

Two former assistants testify in Justice Fadeley hearing

■ **HARASSMENT:** *Fadeley's attorney says claims are too old to be credible for the hearing*

By Landon Hall
The Associated Press

SALEM — Two former assistants to Oregon Supreme Court Justice Edward Fadeley testified Monday that he harassed them and made unwanted sexual advances.

Suzanne Storms Millis, who worked as Fadeley's judicial assistant in 1989, testified at a state Judicial Fitness and Disability Commission hearing that Fadeley repeatedly asked her for a date, touched her inappropriately and kissed her on the mouth on her last day of work.

Lana Traynor said she was subjected to similar behavior while she worked as Fadeley's law clerk between August 1993 until December 1995.

According to Traynor, Fadeley:

- Shouted obscenities at her over a court document.
- Disparaged Catholics and Mexicans.
- Lamented that employees who have children become less productive.
- Pointed out a judicial em-

ployee to Traynor and said, "She acts like she wants me."

■ Tried to get Traynor to attend his wife's self-help seminar at Traynor's expense.

Mary Merten James, the attorney representing the commission, said three more women who allege they were harassed by Fadeley will testify Thursday.

Kiska Johnson, another former judicial assistant, has said Fadeley gave her a poor performance evaluation after she ended their sexual relationship.

Johnson received \$62,500 from the state last September to settle her sexual harassment claim.

Another scheduled witness is a Cottage Grove veterinarian who has said Fadeley rubbed her back and played with her bra strap underneath her clothing when Fadeley had brought his dog in for an examination.

In her opening statement, James said Fadeley had used his office as a "dating pool" to make advances toward several female staffers.

"It is not just conduct unbecoming a Supreme Court justice," James said. "If Justice Fadeley managed a restaurant," or any other business, "it would be improper, offensive and in fact unlawful."

Dan O'Leary, Fadeley's attorney, said the allegations, many of which date back to the beginning of Fadeley's term in 1989, are simply too old to be credible. He said Fadeley's touching of employees has been misinterpreted.

"It's just his way of connecting with people," O'Leary said. "This case is wrong and it should be dismissed. We're talking about interpretations here, and those can be very dangerous."

Millis, 56, of Portland, landed a job as Fadeley's assistant in February 1989. She said she knew the job was temporary, but when she approached Fadeley about becoming a permanent employee, the justice said he'd consider it. Later during Millis' brief stay, Fadeley began pressing for a romantic relationship, Millis said.

"He would ask me out," Millis said, adding that she rejected his repeated requests.

Millis even went so far as to bring her boyfriend, now her husband, to Fadeley's chambers to prove to her boss that she was seeing someone else.

Millis said on several occasions Fadeley touched her shoulders while she was at her desk, but she didn't report the unwelcome advances because "I didn't want to

embarrass him."

After she quit the job in April 1989, she was putting her belongings in a box when Fadeley came out of his office and said "I want to say goodbye to you." She said Fadeley then kissed her on the mouth.

Millis said she complained to Marilyn Bauer, assistant to then-Chief Justice Edwin Peterson. "She told me that it would be my word against his, so there was going to be nothing done about it," Millis said.

In a complaint filed with the Judicial Department's personnel office, Millis said she believed that if she'd slept with Fadeley, he would have hired her full time.

Defense attorneys said a personnel investigation revealed that Bauer, upon hearing the statement from Millis over lunch, thought Millis was joking.

Traynor testified that Fadeley, commenting on a permanent red blemish on her cheek, suggested she use makeup or have a "procedure" to remove it. He also criticized her hair and personal appearance, she said.

Traynor, who is married and has three children, said Fadeley, also married at the time, touched her without permission on several

occasions. Once, she said, he held her hand, and on another occasion he kissed his own hand and touched it to her cheek.

In the fall of 1995, just weeks before she finally resigned, Fadeley dramatically scaled back her workload, even though other office staff members were overworked.

"I would literally sit there for eight hours, on the taxpayer's dime, with nothing to do," Traynor said, adding that she considered it retaliation for "standing up" to Fadeley.

Traynor testified that the personnel department failed to respond quickly to her complaints. She began to cry and had to leave the hearing room after fielding questions from the commission about the personnel department's lack of action.

The hearing originally began Dec. 3, but was postponed so Fadeley's lawyer could gather evidence.

Once the hearing, which could last all week, is completed, the commission will make a recommendation to Fadeley's colleagues on the Supreme Court. The commission could recommend a reprimand, suspension or removal of Fadeley from the bench.

Former Thai major general to be sentenced in U.S. District Court

■ **DRUG CHARGES:** *The high-ranking officer faces a possible life sentence*

The Associated Press

A former major general could have faced a death sentence in his native Thailand for trafficking in heroin.

Instead, the first active high-ranking military officer from the so-called "Golden Triangle" of Thailand, Burma and Cambodia to be successfully prosecuted on drug charges faces a possible life sentence in the United States.

Thanad Paktipatt held a prestigious post at the Royal Thai Armed Forces Supreme Command — the Thai equivalent of the U.S. Joint Chiefs of Staff — when he was arrested three years ago and charged with laundering money for an international heroin smuggling ring.

A federal jury in Eugene unanimously convicted him after an 11-day trial in July.

Paktipatt, 58, is scheduled to be sentenced today in U.S. District Court.

"What is unprecedented is to have an active duty Thai general identified and successfully prosecuted in the United States for a heroin conspiracy," said Robert Baggs, resident agent in charge of the Drug Enforcement Administration office in Eugene.

"All too often, all we get are the mid-level distributors and the low-level transporters," Baggs said.

For local DEA agents, Paktipatt's arrest at Kai Tak International Airport in Hong Kong was an incredible achievement for an undercover operation that came together so fast and ran so smoothly agents didn't have time to name it. The arrest came after

an undercover DEA agent acted as a courier for 7 kilograms of heroin from Thailand to Eugene.

Baggs said the Golden Triangle is home to heavily armed warlords who control remote opium fields and hidden heroin factories. Although Paktipatt did not head any drug organization, "the deal could not have happened without the general being a part of it."

"He provided immunity for these people to conduct their operations," Baggs said.

The plan that led to Paktipatt's arrest was never meant to be a trap for him, Baggs said. Instead, the target was a Thai citizen named Michael Wu, who told an undercover DEA informant that he had 50 kilograms of heroin in Canada and New York for sale in the United States.

Wu and co-defendant Li Hsi Feng pleaded guilty earlier to

heroin conspiracy and were sentenced to 17 and 14 years in prison, respectively.

The DEA never found the heroin Wu claimed to have. In fact, they never found evidence that Wu ever had it. Instead, the investigation netted seven kilograms of heroin, two smugglers, and Paktipatt, Baggs said.

Paktipatt's lawyer, David Moule of Eugene, claims the general's role in the case has been vastly exaggerated by the DEA.

Moule argued unsuccessfully during Paktipatt's trial the former general was entrapped by "a crime engineered and manufactured by the government."

He described the general as a former Buddhist monk who fought on the U.S. side in the Vietnam War, raised two sons, and had planned to retire from the military in 1999 after almost 40

years of service.

Moule said the \$600,000 Paktipatt spent to fight extradition to the United States depleted Paktipatt's wife's inheritance, forcing her to sell her Mercedes to pay for legal costs.

At Tuesday's sentencing, Moule will seek leniency for Paktipatt by arguing that the DEA informant who touched off the investigation, a Dutch national by the name of Johannes Van de Ven, is the true villain.

Moule claims Van de Ven created the entire conspiracy and lured Paktipatt into it to collect more than \$100,000 in payoffs from the DEA.

Baggs called Van de Ven a "mercenary informant," but said the investigation produced plenty of evidence from legal phone taps and from undercover DEA agents that show Paktipatt was the money launderer.

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