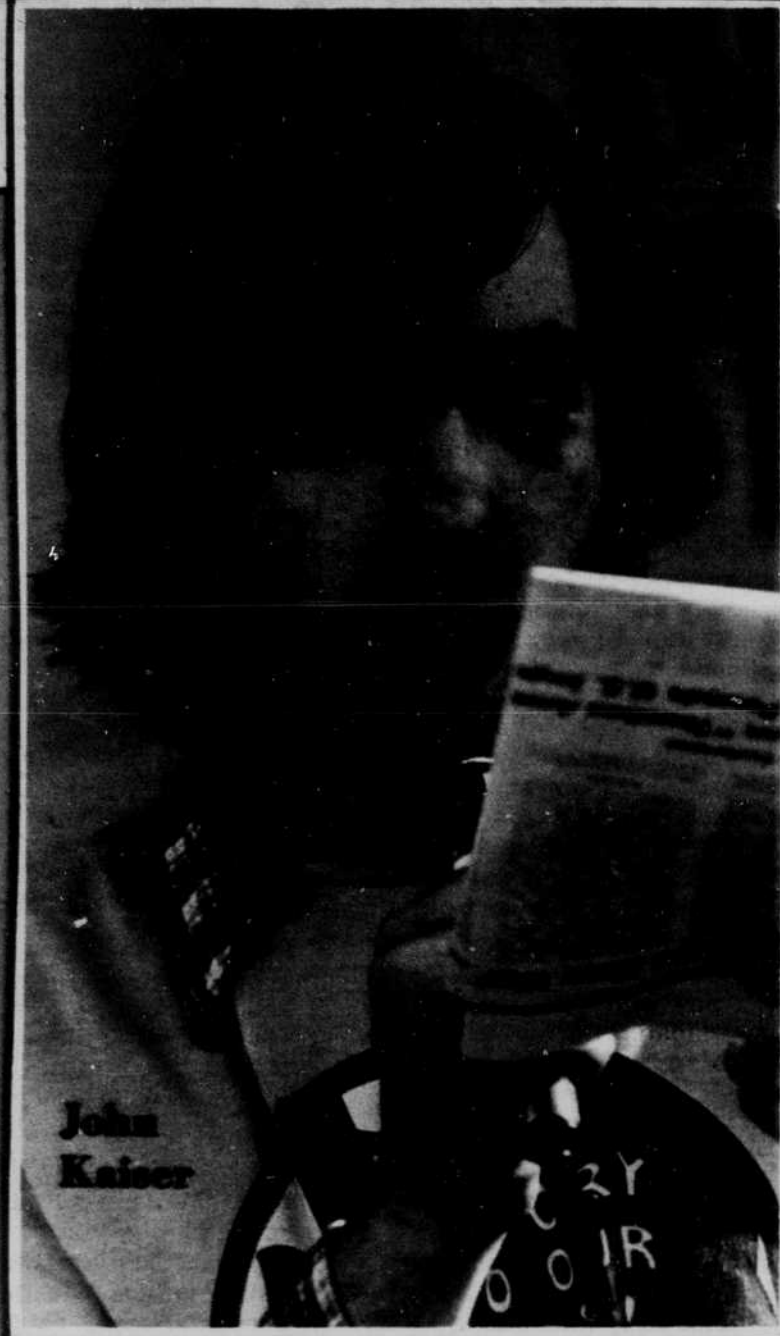


RCYB

Judge hands down sentence to members Kaiser, Whitley



John Kaiser

Not 10 minutes after a Lane County Circuit Court judge had sentenced two Revolutionary Communist Youth Brigade members Friday in the now-dubbed "Yellow Ribbon Burning Trial," they were back out in front of the courthouse, exercising their right of free speech and passing out copies of the Revolutionary Communist Worker newspaper.

Presiding judge George Woodrich gave defendants John Kaiser, 25, and Nancy Whitley, 30, both of Eugene, a suspended sentence of two years unsupervised probation, 10 days in jail and 80 hours of community service, and he ordered them to pay their court costs and \$35 restitution each.

If the defense attorneys file retrial motions within two weeks, as they announced plans to do, the defendants won't be required to serve the 10-day jail sentence.

The two RCYB members were convicted Oct. 16 of first degree arson — a Class A felony punishable by a maximum 20-year jail sentence and a \$2,500 fine.

The conviction stems from a Feb. 9 incident in the EMU Ballroom when Kaiser and Whitley burned a piece of yellow cloth at a speech by former Iranian hostage Victor Tomseth.

Deputy District Attorney Frank Papagni had recommended three years probation, 30 days in

jail and payment of court costs and restitution. Papagni said his recommendation was appropriate to show the defendants that "with the right of freedom of expression, there comes a responsibility to consider the full consequences of your actions."

But Kaiser's attorney Ralph Bradley said Papagni's reasoning fails to take in the Constitution and the Bill of Rights.

"When you have a right, you have a responsibility to express it. That's what this trial is all about," he said.

"These are two people who wanted to make a political statement, who assessed the situation. Maybe they assessed it wrong but they intended nothing more than to make a political statement," Bradley said.

Both Bradley and Phillips questioned whether Kaiser and Whitley should have to pay their court costs of \$5,325 and \$2,900, respectively.

Phillips said the arson conviction is a "fairly serious punishment in and of itself."

"There simply aren't jobs available for everyone who wants them," Bradley said.

Woodrich, however, said the defendants were bound only to make a "good faith" effort to pay those costs.

By MARIAN GREEN

Eugenean struggles to spark revolution

John Kaiser props a red flag against a pole in the main lobby of the Erb Memorial Union. He slings a handful of copies of the "Revolutionary Worker" over his arm and picks up a sign that reads, "Celebrate the second anniversary of U.S. embassy seizure; Down with U.S. imperialism." Then he shuffles around the lobby.

Many University students who pass the 24-year-old recent University graduate on their way in or out of the EMU recognize the self-proclaimed revolutionary. Some because they've passed this way before. Some because they've seen Kaiser's once bearded, now moustached, face — through his dirty-blond bangs, which hang over his wire-rim glasses — in local newspaper photographs.

"He's the guy who burned the yellow ribbon," one student says in passing.

Indeed, Kaiser set a yellow ribbon aflame last February when former Iranian hostage Victor Tomseth stepped up to the EMU Ballroom podium to speak to a crowded audience. In fact, a Lane County jury convicted Kaiser, and his comrade Nancy Whitley, of arson for burning the piece of cloth. The two

Revolutionary Communist Youth Brigade members faced a possible 20 years in prison plus a \$2,500 fine in connection with the charge. Friday, Lane County Circuit Court Judge George Woodrich gave them a suspended sentence of two years unsupervised probation, 10 days in jail and 80 hours of community service.

Kaiser says he believes the arson charge was more a statement about his politics than the ribbon's flames. And that the incident harmed no person or building proves the political nature of the charge, he says.

However, the prosecuting attorney in the case successfully argued that the potential danger to the audience justified the charge.

In any event, no one argues that the same political beliefs Kaiser claims inspired the arson conviction didn't inspire Kaiser to burn the ribbon.

"We spit on you, your red, white and blue, your whole stinking system," Kaiser chanted as he lit the yellow ribbon. "We stand with the Iranian people."

Moreover, it's difficult to find Kaiser responding to anything other than his political beliefs.

"What I'm doing is working for revolution," Kaiser says as he folds his hands and rests them firmly on top of the "Revolutionary Worker."

Kaiser's been working for revolution since he joined the RCYB in 1975, less than a year after he came to the University.

He knew then that he didn't want to support "the system." Not because he felt a victim of it. "I definitely wasn't coming from the more oppressed sectors of people," says the revolutionary, who claims he graduated in the top — 10 percent of his Reno, Nev., high-school class.

Rather, he says, his beginnings were "middle class."

But he grew up when a lot of people, including his "liberal" parents, were against United States involvement in Vietnam. Kaiser's mother worked with the American Friends Service Committee to hasten American withdrawal from Vietnam; his father was too busy working as a doctor in a Veteran's Administration hospital to be active.

"It's not enough to be morally against some-

Continued on Page 10



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