

Regional

People accused of flag-burning to be tried in Seattle courtroom

SEATTLE (AP) — Attorneys representing four people accused of burning an American flag say they will ask a judge Wednesday to strike down the federal flag-desecration law because it violates the First Amendment and the court ruling the law was meant to overcome.

The hearing before U.S. District Judge Barbara Rothstein is the first constitutional challenge of the Flag Protection Act of 1989, which Congress passed in October in response to the U.S. Supreme Court decision that burning a U.S. flag is protected under First Amendment guarantees of free speech.

Mark Haggerty, Carlos Garza, Darius Allen Strong and Jennifer Campbell are charged with burning a U.S. flag outside a Seattle post office shortly after midnight on Oct. 28, the day the flag protection law went into effect. They have pleaded innocent and have moved to have those charges dismissed on grounds the act is unconstitutional.

Arguing the motion will be William Kunstler and David Cole of the Center for Constitutional Rights.

Cole said Tuesday that he plans to cite *Texas v. Johnson*, the Supreme Court ruling last June that overturned a Texas conviction against Gregory Lee Johnson, who burned a flag at the 1984 Republican National Convention.

"Congress' new flag law is just as unconstitutional as the statute struck down in *Johnson*," Cole said. "If we are to have freedom of expres-

sion, people must be just as free to burn the flag to express dissent as they are free to wave the flag to express approval of the government."

Assistant U.S. Attorney Mark Bartlett was to handle the government's case. He could not be reached by telephone Tuesday.

Cole said both the U.S. House and Senate have filed friend-of-the-court briefs in the case and attorneys for both legislative bodies are expected to speak.

Cole said he did not expect Rothstein to issue a ruling Wednesday. If she denies the motion, he said, the defendants plan to appeal directly to the Supreme Court, as provided under the act.

Trial for the four defendants is set for Feb. 26. In addition to the flag-desecration counts, each is charged with one count of depredation of U.S. government property.

Conviction on the flag-desecration and destruction-of-property counts each carries a maximum penalty of one year in prison and a \$100,000 fine.

Kunstler also represents three defendants who were charged with flag burning following an Oct. 30 demonstration on the U.S. Capitol steps. U.S. District Judge June Green in Washington, D.C., has scheduled a Feb. 22 hearing on whether to dismiss their charges on constitutional grounds.

President Bush had sought a constitutional amendment to ban flag burning, but that was rejected by Congress, which passed the flag statute instead.

Frohnmayr sees an increase of free help

Attorney General Dave Frohnmayr says he's picking up volunteers for his campaign for governor at a brisker pace since Gov. Neil Goldschmidt announced last week he wouldn't seek re-election.

"There's been a very noticeable movement of people who were agonizing or who were on the fence," Frohnmayr said. "We've certainly seen a surge in volunteer involvement."

Frohnmayr, a Republican, made the comments during the Monday opening of his Eugene campaign headquarters.

Frohnmayr at the same time picked up the endorsement of U.S. Sen. Mark Hatfield, R-Ore. Hatfield has had a close working relationship with the Democratic governor and had stayed neutral before Goldschmidt pulled out of the running.

Frohnmayr said many of the new volunteers said they were ready to help Goldschmidt until he made the surprise announcement. Goldschmidt said marital problems led to his decision.

Secretary of State Barbara Roberts is seeking the Democratic nomination to succeed Goldschmidt, and Frohnmayr said the race still will be a difficult one.

"We don't underestimate any potential opposition," he said.

Frohnmayr and Roberts so far have no prominent challengers in the May 15 primary election; the filing deadline for candidates is March 6.

In other remarks, Frohnmayr said he hadn't ruled out backing a proposed 4.8 percent

sales tax to finance schools and in turn cut local property taxes.

The proposal is one of several tax plans being considered for placement on the May ballot as advisory measures related to school finance.

Frohnmayr said he's perplexed by criticism that he hasn't more forcefully addressed some issues.

He said a review of news clippings of the governor's race in 1986 showed candidates had taken few solid positions by February.

"At the appropriate time, there will be plenty of time to talk about very specific details," he said.

Meanwhile, Goldschmidt's main campaign adviser said the governor will send a letter to all his donors asking whether they want their contributions returned, after a share of expenses to date are deducted.

Mitzi Scott wouldn't say how much had been raised for the campaign, but other sources have indicated it is close to \$400,000.



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KEYNOTE SPEAKERS INCLUDE:

Paul Loeb...

He is the author of *Nuclear Culture and Hope in Hard Times*. Paul Loeb will explore the connections between critical global issues and our lives as students and leaders.

James Newton...

James Newton is the co-founder of Wings Enterprises Inc., and facilitates on site trainings for corporations and organizations throughout the country.

Linda Williamson

Linda Williamson is currently the owner of VisionTrek Inc., an international outdoor adventure and personal transformation company.

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