

# UNIVERSITY

## Constitution Court won't dismiss IFC

By Catherine Hawley  
Emerald Associate Editor

The ASUO Constitution Court declined a second time to rule whether members of the Incidental Fee Committee are shirking their duties by suspending budget hearings indefinitely.

Chastising the ASUO Executive for engaging in "petty political intrigue," the court ruled Thursday that it would not reconsider an earlier decision on IFC members' fulfillment of duties.

"The IFC cannot attempt to remove one of its members by subterfuge when its own procedures have failed," the court said in its decision, delivered by Justice Steven Briggs. "If the IFC and the ASUO Executive cannot remove Mr. (Mike) Colson by permissible means, they must drop the matter and carry on their duties in a responsible fashion."

Thursday's ruling was made at the request of the ASUO Executive and the Student Senate, who asked the court to readdress a May 10 opinion in which it said IFC members had until Monday to resume their budget duties.

On Monday, the Executive assumed responsibility for allocating incidental fees to student groups whose 1991-92 budgets have been on hold since the IFC suspended hearings on April 30.

ASUO President Kirk Bailey said Thursday that the court's ruling was disappointing.

"It sends a message that these people can just throw up their hands ... when there's a problem," Bailey said.

The IFC has been deadlocked off and on since Bailey recommended that member Mike Colson be voted off the committee after an investigation led by Bailey and Affirmative Action Coordinator Bobby Lee implicated Colson for tampering with IFC computer files.

Lee said he disagreed with the court's focus on the political motives behind the ASUO's request.

"The Constitution Court is supposed to interpret law, not personalities or characters or the political culture," Lee said.

Colson, however, applauded the ruling. "The court has shown that at least one branch of student government retains its senses," he said.

Unless sponsors of a recall effort against Colson gather 1,780 student signatures by June 3, Colson will most likely serve the second year of his two-year IFC term.

Also Thursday, the court released an advisory opinion requested by Colson that upheld the ASUO president's right to conduct investigations and make recommendations based on his or her opinions of the findings.

## FLIERS

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feel threatened on campus than those fliers ever did," she said.

The controversy began in mid-February when the subject of the fliers came up in a women's studies class. A student in the class, Alexandra Foote, said she knew the identity of the people responsible for the fliers and their motives for posting them.

"At the time, I was taking a women's studies class, and these fliers came up in class, and women were getting really angry about it, calling them misogynist," Foote said.

"I said 'Listen, I know who did the fliers,'" Foote said. "They're progressive, lesbian, women's studies people, and they didn't mean any misogyny by it. It was meant as a joke, as a socio-political joke." That's all I said."

OPS was alerted that Foote knew the identity of the person or people who distributed the fliers.

Within a week, OPS officers went to a session of Foote's class and asked students who had been sexually assaulted or harassed to fill out complaint forms. Several women did so.

The class instructor, Nadia Telsey, said she invited the officers to the class because of discussions the class had been having.

"I invited them because we had been sharing information in class, and I wanted to share it with (the officers)," she said. Telsey would not say what the discussions were about.

According to a police report, OPS officer Joan Saylor hap-

pened to notice a similarity between the handwriting on the fliers and the handwriting of Lubbsmeyer, who filled out a form in the women's studies class.

Saylor sent copies of the fliers and Lubbsmeyer's complaint to a handwriting analyst, who determined the handwriting could be the same.

Lubbsmeyer was brought into OPS and questioned by officer Saylor. Lubbsmeyer said she was not responsible and suggested Saylor contact Foote.

Although Foote confirmed Lubbsmeyer's denial, Lubbsmeyer said she was pressured to disclose the names of the people responsible, although she told Saylor she did not know who drew the fliers.

"Joan said I needed to have a reply in by 4:00," she said. "Joan scared me. She said I needed to give her a name or my name would be on the file."

Saylor is out of town and unavailable for comment.

Foote refused to identify the woman, but she gave officers an anonymous letter from the person responsible. It simply said, "I am the artist responsible."

Lubbsmeyer was told OPS believed the suspect was in the art department.

Lubbsmeyer was asked if she knew of anyone in the art department who may have been responsible. She identified Kirsten Henjum, an art major, as an acquaintance.

"Lisa was under a lot of pressure," Henjum said. "She was asked if she knew a Kirsten in the art department, and we know each other."

Shortly thereafter, Foote inadvertently revealed the first name of the person responsible as Kristen.

The police report states that an anonymous caller identified Henjum and her partner Hammerstad, as the responsible parties; however, Foote and Lubbsmeyer said neither made the call.

Henjum and Hammerstad were then informed that they were being charged with a Student Conduct Code violation.

"We couldn't ... find out who was accusing us or what it was all about," Hammerstad said. "We had a real strong feeling that it had something to do with us being lesbians because we couldn't think of any other reason why anybody would accuse us of doing something so ridiculous."

Student conduct coordinator Elaine Greene said Henjum and Hammerstad's assessment of the proceedings is not accurate.

"We evaluated the report, and I believe the investigation was not handled any differently than if it had been a straight, white male," she said.

Foote was again questioned and asked if Hammerstad and Henjum were responsible. She said they were not.

"At that point I was really fed up," Foote said. "Three women had to be held accountable for something that they hadn't done, and I was ready for (it) to stop."

"I knew the woman who did it wasn't willing to come forward so I went ahead and told Elaine Greene of who did it," Foote said. "Personally, I really didn't like seeing other people dragged into this mess."

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