

## Better wording for death penalty law

It has been more than five years since Oregon voters approved a death penalty initiative, but it was only this year that the state supreme court cleaned up the language in the bill.

In 1984, Oregonians approved a death by lethal injection capital punishment bill. Since then, 23 people have been put on death row, but none have been executed.

The previous bill had three requirements for which jurors could sentence a convicted killer to death: the defendant had to have killed deliberately (murder in the first degree), be a continuing danger to society, and have acted unreasonably to provocation.

The Oregon law was modeled after one in Texas. Four years ago, Jeffrey Scott Wagner became the first convicted killer in Oregon to be sentenced to death, and his appeal reached the U.S. Supreme Court.

The Supreme Court ruled in an earlier Texas case that jurors weren't given the opportunity to weigh "mitigating circumstances" in their decisions. Since Texas' law had to be changed, so did Oregon's. Wagner's case was sent back to the Oregon court system, and last year became the basis for the new law.

Depending on who you talk to, the new Oregon death penalty statute will make it either more difficult to execute a killer, or make it much easier.

The new law allows mitigating evidence, such as a defendant's background, to be considered. But the law also instructs jurors to not award the death penalty if "any aspect of defendant's character or background ... would justify a sentence less than death."

The new wording has totally confused the status of the 23 convicted inmates. Because they were convicted under the old law, all have the option of new appeals. Wagner's and three other cases have already been awarded new cases, but the 19 other cases currently on appeal could go back to the circuit courts for new trials.

While the new law will cause inevitable delays in court trials, most lawmakers have welcomed the new wording. People on death row have the appeal option open to them, but the cost of new trials in all 23 cases has been avoided.

No two people can completely agree on how, or even if, the death penalty should be invoked. The whole basic, moral question of whether there should be a death penalty is up to the individual to decide.

But in 1984, Oregonians decided they did want a death penalty for capital cases. Anything that simplifies the law, and makes the process more organized and less open to mistakes, is welcomed.

There are crimes that *do* deserve the death penalty. But a juror's decision to sentence someone to death is not something to take lightly. The new wording will only help jurors, not hinder them. In matters of life and death, it is best to have language in a law that leaves little chance for error.



## Letters

### Vandalized

Sometime between 11 p.m. and 1 a.m. Friday, Jan. 12, someone or a group of people vandalized my car in the parking lot at 14th and Kincaid, across from PLC.

Two tires on the passenger side were slashed, the power mirror was broken on the right side, the right-hand wiper blade arm was broken off, and food was thrown all over the car. The damage to my car was nearly \$400.

There was also a hypodermic needle laying among some garbage on the ground next to the car. Not only is this act obscene and infantile, it is illegal. I called the police but they would not send out an officer because there was no suspect.

It is a shame that I no longer feel safe coming down to campus in the evening to enjoy a night out. I don't feel safe on East 13th Avenue, because people have been assaulted in front of open establishments; I now feel my car is not parked safe in a well-lit parking lot.

If someone witnessed this act, would they please call me at 686-2305? I doubt if I could prosecute someone because of lack of evidence, but I would like to know when it happened and how many people were involved.

Cathy M. Price  
Eugene

### Patriarchal

Reading William Moore's patriarchal judgments on abortion (*ODE*, Jan. 15) left me only too able to imagine myself living in the last century, one in which women had no voter or property rights, and when all but a stigmatized minority were restricted to the domestic sphere and the dictates of men and their own biological function.

Education, rights and jobs were largely felt wasted on them. I prefer to live in the late 20th century and see the considerable, yet incomplete, legal and intellectual freedoms enjoyed by more women.

The narrow attitude that allowed any black to be considered a non-person and a woman to be a fair target for domestic violence is the same one that persists in condemning those who consider themselves unprepared or unfit for the responsibilities of motherhood.

Being an individual requires choice: for women, autonomy with regard to biological function is the essential choice. It is not for men to choose; isn't that playing the slave owner or the cruel husband?

No woman sees abortion as a first choice for birth control. It is a difficult and personal decision, and while I am not sure how I would react, I know I would defend to the last another woman's right to self-determination.

In our wasteful society, many children grow up without knowing integrity or compassion, victims of economic or social circumstance. It is ironic that we are ready to vehemently protect them as fetuses, and then ignore them as they grow. Enough is enough.

Caroline Jewers  
GTF

### Compassion

In regards to William Moore's letter (*ODE*, Jan. 15), I agree with him that yes, abortion is wrong, and I don't think anyone is happy that these unborn children are being killed.

He says, however, that we must respond to the issue with integrity and compassion, yet he shows a great lack of compassion toward a woman with an unwanted pregnancy. Does he really think that making abortion illegal is going to stop it? Well, it's not. It will only lead to what I believe is a greater horror: illegal abortion.

I can understand his point of view, but what I can never understand is the lack of concern for the victims of illegal abortion. Do they feel these women deserve to die because they choose to have an abortion? What about the friends and family who will be profoundly affected by their injury or death?

I'm sorry, but I must place the lives of women far above the lives of their unborn children.

Yes, we could make abortion illegal, and we could also make starvation illegal. But people would still starve unless we give them something to eat, and there will always be abortion until we get comprehensive, intelligent sex education, and easier availability of safe, effective contraceptives.

Kathy Yonker  
Political science

### Effort

I know that a lot of people are sick to death of hearing about recycling, and how every little bit helps. Fine.

Nevertheless, recycling is still a matter of personal choice. Granted, recycling is a hassle; that's why many people avoid it, but sometimes it's pretty easy to do.

Recently I noticed many copies of the *Emerald* and other newspapers in some of the various garbage cans located in the EMU. Then I noticed garbage cans right next to those specifically labeled for newspapers.

What I would like to suggest is that if you are going to make the effort to throw a newspaper away, then please make the effort to take one more step and throw it in the newspaper can.

Amelia SchAAF  
Leisure studies

### Letters Policy

The *Emerald* will attempt to print all letters containing comments on topics of interest to the University community. Comments must be factually accurate and refrain from personal attacks on the character of others.

## Oregon Daily Emerald

P.O. Box 3159, Eugene, Oregon 97403

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, Oregon.

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

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