

# Prisoner claims 'scholar's privilege,' stays in jail

SPOKANE (AP) — A researcher claiming "scholar's privilege" in refusing to testify about a radical animal-rights group marked his 131st day in jail Tuesday, a chance for release dashed by a U.S. Supreme Court justice.

James Richard "Rik" Scarce has been jailed since May 14, when a judge found him in civil contempt.

Scarce refused to answer a grand jury's questions about conversations he may have had with a person being investigated in the vandalism of animal research offices at Washington State University in Pullman, 80 miles south of Spokane.

Scarce claimed he was entitled to a "scholar's privilege" under the First Amendment and federal common law — similar to that of a reporter — not to divulge information he obtained under promises of confidentiality.

But a federal appeals court concluded no such right exists and last Monday, U.S. Supreme Court Justice Sandra Day O'Connor refused to order Scarce's release on bail.

Scarce, 35, is the author of *Eco-Warriors: Understanding the Radical Environment Movement*, a study of Greenpeace, Earth First! and other activist groups.

A group calling itself the Animal Liberation Front claimed responsibility for the Aug. 12, 1991, raid that caused about \$100,000 worth of damage at U.S. Department of Agriculture offices at the university.

Scarce said the rulings against him have only strengthened his resolve not to compromise his principles.

"I've grown angrier as this has gone on," he said from behind thick glass in a Spokane County Jail visiting booth. "No one who has claimed First Amendment protection has ever been held more than 46 days for contempt. In the past 10 years, no one from the press has ever served more than 18 days."

"I've just finished my 18th week and I'm stunned that this would drag on for so long."

Scarce has acknowledged he is a friend of Rodney Coronado,

an activist and target of the grand jury's investigation. Coronado, whose whereabouts are unknown, was house-sitting Scarce's Pullman home when the Washington State offices were vandalized.

Coronado was indicted this year on federal charges in Michigan stemming from an arson at Michigan State University in February 1992. A grand

jury in Oregon also is investigating a similar break-in at Oregon State University.

Scarce hasn't said whether he talked to Coronado or others about the Washington raid, but contends the conversations would have been part of his research made under promises of confidentiality.

"I'm looking at my career being trashed if I take any other

course," Scarce said. "I simply do not see how a judge could continue to hold me."

In rejecting Scarce's claims, a three-judge panel of the 9th U.S. Circuit of Appeals in San Francisco last Friday cited a 1971 Supreme Court ruling that reporters who witness a crime could be compelled to testify. "The newsperson's privilege that Scarce claimed by analogy

did not exist," the panel ruled.

U.S. Attorney James Connelly said Tuesday, "I think he's going to have to testify if he wants to be released."

Scarce could be held until the grand jury's term ends. It is scheduled to finish in December, but could be extended for six months. Congress has limited contempt jailings to 18 months.



**Banyan Tree**  
natural fiber clothing  
Infants • Children's • Adults  
485 E. 13th • 485-0333  
10-6 Mon-Sat • 12-5 Sunday

**LOCKER RENTALS**

- \$5 Key Deposit
- \$4 Per Term



EMU Recreation Center  
Ground Floor, EMU  
346-3711

Quit dreaming...  
**START SCREAMING!!!**

**SKYDIVE!**

Tandem Jump — \$135.00  
1st Static Line Jump — \$75.00

Eugene Skydivers Inc. USPA Drop Zone  
Urban Moore 345-8007  
USPA Inst. • Tandem Inst. • Pro Rating

## OSU fire damages fraternity

CORVALLIS (AP) — No one was injured last Tuesday when fire severely damaged a fraternity house at Oregon State University.

Students eating lunch in the basement of the three-story Delta Upsilon house noticed smoke about 11:30 a.m.

Further investigation found the fire burning on the third floor.


No one was on the upper floor when the blaze broke out, officials said. There was no immediate estimate of the dollar amount of damage.

The fire appears to have started in an exhaust fan on the third floor, university spokesman Lynn Spruill said.

The third floor was damaged extensively by the fire. Other parts of the building sustained smoke and water damage.

Campus officials were attempting to find alternate housing for the 47 students who lived in the house.

PRINCIPLES OF SOUND RETIREMENT INVESTING



**IF YOU THOUGHT COLLEGE WAS EXPENSIVE, TRY PUTTING YOURSELF THROUGH RETIREMENT.**

Think about supporting yourself for twenty-five, thirty years or longer in retirement. It might be the greatest financial test you'll ever face. Fortunately, you have one valuable asset in your favor. Time.

Time to take advantage of tax-deferral. Time for your money to grow.

But starting early is key. Consider this: if you begin saving just \$100 a month at age thirty, you can accumulate \$172,109\* by the time you reach age sixty-five. Wait ten years and you'd need to set aside \$219 a month to reach the same goal.

At TIAA-CREF, we not only understand the value of starting early, we can help make it possible—with flexible retirement and tax-deferred annuity plans, a diverse portfolio of investment choices, and a record of personal service that spans 75 years.

Over a million people in education and research are already enrolled in America's largest retirement system. Find out how easy it is to join them. Call today and learn how simple it is to put yourself through retirement when you have time and TIAA-CREF on your side.

Start planning your future. Call our Enrollment Hotline 1 800 842-2888.

**TIAA CREF** 75 years of ensuring the future for those who shape it.™

\*Assuming an interest rate of 7.00% credited to TIAA Retirement Annuities. This rate is used solely to show the power and effect of compounding. Lower or higher rates would produce very different results. CREF certificates are distributed by TIAA-CREF Individual and Institutional Services.