexual crimes, Horton says.

Dorm fire suspect pleads not guilty

University student Eric Schell pleaded not guilty Wednesday to two counts of first-degree arson in connection with a first-floor fire in the Hamilton-Spiller dormitory March 14.

Schell, a 20-year-old freshman, was arraigned Wednesday morning in Lane County Circuit Court on the arson charges. No trial date was set.

First-degree arson carries a maximum 20-year sentence.

Police arrested Schell on March 17. He was released on a \$5,000 bail bond.

Last month's fire, which started at about 3 a.m., caused an estimated \$11,000 damage, according to Eugene Police Officer David Biggs. There were no injuries.

The fire started in a small janitor's closet near the dorm's first floor lobby.

Senate votes today on Reagan budget

WASHINGTON (AP) — Pres. Reagan's budget-cutting allies in the Senate fought off renewed challenges with ease Wednesday, moving slowly toward a final vote on legislation to force spending reductions of \$87 billion over three years.

Senate Majority Leader Howard Baker had hoped for final passage late in the day, but said the deadline might slip until Thursday.

Aides said Democrats were threatening to force time-consuming roll call votes on a dozen or more attempts to restore some of the cuts proposed for their favorite programs.

But most efforts appeared doomed to failure as Baker, R-Tenn., and Budget Committee Chairman Pete Domenici, R-N.M., demonstrated time and time again they had the votes to pass the president's proposals virtually intact.

The latest challenges to fail included:

• One by Sen. Lowell Weicker, a Republican from Connecticut who has bucked the administration at times over spending. He sought \$143 million more in 1982 to continue the Small Business Administration non-disaster loan program.

That was money Reagan originally proposed spending. But when the Budget Committee voted last month to cut it, there was no protest from the White House. The vote on the Senate floor to endorse the cut was 68-28.

• A proposal by Sen. Gary Hart, D-Colo., and several other Democrats to rearrange the cuts in energy programs, reducing the nuclear budget the president wants increased and restoring some of the administration's proposed reductions in solar, conservation and fossil fuel programs.

The proposal would have cut the budget by \$13 million more than Reagan wanted, but would have allocated the money far differently and would have maintained funding for the Solar and Conservation Energy Bank the administration wants to eliminate. The vote to stick with the administration proposal was 65-32.

• A proposal by Sen. Edward Kennedy, D-Mass., to restore \$250 million of the proposed cuts for 1982 and 1983 for preventive and community health. It was turned back on a 62-36 vote.

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