

Anti-death penalty groups thanked

By Robert W. Black
The Associated Press

LARAMIE, Wyo. — After striking a plea bargain that saved his client from a possible death sentence in Matthew Shepard's slaying, defense attorney Wyatt Skaggs credited the work of some gay rights and religious groups for clearing the way for such a deal.

Bill Dobbs of New York-based QueerWatch, one of the most vocal death penalty opponents in the weeks before Russell Henderson went on trial, said Tuesday that life imprisonment was an appropriate punishment for the Laramie man.

"For us who are opposed to the taking of life, if we helped to stop an execution, that's a good thing," Dobbs said.

"It's bittersweet," he said. "Matthew Shepard is not going to be brought back by this plea or this sentencing, but it is a victory over violence because a possible execution, another death, has been averted."

On Monday, Henderson pleaded guilty to felony murder and kidnapping, and was sentenced to two consecutive life terms. His plea ended a first-degree murder trial that could have ended with a death sentence.

Speaking outside the courthouse Monday, Skaggs thanked the gay advocacy and religious

groups, including the Laramie Ministerial Association, that opposed the death penalty in the days before his client's trial.

"They haven't exactly called me up and bothered me to tell me they were there, but I knew they were there," Skaggs said.

Also opposing the death penalty was Equality Colorado, which works for justice for gays and lesbians.

"The most important issue is that the perpetrators of the crime are taken out of circulation, taken off the streets," said Sue Anderson, executive director of the Denver-based group.

Her group, she said, is "about ending violence, so we can't really be in the position of supporting state-sanctioned violence."

Chesie Lee, chairwoman of the Wyoming Church Coalition, said, "Revenge is not Christian behavior. ... It really doesn't heal."

Using the death penalty, which in Wyoming is administered through lethal injection, "would have been completely unfair, completely unwarranted and certainly not consistent with Russell's background as a person," Skaggs said.

Prosecutor Cal Rerucha hinted that the makeup of the jury pool may have influenced Skaggs' decision to seek the plea bargain.

"We have a panel that can consider a death penalty," Rerucha said.

When asked why he settled for less than the death penalty, he only said, "Because it was just and because it was appropriate."

Other pressures may have figured into the decision. Right before jury selection began, a group of church leaders placed advertisements in several Wyoming newspapers opposing the use of the death penalty.

On Good Friday, Roman Catholic leaders throughout the country advocated an elimination of the death penalty.

"Cal is a practicing Roman Catholic who finds himself in an understandably difficult and very painful position," said the Rev. Stephen Johnson of Laramie's Unitarian Universalist Fellowship.

"I think he finds himself ... conflicted between his own church teachings, his own beliefs and the role he's required to play in a state where capital punishment is on the books," Johnson said.

For now, Rerucha will continue to seek the death penalty against Henderson's co-defendant Aaron McKinney, whom authorities believe may have wielded the fatal blows against Shepard. McKinney is scheduled to go on trial Aug. 9.

Washington state passes Holocaust bill

By Laurence M. Cruz
The Associated Press

OLYMPIA — Hundreds of Washington residents who survived the Holocaust are a big step closer to receiving justice at the hands of European insurance companies that failed to honor World War II-era policies.

The state House on Tuesday sped the Holocaust Victims Insurance Act on its way to Gov. Gary Locke's desk in hopes it will be signed into law on or about April 13th — Yom Hashoah, or Holocaust Remembrance Day.

Locke spokesman Marty Brown said the governor intends to "make every effort to sign it by the 13th."

"This will by far be my most meaningful accomplishment in my freshman year and perhaps for many years to come," said Rep. Shay Shual-Berke, D-Seattle.

She said it was hard for her to talk about the issue without crying, as she had family members

living in Europe during the war.

She commended the hard work by both parties in both chambers that made it possible for the bill — which initially had faced opposition from the insurance industry — to move so swiftly toward final passage.

The House voted 91-0 in favor of the bill, which passed with no amendments or debate.

State Bill 5509 would establish registries for claimants and insurance companies that issued policies between 1933 and 1945. Lawmakers hope the lists could then be matched to resolve claims by victims of Nazi persecution or their relatives.

The bill also would establish a claims processing office and extend the statute of limitations on the claims until 2010.

Rep. Mary Lou Dickerson, D-Seattle, said the media images of refugees fleeing Kosovo in recent days "should be fresh and permanent reminders of the tragedy of Holocaust."

Rep. Renee Radcliff, R-Mukilton, who sponsored a now-dead House version of the bill, noted death camp survivors are dying at a rate of 10 a week.

"For this population, time is running out," she said. "Let's not delay this small piece of justice any longer."

After the session, Rep. Brad Benson, R-Spokane, said he was initially a little bit pessimistic about the bill's chances, but gave credit to Seattle Democrat Sen. Margarita Prentice for leading the bipartisan effort.

He also called the bill's passage a political victory for state Insurance Commissioner Deborah Senn, noting it merely highlights some of her existing powers.

For example, Senn already has the power to suspend the license of any insurer that does not honor policies — regardless of whether it is among the state's 64 subsidiaries of European insurers targeted by the bill.

But "I think she sincerely cares about the issue," he said.

Demonstrators claim city muted dissent

The Associated Press

COEUR D'ALENE, Idaho — Law enforcement officers systematically violated the civil rights of people protesting an Aryan parade under a detailed plan to mute dissent, demonstrators alleged in a lawsuit.

The lawsuit was to be filed Wednesday in U.S. District Court in Pocatello on behalf of five people seeking \$13.3 million in damages, The Spokesman-Review of Spokane, Wash., reported Tuesday.

The lawsuit — to be filed by Lori Graves, Jonathan Crowell, Gary Bizek, Jeffrey Kerns and Kenneth Malone — names various city and police officials. It stems from illegal searches, arrests and

assaults during the downtown parade last summer, the demonstrators claim.

"The arrests and the resulting abuse were directly caused by the city's operations plan and by the attitudes toward my clients and other anti-Nazi demonstrators that allowed it to be created and implemented," said Larry Hildes, a lawyer who represents the five demonstrators.

The lawsuit contends city attorney Jeff Jones and Coeur d'Alene police Capt. Ken Timmons briefed all of the involved law enforcement agencies about the plan before the parade began, Hildes said. That led to a systematic violation of constitutional rights of free speech and freedom from unrea-

sonable search and seizure and wrongful arrest, he said.

City officials confirmed the existence of a "tactical response plan," but would not provide details because of police security concerns. City officials reserved comment on the plan, arrests and lawsuit.

"I think we ought to see what their actual allegations are when they get their complaint filed," Jones said. "Certainly the city's actions would have been to follow the mandate of the Constitution."

No county officials or Kootenai County Sheriff's Department officials are named in the federal suit. Lawyers earlier said the county has settled wrongful arrest claims with the five.



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