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Photo by Steve Dykes

Ismet Guchan, a familiar campus activist, faces possible deportation today in a Portland immigration hearing. Guchan's wife, Turkan Erden, was told Tuesday to leave the U.S. within 90 days. Here, Guchan burns a yellow ribbon.

## University graduate told to leave country

By PAUL TELLES  
Of the Emerald

PORTLAND — A Turkish citizen and former University student was given 90 days to leave the United States at an immigration hearing here Tuesday.

Immigration Judge Newton Jones ruled that, "perhaps through no fault of her own," Turkan Erden is "deportable."

However, Jones allowed Erden to leave the country voluntarily, at the request of her lawyer, Ann Witte of Portland. Seattle attorney Kendall Warren, representing the Immigration and Naturalization Service, agreed to the request.

Erden, and her husband Ismet Guchan, also a Turkish national and former University student, both faced deportation proceedings this week for allegedly overstaying their visas. Guchan's deportation hearing, also scheduled for Tuesday, was postponed until today.

Guchan was arrested Feb. 11 during ex-hostage Victor Tomseth's University visit. He was charged with hindering prosecution for allegedly interfering with police as they took a Revolutionary Communist Youth Brigade member into custody for burning a yellow ribbon in the EMU Ballroom before Tomseth's speech. Guchan was released on bail.

At Tuesday's hearing, Erden told the judge she has sufficient resources to leave the country of her own volition.

Jones gave Erden, a Fulbright scholar who recently received a University master's degree in psychology, until Aug. 5 to leave the country.

Jones asked Erden where she would like to relocate if she were deported. When she said Canada, the judge told her she could only be deported to a country where she previously had resided.

She then answered West Germany. But when the INS later agreed to let Erden leave the country voluntarily, it was not clear where she would go.

Erden was found "deportable" because she did not renew her student visa, which expired Aug. 16, 1980.

However, Erden testified that she had tried in vain to renew her visa. She said she began trying about one month before the visa expired.

To renew her visa, she first had to obtain an extension of her Turkish passport. That also expired Aug. 16, 1980.

Erden testified that she submitted proof of her student status to the Turkish educational attache in New York in July, 1980. However, her application for passport extension was delayed in New York, she claimed.

According to her testimony, she did not receive an answer from the Turkish attache until April 10, 1981 — the day she was arrested in her home in the University's Amazon student housing.

At that time, she reported, she was granted permission to extend her stay to April 4, 1981 — the extension had expired almost a week before she received the notification.

Witte presented several letters from Erden's University colleagues "testifying to the excellence of Ms. Erden's work."

Witte then moved the INS reconsider its action against Erden and grant her a retroactive visa extension.

However, after conferring with INS officials, Warren said the INS rejected that suggestion because Erden's current extension had expired April 4.

In his ruling, Jones said he found the evidence of Erden's deportability "clear and unequivocal." He also said he didn't have the jurisdiction to grant an extension of Erden's visa.

He gave Witte until May 15 to file an appeal. After the hearing, Witte said she plans to appeal on grounds that Jones erred when he said he didn't have the power to grant the retroactive extension.

She also maintained that Erden is not deportable. "There is absolutely nothing substantial at all against this woman," Witte said.

Erden's husband, Guchan, was present at the hearing.

The INS charges that Guchan also has overstayed his visa. His hearing was scheduled to follow Erden's but was postponed until today because the first hearing ran an hour longer than expected.

Witte requested the postponement because she had a previous court appointment she could not postpone.

## Caveat emptor

### Agency helps consumers fight stealing, cheating businesses

By DAWN GARCIA  
Of the Emerald

Are you worried and distressed?  
Can't seem to get no rest?  
Put our product to the test  
You'll feel just fine!  
Buy the Big Bright Green Pleasure Machine...

-Simon and Garfunkel

The days of cure-all potions and "little liver pills" may be gone, but some of the bogus businessmen seem to have stuck around.

And many hapless consumers find out the hard way, says Josh Marquis.

Marquis runs the Consumer Protection Division in the Lane County District Attorney's office, which conducts as many as 500 consumer-fraud investigations a month.

"We get complaints about every business in town," Marquis says, waving his hand in the direction of dozens of overstuffed files.

The consumers involved often are students.

"People under 25 and over 65 are customarily victims of consumer fraud," Marquis says. "That's because they have a limited base of comparison and sometimes make snap decisions involving a lot of money."

Automobile purchases and repairs account for half the complaints.

"It's not that car dealers are inherently bad," Marquis says, "but car deals involve a lot of money, hot tempers and people trying to get something for nothing."

Restaurants, sweepstakes games and coupon offers also are responsible for beefs from unhappy consumers.

The division doesn't act on every complaint, however. Only those based on Oregon's 1971 Deceptive Trade Practices Law, which covers transactions between businesses and consumers, are accepted.

Marquis has his own handy definition of the law: "Lying, cheating and stealing are consumer fraud. Rudeness, incompetence and stupidity are not."

Breakdowns in communication and "buyer's remorse" are other causes for

consumer problems that don't qualify as consumer fraud.

But what if you feel you've really been swindled?

Marquis suggests calling the Consumer Protection Division at 687-4261 to determine if you do have a case, and then come in and fill out a complaint form. Attach a copy of any contracts, advertisements or other paperwork involved.

The division will send a copy of the complaint to the business, which then is given two weeks to respond.

Most businesses respond immediately. If they don't, "The letters get more threatening, and we can demand to have them come in," Marquis says. The division then can go to the business with what's called a "consumer search warrant" and investigate.

Most locally established businesses are honest, though — "with occasional lapses," Marquis says. But there are some to be careful of.

"One to two percent are outright thieves — businessmen by name only," he says.

Businesses accused of consumer fraud are given the opportunity to sign an "assurance of voluntary compliance" form before action is taken. The form, which is not an admission of guilt, serves to discourage the business from continuing with its shady practices because newspapers list affected businesses.

If a company refuses to sign, it can be fined, charged the DA's costs and closed down — besides reimbursing the consumer for actual losses.

The entire complaint and investigation process takes anywhere from two weeks to a month on the average. But some cases go on for years, Marquis says.

The quickest way to handle consumer fraud is to be cautious in the first place.

"Don't look for a free lunch," Marquis says. Realize that the businessman has to make a profit, but remain constantly wary.

"If they've promised you the world," Marquis says, "get it in writing."

