

ASSAULT

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\$100,000 fine, occurs when more than one assailant is involved.

Steven Andrew Laliberty, 23, told police he and a 19-year-old University student were standing on the corner of 13th Avenue and Mill Street when Pendexter verbally harassed them from across the street, according to police.

Laliberty then yelled back to Pendexter that he loved him. At that time, Pendexter crossed the street, called Laliberty a "f---ing fag" and assaulted Laliberty, according to police.

In a follow-up report, Pendexter told police he crossed the street after exchanging words with Laliberty. Pendexter said Laliberty was standing "within inches from him, saying 'I love you' two or three times." Pendexter told police he pushed Laliberty away and then left the area.

Pendexter's account of the incident was confirmed by University student Eric Steven Householder.

Householder said Laliberty's sexual orientation was not an issue in the incident.

"I didn't even know he was bisexual until I read it in the *Emerald*," Householder said. "It was nothing like that. He was right in (Pendexter's) face, saying 'I love you. I love you.' That's when Todd pushed him away. It wasn't even a real fight. It was just pushing."

Laliberty said this was definitely a gay-bashing incident and was not a case of a confrontation between people on the street just looking for a fight.

"What I felt from the whole situation was that they may not have known what my sexual preference was," Laliberty said, "but I feel they suspected my sexual preference was different from theirs, and I fully believe that is what fueled the attack."

Laliberty's original statement to police cites only one assailant. In a subsequent statement to the *Emerald* (ODE, Feb. 2), Laliberty said there were seven to eight assailants, and the assault included one person allegedly exposing his penis.

Laliberty said he told police about the number of assailants and the details of the assault.

"I don't know why that wasn't in (the report)," Laliberty said. "I don't see how they could have gotten confused, except that I was extremely irate. I'm going to be filling out a supplementary report. There were more people involved in the violence."

Birr said Laliberty did not give the reporting officer, Gregory S. Harvey, any information about

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— Steven Laliberty,
filed assault complaint

more than one assailant when the initial report was filed.

"Some additional bits of information have come to light following the interview (at the scene)," Birr said. "But Harvey indicates he was not told about any of it at the time."

Several people at Wednesday's press conference at the Free Speech Platform expressed concern that Pendexter was not being charged with the felony.

Lane County Assistant District Attorney Floyd Prozanski said first-degree intimidation charges have not been filed because there is not enough evidence in the initial police report to confirm there was more than one assailant.

"Based on what the report says, (second-degree intimidation) is the best we can do," he said. "We're open to review the case, but we can only work with what we've got."

Prozanski said his office last week advised Laliberty and Office of Student Advocacy Director Marlene Drescher that Laliberty needed to file a supplemental report if he wanted to add more to his initial statement, but Laliberty has not yet done so.

"We will review the case again," Prozanski said. "But we haven't seen (a supplementary) report, and we haven't seen the co-victim."

Meanwhile, Birr said it will be up to the courts to find the truth in the different stories.

"What we're stuck with is a case of 'this person says, this person says,'" Birr said. "The police report says Pendexter was the sole assailant. But according to what Laliberty told the *Emerald*, there were several people involved in the assault. There's a lot of this that still has to be sorted out."

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CAMPSITE

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understanding of how to financially manage the homeless problem. The councilors agreed that evaluations from campers, community members and local businesses should be taken after the site is closed.

Councilman Randy McDonald said he was concerned that the campsite will be a "stopgap" means of addressing a much larger issue.

"We need to go beyond this and involve the county and the state and other entities, such as the private sector, to participate in some longer-term shelter in

this community that has avenues for transition and work opportunities," he said. "We can't do this alone. There's no way Eugene can be a finger in the dike of homelessness in this region. But it is a first step."

Councilman Bobby Green acknowledged that the council has "all the reason in the world to be concerned" about what happens, but that the big picture must be kept in mind.

"We're showing that this council is willing to take the lead on this," he said, "and no one else is going to. In the future, it will be shown that this city council did take that first

'We're showing that this council is willing to take the lead on this, and no one else is going to.'

— Bobby Green,
city council member

step, and we'll be the ones who can go to the table with other governments in this state and say, 'Look, we've done something here and we expect you to do your part.'"

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