

Fire at will

OUR OPINION: Louisiana's new law allowing suspected carjackers to be shot will likely increase the violence

Louisiana is known for many things. New Orleans alone has more of a reputation than many countries. The Louisiana Legislature didn't need to draw any more attention to itself or the community it governs.

Nevertheless, the legislature has recently drawn a lot of attention for a recently passed law. In addition, they have added to the state's reputation a new label: trigger happy.

A new law in Louisiana makes it legal to shoot suspected carjackers. According to some reports, this means anyone, not merely the owner of a car, can shoot someone they suspect is trying to use armed force to take control of a vehicle.

The law was passed after a string of recent carjackings in the New Orleans area, including one that made a victim of a beauty pageant contestant. Let that be a lesson to potential criminals everywhere: attacking beauty pageant contestants in the South will not be tolerated.

Obviously, there is something profoundly wrong with this law and the mentality that spawned it. Worse, the law doesn't even do anything to confront the problem of carjacking.

It is already legal in most states, including Louisiana, to use deadly force to protect yourself if you feel your life is threatened. Had the beauty pageant contestant been packing a shotgun, she would have been well within her legal rights to splatter the brains of her attacker all over the parking garage where the incident occurred.

Given the obvious leniency toward vigilante measures that exists within the state, one suspects the following police investigation wouldn't have tried very hard to determine exactly how threatened her life was.

Some states even have laws that allow the use of deadly force to protect property, including cars. Grand juries in Oregon, for example, have proved reluctant to indict people who shot individuals trying to steal their cars. The claim made by the defense was that the thieves had made threatening gestures; this was enough to keep the case from going to court.

In Louisiana, even more forceful laws have been passed regarding the use of deadly force in defending one's home — one man shot an exchange student who came to his door while trick-or-treating,



CHRIS HUTCHINSON/Emerald

and this has largely been regarded as being legal under the expanding defense of violent vigilante tactics under Louisiana law. So, the precedent already existed within the state to take the use of force to unreasonable ends. Even in Louisiana, however, the new law seems absurd.

There are two fundamental problems with the new legislation. One is that it allows anyone who suspects a carjacking is taking place to use firearms. Because the law could be interpreted broadly, this opens up the dangerous possibility of dozens or even hundreds of firefights on the street, all made perfectly legal by the claim that one of the involved parties looked like he or she was stealing a car at gun or knife point.

Any time it becomes easier for people to obtain and use handguns without careful training and scrutiny, the possibility of deadly accidents and misunderstandings increases. The only way people can really be sure their guns will be used safely is to keep them locked up. Rarely are guns owned by homeowners used to defend the owner or their house. Instead, the firearms are often used in accidental shootings or moments of rage. The other primary problem with the law is the message it sends about killing. By passing this legislation, the Louisiana Legislature has come very close to

saying that the defense of property justifies murder.

Moreover, it also says that the average citizen is justified in using deadly force whenever he or she perceives a threat to person or, by extension, property.

Police have to be carefully trained to know when to use a gun, and police officers who do shoot suspects are still put under very careful scrutiny. The average person walking down a street in New Orleans is neither trained to use deadly force nor likely to understand the consequences, especially when his or her government has just told him or her it's okay to shoot on suspicion.

Guns are frighteningly deadly tools that serve no purpose other than to kill. By encouraging their citizens to freely wield such tools with little thought or legal ramification, the Louisiana Legislature has made its community far more dangerous. It has certainly done nothing to reduce crime.

This editorial represents the opinion of the Emerald editorial board. Responses may be sent to ode@oregon.uoregon.edu.

All thumbs



To Governor Kitzhaber:

By vetoing the tax break the Legislature wished to grant to timber companies, the governor has once again done a good job of looking out for the citizens of Oregon. When this break was first passed, we opposed it because it grants extra money to an industry that already profits by stealing the resources of Oregon, disrupting our economy and taking advantage of massive federal subsidies.



To the Microsoft investment in Apple:

While we can think of worse people to rule the world than Bill Gates, we still wish he had a lot less power. Federal law says monopolies are illegal, but the government has been reluctant to enforce such anti-trust legislation, despite its economic and political necessity.

LETTERS

16 misrepresented

If Johnny Cochran turned a double murder trial into a referendum on police abuse, Gov. Kitzhaber just did the same thing with Measure 16's Death with Dignity. In his zeal to score political capital, his attack on the legislature further charges an already emotional atmosphere and invites voter anger to "send a message" on the alleged abuse of referring 16 for a second opinion.

He neglects a few facts, if they still matter. Briefly:

By omitting the failure rate from the original bill, 16's proponents misrepresented its claims. In a classic Catch-22, legislators had no ability to fix that omission AND the failure rate (ensuring "dignity"), without adding lethal injection, changes outside the parameters of Measure 16. No credible rewrite instructed by the governor could ignore that.

An outright appeal (with which the governor taunted legislators), would have dismissed all citizen input from recent lengthy testimony in Salem and precluded the public's debate on 16's flaws that even the gov-

ernor, in contradiction to himself, concedes was lacking.

An attempt to correct the law by mandating psychiatric consultation failed when psychiatrists objected to proposed parity with the mental status evaluations of condemned criminals awaiting execution. For this ethical lapse of viewing suicidal patients differently, they were called "hypocrites" by one legislator.

Dr. Kitzhaber seems a few credits short of his CME in medical ethics. His willingness to implement a law he condemned in order to punish legislators speaks volumes on the priority he assigns patient care, and likely on the wisdom of the law itself.

Bevin Gilmore
Eugene

Smokescreen removed

With all the attendant concern and discussion surrounding the tobacco industry and its impact on youth addiction I find it alarming to note the on-going price promotional activities being conducted, and I must assume condoned, by the various warehouse

format stores throughout our land ... these behemoth marketers have become an extremely integral part of the American family shopping experience and yet they continue to exert unbelievable downward pricing pressure on the cost of cigarettes and all the other popular forms of tobacco product. Beating up on Sears, Nordstrom and the food industry in general can be condoned by all of us in the competitive race to the bottom line ... but it seems to me an obligation to the next generation of consumers is continuing to be abrogated! To cost consumers less is one matter ... to care less about them should give all of us some concern!

John Broderick
Redmond, WA

Protect public bodies

An organization is starting to combat the constant attack on state and local services which Oregon has suffered over the recent years. FROGS, For Restoring Oregon's Government Services, is a non-partisan political action committee registered with the Oregon Secretary of State's Office. FROGS is

based on the belief that each generation has an obligation to improve or protect public bodies such as schools, libraries, and parks for coming generations. Recently FROGS has been successful in helping to pass SJR 27 in this legislative session. SJR 27 is a bill which will allow Oregon voters to repeal the double majority provision of Measure 50.

I would like to start a FROGS chapter here in Lane County because I believe that many in the area are also tired of the continuing assaults on public services by anti-government interests like Bill Sizemore. I would like to invite all concerned citizens to meet to discuss the local implications of these cutbacks. We will hold our initial meeting at the Lane County Public Service Center, in Harris Hall, corner of 8th and Oak in Eugene, at 7 p.m. on Wednesday, August 27. If you are ready to take a stand for Oregon's future, let's meet and talk about restoring a sense of value to our public affairs.

Paul Alig
Eugene