

Judge hands down overly harsh ruling

For University students Brian Hoop and Carlos Arias, the punishment didn't fit the crime — it went well beyond it.

Hoop and Arias were sentenced to 60 days in prison for breaking windows at the Federal Building during an April 30 student protest of the Rodney King verdict. They were also sentenced to 100 hours of community service and asked to pay a modest restitution for the damages.

There is no doubt that Hoop and Arias were out of control. Anyone watching videotaped footage of the incident will remember Hoop excitingly smashing his foot through the window. It was an irresponsible act that deserved punishment.

But Hoop and Arias did not go to the Federal Building with the intent of destroying property. The student rally, which started on campus, turned more emotional and vivid the longer it lasted. Students were genuinely upset with a verdict they saw as unjust, and a peaceful protest unfortunately turned into more.

The best result would be to teach Hoop and Arias to channel their emotions constructively rather than destructively.

But 60 days in jail won't do that. The federal prosecutor in the case recommended no jail time, saying 200 hours of community service and restitution would suffice. Indeed it would have, because it would require Hoop and Arias to contribute to the community in a constructive way. They destroyed property in the community. Now let them help the community right back.

Inexplicably, U.S. District Judge Michael Hogan didn't follow the prosecutor's recommendation, saying any sentence without confinement would depreciate the seriousness of Hoop's and Arias' actions.

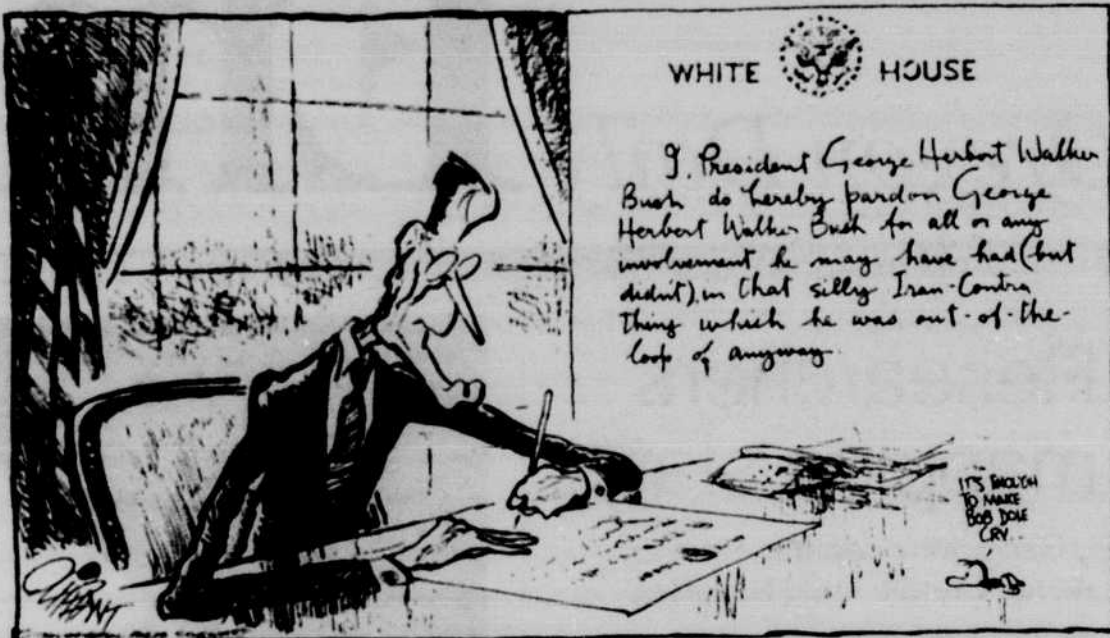
In other words, the judge was trying to make an example of Hoop and Arias. He wasn't sentencing the individuals for the crime itself, but was thinking about deterring future protesters from similar action.

That would make sense if the Federal Building were under constant threat of being destroyed. But it's not. And it's unfair to Hoop and Arias, who were merely the most active of the demonstrators at the rally.

If the judge wanted to give a severe punishment that was fair, perhaps he should have made them pay a higher restitution. The building suffered \$6,131 worth of damage. Hoop and Arias were charged \$138.46 and \$553.84, respectively. They certainly were not responsible for all the damage themselves, but a higher restitution fee and less jail time is more logical.

Hoop and Arias were certainly guilty. But the punishment was unnecessary.

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OPINION

Don't ignore continuing OCA threat



What luck for rulers that men do not think. — Adolf Hitler

What is the OCA, and why is it here? In only four short years it has risen from obscurity to the most prominent political action committee in Oregon and virtually taken over the state's Republican Party.

The OCA has gained the power it has by deceiving two groups of people — Republicans and Christians. Get one thing straight right now — the OCA is not a Republican organization, and it is not Christian. It is a small group of power-hungry individuals who have convinced people that they share common beliefs.

Nothing could be farther from the truth.

The OCA has twisted Republican beliefs in fiscal and legislative conservatism into moral and social conservatism. There is no connection between those sets of values, period.

The OCA's Ballot Measure 9 was as un-Republican as a ballot measure can be. Perhaps the greatest legacy of the GOP is the emancipation of African-Americans during the Civil War. How the OCA could consider discrimination a Republican value is a classic study in twisted logic.

But even more to the core of republicanism is the desire for less government. Less government or more government is a basis for dispute between Republicans and Democrats that began with the Continental Congress and the framers of the Constitution. Less government is the defining value for Republicans. Measure 9 was such a direct contradiction of that value that "OCA" could be a definition for hypocrisy.

Oregon Republicans jumped on the OCA bandwagon mainly because they did not, and still don't, understand the basic tenets of their party. The national GOP has been overrun with religious zealots long enough that many Republicans now believe

that religious fundamentalism is a Republican value.

This leads to discussion of the other wing of the OCA, which is of both fundamentalist and clueless Christians.

Simply put, there is no intelligent interpretation of the Bible that could lead to acceptance of Measure 9. To take one sentence from the entire Bible and attempt to justify discriminating against an entire group of people is not naive or misinformed — it's just plain stupid. The OCA's ignorance knows no bounds.

If the OCA was truly afraid of the government contradicting the Bible, it ought to initiate a ballot measure to repeal ORS 316.019. This little known statute gives tax credits to farmers who glean their crops. Gleaning is the process of collecting the part of the crop, usually wheat, that is left on the ground after the initial harvesting.

The book of Leviticus, the same part of the Bible from where the OCA derived Measure 9, specifically prohibits the gleaning of crops. Before we know it, the powerful militant farmer lobby will be attempting to teach schoolchildren that crop gleaning is an acceptable alternative lifestyle.

And, obviously, a tax credit for these sinners amounts to special rights. Regular people don't get tax credits for picking up after themselves, why should farmers?

The OCA has also failed to discern the religious hypocrisy they project. The only other major countries that have anti-homosexual laws are the (former) Soviet Union and China. Neither country has been known for its warm embrace of Christianity or democracy. That's one exclusive club most Oregonians would probably not choose to belong to.

But the most frightening thing about the OCA is not its basic stupidity, but the motivations of its leadership.

The OCA, the true OCA, consists of about four or five people. Their agenda seems to be one of power, pure and simple. They have found that by calling themselves "Christian" and quoting the Bible that people will blindly follow them like sheep.

The same goes for Republicans. Homosexuals have adopted the Democratic Party as their

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own, so it seems obvious that Republicans would oppose them, and the OCA has used that to its advantage.

The OCA has demonstrated that its desire to have power supersedes its desire to further Republican causes and candidates. The OCA cost Republican Dave Frohnmayer — now dean of the University's law school — his bid for governorship.

Instead of supporting the Republican candidate, the OCA entered Al Mobley as its puppet candidate. The conservative vote was split and Barbara Roberts was elected with only a plurality.

This past summer the OCA attempted to form a third party, the American Heritage Party, and was going to run Mobley against Bob Packwood in the senatorial race. Its bid failed and Mobley was put on the shelf to wait for new orders from his OCA masters.

With the defeat of Measure 9, the OCA has set about rewriting the measure and will submit it next year. Currently, it is going about attempting to destroy the state's Republican Party from within.

The goal of the OCA is power; the means to that end are divisiveness and destruction.

In the coming months, Oregonians must not let the OCA fade into the background. It will be the role of the media to keep the OCA in the spotlight and subject it to scrutiny.

Measure 9 was not about homosexuality; it was about civil rights. The OCA and its ilk have given up the abortion issue as its primary cause and chosen homosexuality instead.

It is only a matter of time before that issue is played out and another group of people are singled out for discrimination. Who's next? Ten-to-one it's not the wheat farmers.

Martin Fisher is an editorial editor for the Emerald.

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