

Rising prison population threatens state budget

SALEM (AP) — The state's prison population is increasing faster than expected and threatens to carve a \$140 million hole in the 1995-97 budget, Gov. John Kitzhaber said Monday.

The governor told legislative leaders they might have to take money from other parts of his proposed budget to deal with the crowded prisons.

The state prison population has risen from 6,660 in September to 7,058 this month, Kitzhaber said.

The state Criminal Justice Council, which prepares forecasts of prison needs, estimates that inmate total will increase by 4,510 by the end of the next budget period in June 1997.

Some Republican legislative leaders questioned the Democratic governor's figures, and Kitzhaber emphasized that the estimate was based on a trend of just a few months.

"I felt it important to inform the legislative leadership and be prepared for a potential budget realignment," he said at a news conference.

He said a more detailed prison forecast would be issued in April.

Kitzhaber had no specific ideas about where to get the money to pay for the extra prison space. He said social services budgets are tight and "the only other place with that kind of money is education."

Raising taxes to deal with the problem "is last on everybody's list," he said.

The governor said the recent

inmate increase appears to have been caused by parole and probation revocations, rather than by a measure passed by voters last November.

Ballot Measure 11, setting new minimum sentences for a variety of felonies, is expected to swell prison populations but doesn't take effect until April 1.

The governor said he thinks the system is "toughening up" as judges, prosecutors and others anticipate the new law.

Kitzhaber's proposed budget includes \$93 million for adult and juvenile prisons. Plans include building four 100-bed regional juvenile facilities and adding to one, building a 200-bed adult prison and adding 200 beds at another.

Another part of the governor's plan is to finance county jail expansion in exchange for the local governments housing prisoners with sentences of a year or less.

House Speaker Bev Clarno, R-Bend, said the Legislature will provide the money if the projections hold up, but not from new taxes.

"My preference is that the funds come from lottery dollars, cuts in other government programs or increased efficiencies," Clarno said.

She mentioned scaling down the state Economic Development Department, eliminating the state motor pool and using \$50 million that Kitzhaber put in the budget for selective pay increases.

State takes 6 kids from family

PORTLAND (AP) — Capt. Gordon Whitehead, the second-in-command for Marine recruiting in Oregon, returned home from a two-week meeting in Washington to find that his six children had just been taken away by the state.

The children, ages 2, 4, 6, 8, 10 and 11, were taken from their mother at a school where she had been attending a Valentine's party Friday. The younger ones were screaming as they were pulled away.

Diane Whitehead was cited for harassment for resisting as an officer tried to take her 2-year-old son from her arms.

The court document justifying the action said she had spanked her 11-year-old son with a belt the previous night and that her house was filthy.

"They took our children without any notice, without doing a full investigation," Gordon Whitehead said Monday. "They just swept them out away from us."

Karen Lee, spokeswoman for the Oregon Children's Services Division, said there is more to the case than is apparent and that the seizure of the children, ordered by a Washington County judge, was justified.

The Whiteheads, who have never been investigated by the CSD before, strongly disagree.

"I don't like to spank," Diane Whitehead said. "This was the last resort, and I do not abuse my children."

Lee said the matter would have been resolved the next day had the children not been taken on the Friday before a three-day weekend.

A couple who live near the family's home in suburban Aloha called the sheriff's office when they heard the boy

screaming Thursday night.

Diane Whitehead said her son had been acting up throughout the day and had refused to help clean the house in preparation for his father's return.

"Finally, I said, 'Christopher, what's it going to take for you to get your work done?'" Diane Whitehead said. "I could just see in his eyes that he was testing me. He said, 'Go ahead and spank me,' and he started flicking some of the kids with a wet rag he had."

She said she spanked him with her hand, and he made a smart-aleck remark about how it didn't hurt. Then she got the belt, and had to sit on him to try to calm him down.

She admitted the boy was yelling loudly.

"I had his arm around behind him: He was yelling, 'You're breaking my arm. You're killing me,'" Diane Whitehead said.

She said it took some time to hit him with the belt on his bottom because he kept covering it with his legs.

The incident was over by the time two sheriff's deputies arrived. Diane Whitehead said one of the officers, who was extremely rude, interviewed the boy alone.

The officer noticed a red mark on the boy's lower back and Diane Whitehead said she must have missed with the belt because she was trying to hit only his bottom. The red mark was cited in the document supporting having the children taken away.

She said the two officers told her there was no evidence of abuse and that the matter would end there.

The next day, a CSD worker and sheriff's deputy came to the school, not knowing that Diane

Whitehead was there for her 10-year-old son's party.

Diane Whitehead said the officer told her he was picking up her children and she said, "No you're not."

Eventually, Diane Whitehead was handcuffed and placed in a patrol car while her children were removed from the school.

"It took two officers to handcuff me," she said. "I'm not that big but I wasn't going to let them take my kids away."

It was the kind of scene the CSD tries to avoid, Lee said.

"We would agree that that was not the way we want to pick up the kids," she said. "You don't want to create a scene."

As Diane Whitehead was being led to the patrol car, she spotted a friend from the family's Mormon church, and he telephoned the church bishop, who picked up Gordon Whitehead at the airport.

Lee said the action by her agency was justified and that the facts will come out at a hearing Tuesday afternoon in Hillsboro. The Whiteheads have hired a lawyer and plan to have many neighbors and friends there to stand behind them.

Diane Whitehead said she has had numerous disputes with CSD officials while acting on behalf of her brother, whose children were taken away by the agency. She and her husband wonder if the agency's action was in any way a retaliation.

"CSD knows me," she said. "They know my name. They hang up when I call."

But Lee said the agency doesn't retaliate.

"My guess is the branch doesn't even know about any connection," she said. "It clearly had nothing to do with this incident whatsoever."

Governor proposes to cut \$80 million from health plan

SALEM (AP) — Gov. John Kitzhaber has proposed trimming \$80 million from the Oregon health plan, which provided medical care to thousands of poor Oregonians for the first time.

Despite the proposed cuts, Republican legislators say they still are worried the program the Democratic governor helped craft is too expensive and might have to be scaled back even more.

In particular, GOP lawmakers say they may fight plans to begin making health plan participants eligible for mental health services.

"I don't cast aspersions on the value of mental health, but only on our ability to afford what we already have in the plan, let alone more," said Senate President Gordon Smith.

Kitzhaber and social services advocates say they will strongly oppose any moves to dump mental health services.

"They are assuming that if you don't

treat these people, the costs somehow will go away," the governor said.

"But these people show up as homeless individuals, they show up in hospital emergency rooms and they show up in our correctional system," he said. "We still pay the costs, only it's a much larger cost long term."

Oregon gained national recognition a year ago by rationing its health services to extend medical care to 100,000 of the state's poorest citizens. A 10-cent-a-pack cigarette tax increase also helped pay for the expansion.

Kitzhaber, who wrote the health plan when he was Senate president, has proposed cutting it back in certain areas to help balance the state's 1995-97 budget.

For instance, the governor is proposing to reduce the number of covered medical services, including thrush in infants, pelvic pain syndrome and some digestive and stomach disorders.

The governor also proposes to tighten eligibility requirements and require health plan members to pay a \$5 per visit to doctors and dentists.

However, Kitzhaber wants more than 40 mental health conditions to also qualify for coverage. The services now are being offered to about one-quarter of the health plan participants, with statewide coverage scheduled to take effect in September 1996.

The \$20 million price tag of including mental health services in the health plan is well worth the cost, he says.

"In the old days, people who had mental health problems would go into treatment and never get out of treatment," Kitzhaber said.

"Today, there are enormously effective and cost-effective treatments," he said. "There are a lot of people who can be completely functional with some pharmaceuticals and some minor treatments."

The state Mental Health Division has estimated that 30,000 people may not receive treatment if the Legislature refuses to pay for mental health services.

Smith and other Republicans say they are sympathetic but it puts too much financial burden on Oregon taxpayers.

"On the national level, we see what's going on with Medicare and Social Security," said House Majority Leader Ray Baum of La Grande. "We don't want to put Oregon in the position of trying to fund uncontrolled entitlements."

A leading social services advocate says refusal to fund mental health services would be shortsighted.

"We can't afford not to do it," said Ellen Lowe, co-chairwoman of the Human Services Coalition of Oregon. "Early intervention and treatment of mental health problems helps many people lead very productive lives."

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