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prosecution for the spread of the HIV virus, most of the indictments have involved intentional acts, as opposed to recklessness.

It is more difficult to prove someone intentionally spread the HIV virus, or any other potentially communicable virus or disease than to prove

to be a carrier of the virus and not know it.

"Can people be criminally charged if they don't tell people?" Gough asked. "Some people don't know they have it... If they didn't check it out, is it a crime?"

Larson said the state is not out to prosecute those who test

Legislature never meant the law to cover communicable diseases. "It's very important that the Legislature did not intend to cover communicable diseases," he said. "The Legislative intent was that an instrument should be involved, such as a car, knife or gun."

In response, Larson said it's impossible to determine what the Legislature had in mind when it drafted the law, and that there is no language that excludes prosecution for spreading diseases.

"I wish he'd give me his research," Larson said. He added the statute also doesn't say anything about instruments. "It requires a certain kind of act. If you act knowingly or believe that you could kill someone, it fits."

Despite Larson's claim the state is not planning wholesale prosecutions, Fidanque said he thinks the indictments may cause individuals in high-risk categories, including homosex-

ual men and intravenous drug users, to be reluctant to get tested for the HIV virus.

Because the public doesn't realize Beason voluntarily gave the state permission to look at his file, some people are afraid the state may have the right to prosecute anyone carrying the HIV virus. However, Larson said this fear is unfounded.

"It is not our intent to increase paranoia," Larson said. "We have to prove that the person intentionally engaged in conduct with total disregard for the safety of the other person."

Nonetheless, Fidanque maintains the criminal justice system is the wrong place to deal with AIDS. He claims the district attorney's office was supposed to

discuss Beason's situation with the Oregon State Health Division before issuing an indictment.

However, Larson said he had no knowledge his office agreed to contact the health division.

Health division Administrator Kristine Gebbie did state shortly after the indictment that a criminal charge is not the way to deal with the fact Beason is carrying the virus that causes AIDS.

Fidanque predicts the case will set a regretful precedent if Beason loses. "We will look back on it as hindering efforts to prevent the spread of the disease," Fidanque said. "The DA has started down a path that's going to embarrass him."

'We're not prosecuting just anybody with AIDS. That would be brutal'

— Darryl Larson

recklessness, Gough said. He said the district attorney's office is expanding the definition of reckless endangering to prosecute Beason.

"The state went to incredible lengths to bring this case," said Gough, who maintains that applying the "reckless" standard raises some confusing issues, especially because it is possible

positive for the virus, or those who actually have AIDS, unless they endanger others. "We're not prosecuting just anybody with AIDS. That would be brutal," Larson said.

Another issue the case brings up is the Legislature's intent in passing the reckless endangering statute in 1971. Fidanque, representing the ACLU, said the

Et al.

MEETINGS

Pi Gamma Mu International Honor Society in Social Science meets tonight at 5:30 in EMU Cedar Room C.

The ASUO Committee on Committees meets today in EMU Century Room C at 2:30 p.m.

Pre-law newsletter meeting today at 4 p.m. in Room 164 Oregon Hall.

Women's Support Group for Adult Learners meets today at 11:30 a.m. in the Wesley Center, 1236 Kincaid St. Light lunch provided.

MISCELLANEOUS

The University Main, Science and Architecture and Allied Arts Libraries will extend their hours during dead and finals weeks until 2 a.m. beginning tonight through Wednesday.

Dec. 16. No reference services will be available.

Volunteer Corp. Representative will speak at the Newman Center Mass tonight at 9. This is the last student Mass of the term. Bible study begins at 8.

"**Uncensored**," a 30-minute video of comments on the irrational threat of the arms race by American female politicians, authors, psychiatrists, peace activists, physicians and scientists will be shown today at 1:30 p.m. in IMC studio E as part of the War in the Nuclear Age class. All are welcome.

Russian formalism and the music video is the topic of discussion by Tim Bower tonight at 6:30 in Room 202 Villard. Sponsored by the Telecommunications and Film Association.

Deadline for submitting Et als to the Emerald front desk, 300 EMU, is noon the day before publication. Et als are run only once. Events with a donation or admission charge will not be

considered. Events occurring nearest the publication date and campus events will be given priority.

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