



"THE DRAMA!"



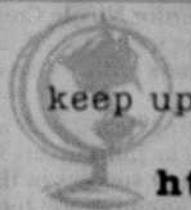
"THE ACTION!"



"THE EXCITEMENT!"



**THE 75TH ANNUAL
MEETING THIS APRIL 18TH**
3:30PM FIR ROOM, EMU



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Amazon defendants plan to appeal court decision

■ **TRIAL:** Seven people claim they were denied the right to a jury trial when their charge was reduced to a violation

By Regina Brown
Higher Education Editor

Seven people found guilty of blocking traffic in order to prevent the demolition of the Amazon Family Housing Complex plan to appeal because they believe the charges brought against them were unjust, said their attorney, Howard Anderson.

Last January, they were charged with a violation in connection with the May 1995 incident rather than with a more serious misdemeanor by the Lane County District Attorney's office. They claimed they were denied the right to a jury trial when their charge was reduced from a misdemeanor to a violation.

Anderson said his clients believe this reduction is an attempt to take away their right to a fair trial because a violation charge is not presented before a jury, while a misdemeanor charge is, and persons charged with a violation cannot receive a court-appointed lawyer.

"Generally most defendants would prefer to take a jury because a jury won't take as strict of a stand as a judge," Anderson said.

The seven claimed they were not breaking the law when they blocked the Amazon driveway,

but attempting to uphold a stay they claim the University ignored when it sent bulldozers to demolish the buildings. A stay prevents the demolition of buildings.

The Save Amazon Coalition had filed a stay with the Land Use Board of Appeals to investigate whether the University followed proper procedure in looking for a buyer for the Amazon buildings, said David Zupan, director of the Save Amazon Coalition.

The University was required to look for a buyer for the buildings before demolishing them, Zupan said.

He said the seven believed the stay was in effect the day bulldozers arrived to destroy the buildings. But University Attorney Pete Swan claimed the stay had expired the day before.

Anderson said his clients believe the reduction is unfair because their case was originally handled by the city of Eugene as a misdemeanor, but Assistant District Attorney Bill Warnisher said the charges changed when the case was moved to the county's jurisdiction.

When Warnisher took over the case he changed the charges to a violation because he did not think their behavior merited a possible jail sentence, he said.

The seven were polite and compliant throughout the ordeal, he said.

"Jury trials are expensive," Warnisher said. "[Their behavior] did not warrant a jury trial and it did not warrant jail time."

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