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Death penalty raises touchy question

By Mike Duncan

Of the Emerald

Voters will once again be asked to weigh the pros and cons of a death penalty in Oregon when they go to the polls this November, and two of the state's leading spokespersons on the issue agree the decision is a tough one.

Speaking in favor of the death penalty was Dedi Streich, chairperson of Concerned Oregonians for Justice. Dave Fidanque, associate director of the American Civil Liberties Union of Oregon, spoke against the proposed law.

The two met Wednesday afternoon as part of the ASUO's Politics '84 symposium to discuss the death penalty as proposed in Ballot Measures 6 and 7.

"The death penalty is killing by our government on behalf of all of us," Fidanque said. "I believe that killing is never justified. The state should never be the one to say that in any particular circumstance killing is justified."

Fidanque also pointed out the possibility of a person being falsely accused, convicted and executed of aggravated murder in a state where the death penalty is law. Minorities and financially disadvantaged individuals are more likely to be executed than upper-class whites, he said.

"I don't want to unleash that legal system on people who are going to be

looking at a lethal injection at the end of the line," Fidanque said. "With a prison sentence there is time to save an individual who was wrongly accused, but for an execution, there is no reversal."

Streich first addressed the issue of deterrence to murder associated with the presence of a death penalty in a given state. She noted that the opponents of the death penalty have used the lack of conclusive evidence as proof in their favor.

"The idea that the lack of proof of deterrence is the same thing as proof of lack of deterrence is, simply, not so," Streich said.

Streich said that conclusive evidence for either side did not exist, but offered an abundance of anecdotal studies that showed criminals spared their victims when they remembered a death penalty was active in the respective state.

Streich said that 10 percent would be a conservative estimate of a deterrence effect in a state with an active death penalty, and claimed then that 11 of the 111 Oregonians who were murdered last year died needlessly.

Equally concerned with the possible execution of an innocent individual, Streich explained the safeguards within Ballot Measure 7 that would prevent such an occurrence.

A key issue in the measure is the

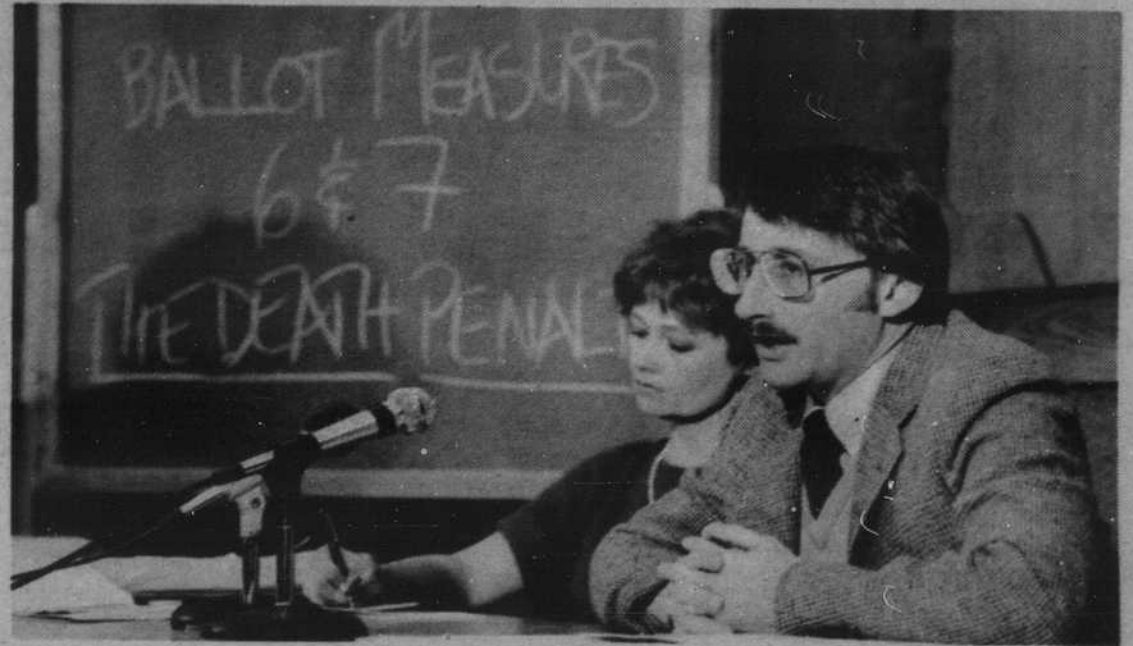


Photo by Bill Harpole

Dedi Streich favors deterring murder with the death penalty while Dave Fidanque argues that killing of any sort is unjustified.

definition of "aggravated murder," she said. If Measures 6 and 7 passed, aggravated murder would be defined as a felony plus murder — which includes rape, kidnap and torture.

Under those conditions, a person convicted of aggravated murder under Measure 6 also must receive three unanimous convictions of aggravated murder under Measure 7 to receive the death penalty.

"I find it impossible that an innocent person could slip through four unanimous juries," Streich added.

In his closing statements, Fidanque said the measure may be met with the same results as it has been met with in the past.

"Oregonians have repealed the death penalty twice before, and because of its inequities, if it's made law, we'll probably do it again," he said.

Measure 8 will protect rights of crime victims

By Scott McFetridge

Of the Emerald

Bob Kouns, a Multnomah County father, saw how the courts dealt with the murder of his daughter and didn't like it.

The system is set up so that the defendant has all the rights and the victim is treated as if he or she were on trial, Kouns said at a debate on Ballot Measure 8 in the EMU Forum Room Wednesday.

Passage of the measure, which is on the Nov. 6 ballot, would give prosecutors increased control over trial procedure, including the power to demand jury trials and to prevent dismissals after civil compromises. The measure also repeals statutes setting standards for police searches; allows crime victims a voice in trial scheduling, sentencing and parole; alters acceptable evidence standards; and amends other court procedures.

"We liberals, out of the best interests, have made a serious mistake," said Kouns, whose daughter was murdered in San Francisco. "The victim does not have equal civil liberties."

The court system works only to protect the defendant from the possibility of an unfair conviction, but ignores the victim, Kouns said. He cited the fact that previous convictions are usually inadmissible as evidence and that the prosecution can't ask questions that weren't brought up in direct examination by the defense.

The passage of Measure 8 will solve these problems and others involving the state judicial system, said Kouns.

But these changes are only a small part of a long and confusing measure, said David Fidanque, associate director of the American Civil Liberties Union of Oregon. There is no way to tell yet what the effects of the measure will be, he said.

The measure will repeal the Oregon law prohibiting police from frisking an individual without reasonable suspicion that he has committed a crime, Fidanque said.

The laws governing search warrants would also be changed and any judge in the state would be able to grant a search warrant to police in any city.

Eugene attorney Greg Veralrud said the problem with the measure is that the defendant would cease to be considered innocent until proved guilty. The defendant needs more protection because his innocence is being challenged and he is facing an impending loss of freedom, he said.

Activist talks on power, health

By Shannon Kelley

Of the Emerald

"You know what power is? Power is when you get up in the morning and watch the sun rise and it smacks the nighttime and cleans out the sky and never makes a sound," Dick Gregory said. "That's power."

The audience at South Eugene High School Wednesday night apparently agreed. They stood up and cheered after his hour-and-a-half talk that covered everything from racial problems to fasting, the Reagan administration to one's own God power.

The comedian, social activist, health advocate, Gandhian, humanist and reformer arrived an hour late to the Associated Students of Lane Community College sponsored event.

"I can't say that it's a pleasure to be in Eugene," he told approximately 600 people. His plane was delayed and there weren't many black people at the airport, he said.

"Black folk travel by Greyhound," Gregory said. "They're not going to tolerate any lying from the Greyhound. When you lose your bags at the airport, they pretend like you never had them."

While waiting for Gregory, the audience was entertained by people who took advantage of an open mike to sing, read poetry and encourage people to get Pres. Ronald Reagan out of office.

Gregory mixed his humor with serious issues. He became a comedian in the early 1960s and later joined the civil rights movement. Inspired by Mahatma Gandhi, he experimented with prolonged fasting to protest the Vietnam War.

Gregory believes that Reagan, who he says looks like an old turkey because of the loose skin on his neck, is not in tune with people. Poor people have been seriously affected by the Reagan administration and "he don't even know."

When Reagan ate in a McDonald's restaurant the other day "it scared me to death," Gregory said. "That stuff won't come out of his system for 48 hours."

About the nuclear issue: "We have enough nuclear might to destroy the world 100 times," he said. "You say I'm only gonna pay for it once."

"Strength is not the ability to destroy nations, but the ability to build them," he said.

On the presidential elections, Gregory said that the right to vote for the lesser of two evils "ain't no right."

He believes black people should take over because they at least would have voted for the Equal Rights Amendment. He told Jesse Jackson not to run, however. He wanted him to wait until the white people had someone worth running against, such as Ralph Nader.

The three biggest addictions are caffeine, nicotine and



Dick Gregory

alcohol. While people talk about nicotine causing lung cancer, the fact that coffee is the biggest cause of stomach cancer is overlooked, he said.

"Alcohol is legal, but they regulate my vitamins," he said. He blamed alcohol for 75 percent of homicides and half of all automobile accidents.

The answer is not complex, it is simple, he said. Stop eating junk and start fasting.

"How do you fast?" he asked. "Stop eating."

"Take care of your body," he said in a low tone, his eyes glistening.

And throughout his talk he said over and over again, "You can make a difference."