

Punishments must be constitutional

Innovations in probation are becoming commonplace in the U.S. legal system. But sometimes those innovations seem outlandish and then we end up with a probation violation.

Take the case of Lisa Ann Kephart.

In 1992 Kephart narrowly avoided prison for criminal mistreatment. The charge stems from Kephart's failure, in the eyes of the court, to protect her children from the horrendous beatings she suffered at the hands of her former husband.

Kephart was put on probation. One of the conditions of her probation was that she avoid abusive relationships and obtain counseling to understand and counteract her psychological dependence on abusive men.

Kephart, however, did not keep her promise. She served 90 days in jail in 1992 when she fled with an allegedly abusive man and lied to her probation officer. And last Friday Kephart admitted during questioning by a judge, her latest companion had knocked her teeth out.

The judge in the Kephart case sentenced the woman to six months in prison for her violation.

Though the Kephart case is very interesting, it is only part of a bigger picture.

We would like to applaud the judge in the Kephart case for trying to come up with a solution that he or she thought would benefit Kephart and her children. We understand the reasoning behind this action. But we question the effectiveness and constitutionality of measures such as this one.

How can parole officers realistically regulate the behavior of parolees like Kephart? What are they going to do, move in with the parolee? Is punishing the parolee after the fact going to have the desired effect?

But more than that, we are concerned with the constitutionality of punishments like this one. We understand Kephart's children were at risk and that is why the judge in the case felt compelled to bar her from abusive relationships. But this kind of punishment does not reconcile with the growing concern this country has for the lack of personal responsibility its citizens are showing.

In the past few years, personal responsibility has been the topic of many books, including infamous defense attorney Alan Dershowitz's "Abuse Excuse" and Charles Sykes' "A Nation of Victims". Around the country people are fed up with criminals who try to blame their actions on alcohol and drug abuse or other people. They want criminals to take responsibility for themselves. How can one take responsibility for one's self if someone else is controlling one's behavior? It is a direct contradiction.

There needs to be a balance.

We think innovative ideas are very important in a justice system that has not been seriously restructured in more than 200 years, but not at the expense of individual constitutional rights.



OPINION

Parking tickets actually help students



PAUL VAN SICKLE

Everybody's whining about the parking situation on campus. Disgruntled students employ such phrases as "I never can find a parking space," or "It costs so much to park on campus," or even, "Those ticket people are out to get me!"

A little logic will tell you that none of these is a reasonable complaint. Further analysis might tell you that legitimate motivations exist for the lack of parking space or the profusion of the University Office of Public Safety ticket officers.

It never seems to have occurred to anyone the University doesn't actually want you to park on campus. Besides the environmental and political problems associated with driving, which we all know about — the carbon-monoxide, the traffic congestion, the support of fascist oil-producing cartels — there are also economic concerns. Every person who drives his or her car onto campus costs the University money in road repair and parking enforcement. I'm sure the school would much rather spend that money on our educations or even on increased security for non-driving students.

Instead, OPS is forced to spend horrendous amounts of money trying to make sure no one person monopolizes any parking space, sometimes two, and tries to keep non-students from using the lots you helped pay for when you got your permit.

Therefore, it seems obvious why the school isn't rushing out to pave more parking lots, or paint more spaces or buy

Eugene city meters off campus. It would appear OPS doesn't want you to park on campus. They don't want to spend your money on parking anymore than you want them to. Nevertheless, nobody seems to be getting the hint.

So when I see a student get a parking ticket, do they take it quietly, reveling in the satisfaction the campus security is actually trying to save you money and keep the campus green? Hardly. Many an OPS fluorescent-vested meter-maid/man has been tormented by the ungrateful student who just didn't feel like paying the meter that day. Parking officers, students just like you and me, are suddenly agents of Satan and "bitches", or better, "You asshole!" as if the officer is the reason the student drove to campus or didn't bring enough quarters.

A friend of mine who works as a parking-officer on campus compared her experiences to her previous job at a video store. Often, customers would come in to find they had a late fee on their account because they didn't return the movie on time. Instead of paying the fee and atoning for their own sin — nobody but themselves was responsible — they would complain. She's been called names and yelled at, but only because she was doing her job and trying to deter that person from returning another movie overdue.

It is exactly the same for parking on campus. Aside from the

reasons I stated already, OPS parking officers are doing better than a video store. They are raising money for the school. Think about it — If the average officer issues even 50 \$5 tickets a day, 170 days a year (the approximate number of days we are actually in school), he or she could earn over \$42,500 for the school! That's just one officer.

So maybe the meter people are out to get you. Because OPS wants to make money from the school and because of the shortage of parking available on campus, they want to make sure every person who deserves it receives a ticket. They are attempting to deter you from parking on campus, where there obviously isn't enough room for everybody.

So I try to think about the parking problem as a good thing. It helps save the earth, it saves both the city and the University a lot of money and it teaches you a lesson about sharing.

Considering the efforts the school is making in trying to save the environment and make you a better person through denying us parking for every individual, I hereby grant you some advice next time you get a parking ticket and see the responsible OPS officer nearby: Instead of screaming about excessive enforcement or misallocation of police effort, tell them "Thank you."

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The Emerald reserves the right to edit any letter for length or style.