

WHEN YOUR VOLVO NEEDS SERVICE...

...bring it to a Specialist!



The **VOLVO** Specialist

Located at 12th & Main in Springfield
Call 726-1808 for an appointment
or just drop by.
All Work Guaranteed



HIGH
QUALITY
CASSETTE DUPLICATION

**Quick
Cassette
Copy
Service**

If you are working as a spiritualist, musician, therapist, counselor, lecturer, etc., think about the possibilities of offering your own audio cassettes.

QCCS offers state-of-the-art, high quality, fast production and low prices. For example: our 90 min. selected premium tape, including box, blank labels, and copy for only \$2.65 each; on orders over 500, they are only \$1.95 each.

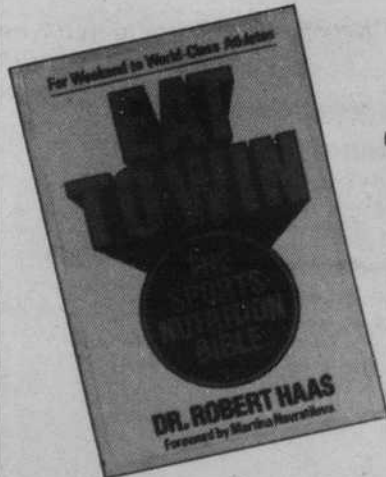
All you need to do is furnish QCCS with your master cassette, or QCCS can also record it for you (in the Eugene area only) for \$20.00 per hour.

QCCS will not duplicate any material that has a copyright on it, unless it's your own copyright.

QCCS

1550 High St. Eugene, OR 97401 Phone: 345-8117 Hours: 10 am to 5 pm Monday thru Friday

UO Bookstore



EAT TO WIN

The Sports Nutrition Bible

by
Dr. Robert Haas
\$14.95 HARDCOVER

Dr. Haas, shares the advice he has given to many world-class champions. He shows what to eat at every level of competence in sports and fitness programs to achieve top levels of endurance, speed and power.

Eat to win is a vital investment for everyone involved in a sport, health club or fitness program.

*10% Discount with current UO ID
Serving the Growing Needs of Our Members Since 1920



GENERAL BOOKS 686-3510
13th & Kincaid
M-F 7:30-5:30
Sat. 10:00-3:00

LIBEL

Willamette Week courts lenient definition

By Bonnie Henderson
For the Emerald

SALEM — The Oregon Supreme Court on Thursday heard arguments in a case expected to have far-reaching consequences for Oregon journalists accused of libel.

Among the significant issues before the court is the question of how far a reporter must go in confirming a story involving a private citizen, particularly when that private citizen is involved in a public controversy.

A 20-year-old U.S. Supreme Court ruling requires public figures and officials who are defamed to prove that the reporter acted with actual malice, or "reckless disregard for the truth," but standards of negligence for private citizens have been left up to individual states.

The case before the court stemmed from publication in 1978 of an article in Willamette Week, a Portland tabloid, charging the Bank of Oregon and its president, Homer Wadsworth, with cheating its clients. The bank subsequently sued the publishers of the newspaper, which was at that time owned by the Guard Publishing Co., claiming the article had damaged its reputation and standing in the business community in 45 specific instances of libel.

An attorney for Willamette Week urged the court to adopt the same actual malice standard of negligence for private figures that is applied to public figures. Adoption of "simple negligence" or "gross negligence" tests in which the defamed person would have to prove only carelessness on the part of the reporter, would result in larger libel judgments against the press and would have a distinct "chilling effect" on the media, said Bruce Smith, the paper's attorney.

Negligence standards in journalism are hard to pin down, because "the truth is elusive," and there are no clear guidelines dictating how much investigation of a story is enough, Smith said.

"If the only protection (for reporters) is with public persons, then the risk is going to be great for the press to take on private and contentious persons," Smith said.

"Gross negligence is a better standard than simple negligence, but we urge that actual malice does provide a better balance."

Bernard Jolles, attorney for the Bank of Oregon, argued that using actual malice or gross negligence as the standard of care in such cases amounts to giving the media special protection under the law, and he claims the Oregon Constitution does not distinguish between the rights of journalists and non-journalists. He discounted the notion that a simple negligence standard might have any measurable chilling effect on the media.

In addition to urging the court to use actual malice as a standard in all libel cases, Willamette Week also argued that the bank, and by extension its president, should be considered a public figure because it is a publically-held company regulated by both federal and state law.

"When you criticize a bank, it's implicit that you may also be criticizing the government," Smith argued.

Banks, he said, are a "major public concern in this state. . . . They are public figures, and so are their presidents."

Jolles countered Smith's argument by insisting that banks do not meet the traditional standards used to define public figures.

"There is simply no evidence of any pervasive fame on the part of either Bank of Oregon or Wadsworth," he said.

"Certainly it should not be held that just because a person goes into the banking business, they give up the protection that the private person enjoys."

A ruling on the case is expected in early summer.

Court's decision probably simple negligence

Willamette Week reporters Richard Meeker and Ronald Buel did not know their investigation of Bank of Oregon's lending practices six years ago would affect reporters statewide and eventually change Oregon's libel law.

analysis
katy hull

The Bank of Oregon, and its president Homer Wadsworth, sued the investigative tabloid for libel following publication of a series on the bank that appeared in 1978. They charged Willamette Week with damaging the bank's reputation saying that the story discouraged local businessmen from applying for loans with the bank.

The Oregon Supreme Court heard the case this week in Salem and within six weeks they will decide what the bank or any individual in Oregon has to pro-

ve against a media defendant to collect damages for libelous statements.

But there are questions about the media's ability to disseminate news with a minimum of restraint that the court must decide. Will the standard be so ambiguous that reporters won't know when they are protected from libel suits? Will confusion over the standard create a chilling effect and inhibit the 1st Amendment freedom of speech? Similarly, will imposition of this standard cause Oregon's press to shy away from reporting controversial stories?

The court has some recommendations from judges who have already heard the case. Multnomah County Circuit Judge Richard Unis decided that for Bank of Oregon to collect damages from the two reporters and the newspaper, it must prove that the reporters were grossly negligent in their research and subsequent publication of the story. Gross negligence, as

defined in Unis' decision, means a reporter was "indifferent to the probably consequences" of his story. It has been described as an "I don't care" attitude.

The Oregon Court of Appeals, which heard the case after Unis, ruled that a standard of simple negligence is sufficient to protect media defendants. This court pointed out that Article I, Section 8, of the Oregon Constitution provides for freedom of expression, while Article I, Section 10, protects individuals against abuse of those freedoms and ensures their right to recover damages for injury to them. The appeals court reasoned that the Oregon Constitution is protection enough for the media — it should receive no special privileges.

Another reason the appeals court chose simple negligence and overturned the trial court standard of gross negligence is the "retraction clause." This

Continued on Page 3A

oregon daily emerald

The Oregon Daily Emerald is published Monday through Friday except during exam week and vacations by the Oregon Daily Emerald Publishing Co., at the University of Oregon, Eugene, OR, 97403.

The Emerald operates independently of the University with offices on the third floor of the Erb Memorial Union and is a member of the Associated Press.

General Staff
Advertising Manager: Susan Thelen
Classified Advertising: Larry Swanson
Production Manager: Victoria Koch
Controller: Jean Ownbey
Ad Sales: Rachel Bellamy, Cindi Blagg, Laura Buckley, Julie Bulrice, David Kosse, Jo Meeks, Roberta Oliver, Richard Skeen
Production: Laurie Becharas, Sharla Cassidy, Michele Christianson, Michael Clapp, Kelly Cornyn, Kathy Gallagher, Carrie Greaves, C. Hanson, Christy Horning, LeeAnn Lovegren, Lauri Neely, Kelly Neff, Mark Pynes, Margaret Solonika, Debbie Stott, Tim Swillinger, Colleen Tremaine, Hank Trotter, Kathy York

Editor
Managing Editor
News Editor
Assistant News Editor
Editorial Page Editor
Sports Editor
Sidelines Editor
Entertainment Editor
Assistant Entertainment Editor
Night Editor
Associate Editors
Higher Education
Departments and Schools
Student Government
Features
Politics
Community

Reporters: Mike Doke, Todd Fletcher, Brent Paz, Steve Turcotte

News and Editorial 686-5511
Display Advertising and Business 686-3712
Classified Advertising 686-4343
Production 686-4381
Circulation 686-5511

Debbie Howlett
Sandy Johnstone
Frank Shaw
Brenda Thornton
Cort Fernald
Doug Levy
John Healy
Angela Allen Morgan
Kim Carlson
John Healy

Doug Nash
Melissa Martin
Jim Moore
Julie Shippen
Brooks Dareff
Michele Matassa

STOREWIDE SALE

Everything
in store

50% TO 70% OFF!

3 Days Only-Thurs, Fri, Sat.

**Berg's Ski
Shops**
13th & Lawrence Street
683-1300



Kinko's
Coffee & Teas

Bean of
the Month

\$4.80/lb.

Excelsior
House Blend

Mugs
ACCESSORIES

OPEN 7 DAYS

860 E. 13th Ave. 344-7894