

Tuesday, July 1, 2003

EDITORIALS

Supreme Court sodomy ruling reaffirms rights

Those in the gay and lesbian community received perhaps their biggest triumph in the U.S. Supreme Court last week when justices proclaimed that the government should not interfere with sexual activities occurring behind closed doors.

This general assumption has long since been accepted by society with certain exceptions, most of which have to do with sexual crimes. In Texas, the state whose law was contended in the 6-3 ruling, sodomy was a prosecutable violation. With the landmark ruling, gays and lesbians can now practice in any part of the country virtually any sexual act they deem fit, which is exactly as it should be.

Sexual activities are clearly part of human nature, and societal standards should reflect that. To be able to proudly proclaim one's sexual orientation in public, but not to be able to practice what one preaches within the confines of one's home, is absurd.

Yet Justice Antonin Scalia wrote a lashing dissenting opinion, saying the decision "effectively decrees the end of all morals legislation," and added the court has "largely signed on to the so-called homosexual agenda." Furthermore, Scalia noted, the decision all but opens the door to homosexual marriages.

To the dissent, we respond: Sexual orientation, many would say, is inherited, not learned. This country touts its anti-discrimination laurels, yet three members of the Supreme Court were ready to pass moral legislation that discriminate against those with different traits and beliefs from them? How so?

As to whether the Supreme Court has indeed signed onto a homosexual agenda, or whether the decision will lead to gay marriage, we ask this: So what?

Homosexuality is an accepted lifestyle, more and more so each day. While a handful of society may adamantly oppose that lifestyle, the Supreme Court showed last week that it is ready to get with the program.

The Supreme Court got it right — homosexuals deserve the same rights as heterosexual America, on the streets and in the sheets.

SB 10 will help needy students

The current Oregon legislative proposal that would grant in-state tuition to illegal aliens under certain circumstances is a great step toward providing equal education opportunities.

Senate Bill 10 would allow illegal aliens in Oregon to pay in-state tuition if they have lived in the state for at least three years during high school and plan on becoming citizens or legal residents.

The bill is a legitimate idea for two reasons: First, the law would help Oregon in the long run by providing more education options for people who otherwise would have a difficult time affording tuition, thus creating a more educated populace. Second, it is unreasonable to assume illegal aliens would take advantage of the law, especially considering they must fulfill very specific criterion to qualify.

The bill's main detractors say the bill would be too costly, draining \$780,000 from the state in lost tuition funds. This criticism is hilarious considering the Legislature has failed to demonstrate any care whatsoever about how much funding education receives or loses.

We urge Oregon lawmakers to pass this legislation and help a growing pool of potential students become educated and eventually contribute back to Oregon's struggling economy.

EDITORIAL POLICY

This editorial represents the opinion of the Emerald editorial board. Responses can be sent to letters@dailyemerald.com. Letters to the editor and guest commentaries are encouraged. Letters are limited to 250 words and guest commentaries to 550 words. Authors are limited to one submission per calendar month. Submission must include phone number and address for verification. The Emerald reserves the right to edit for space, grammar and style.

A DEADLY MISTAKE



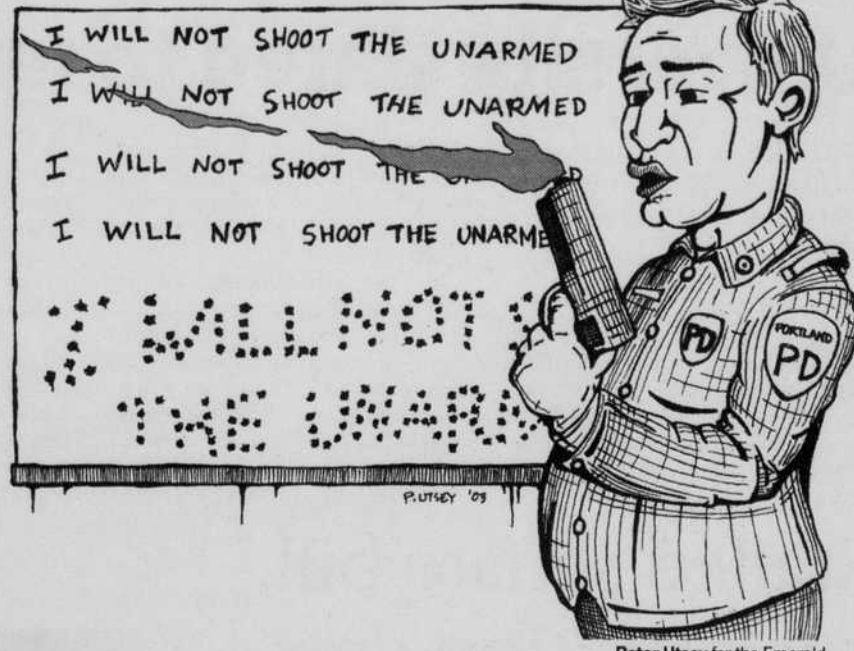
Jan Tobias Montry
Unsatisfied customer

During a routine traffic stop last month, Portland police officer Scott McCollister shot and killed 21-year-old Kendra James, a black woman wanted for failure to appear in court on drug possession charges. James apparently provided a sufficiently life-threatening situation as she attempted to climb into the driver's seat and drive away that McCollister felt it necessary to use deadly force.

In other news, it's great to hear we've regressed to a time when the dastardly act of trying to flee a traffic stop is worthy of police execution, and unreasonable use of deadly force is punishable with a simple slap on the wrist. Portland Chief of Police Mark Kroeker, along with Portland Mayor Vera Katz, announced last week that McCollister would be suspended for a "lengthy" period of time. "Lengthy" is traditionally a magnanimous 30 to 60 days, according to what police officers have told The Oregonian.

But I won't sit here and rant about how disgusted and bitter I am about the state of affairs in copland without telling both sides of the story. I am, after all, a reasonable and open-minded guy, and perhaps the shooting was justified. So here goes: McCollister said that 80 percent of his body was inside the car as he was trying to pull James out of the back seat, and it was at that point when she climbed into the driver's seat and turned on the car. McCollister said the car then started rolling and that he feared it would drag and kill him. In the insanity of the moment, he decided it was then prudent to shoot her.

What's missing here is one vital point: How did shooting James possibly remedy his situation? McCollister said he fired the shot as he was falling out of the car, a statement which begs the question of how killing her would have stopped the car from moving or somehow made him land more softly on the ground. Obviously he survived falling out of the rolling car, so it's reason-



Peter Utsey for the Emerald

able to say he would have survived falling out of the rolling car without shooting James. In retrospect, one could say James did pose a threat of accelerating the car forward at a high speed, but it is unclear whether she could even reach the gas pedal. McCollister told investigators that the "car began to go," which could either mean it was rolling or that she was accelerating.

As if the shooting wasn't outrageous enough in itself, however, the whole debacle gets even more fishy when considering events that transpired before and after the shooting. According to the police report on the shooting, the whole operation was a huge, inept mistake because the other two officers and McCollister had no game plan on how to get James out of the car, and the officers somehow failed to subdue James inside the car with pepper spray and a taser gun.

After the shooting, the report revealed, McCollister handcuffed the wounded James and left her unattended and bleeding on the ground outside the car. She later died of the single 9-mm shot to her hip.

I won't pretend I know what it's like to be a cop. Officers are out there on the streets everyday protecting law-abiding citizens from the evils of the world, and whether or not I especially agree with their tactics sometimes, I firmly believe in a strong police force being necessary to

maintain a working democracy. An anarchist I am not. However, a police force should obviously have limits, and accountability should be a top priority to ensure the trust of the public. That being said, I also believe officers should be able to use deadly force if absolutely necessary without fearing unreasonable punishment.

But in this case, McCollister should have handled the situation differently. Given the circumstances, McCollister had two options: Fall out of the car — like he did — without shooting the girl, or attempt to enter the car completely and subdue James, which doesn't seem too farfetched considering McCollister said he had 80 percent of his body already inside. Regardless of how he could have handled the incident, it was wrong of him to fire his weapon when he was off balance and falling out of the car. The James incident goes to show that perhaps the police department needs to review its training procedures or revamp its policies on deadly force — anything to show the public that its actually cares what happened — and McCollister should at the very least be fired and indefinitely barred from police duty.

Contact the managing editor at janmontry@dailyemerald.com. His opinions do not necessarily represent those of the Emerald.

LETTER TO THE EDITOR

Personal responsibility part of riot solution

This is in response to the June 26 editorial ("W.U. Task Force ideas don't do much to solve recurring riot problem," ODE). I think the editorial board mistakenly takes the responsibility to riot or not to riot out of the participant's hands. To say that any training in legal repercussions goes right out the window once a student starts to drink is foolish and dangerous.

Drinking or being intoxicated in no way should or does remove a person's responsibilities as a citizen of a community. A

firm commitment to do what is right before one starts to drink is the most effective method of controlling oneself.

To current students and incoming freshmen: Don't be fooled by the old wife's tale that you have no control when drunk. You do. If you don't, it is because you chose not to. Although, if you have not made up your mind how you will conduct yourself while drinking, don't expect to be able to decide while you are intoxicated.

I propose that a contract be drawn up for personal responsibility sponsored by the West University Task Force, the ASUO, the University and any other group that

would like to sign on. This contract would outline a commitment to decent behavior and personal responsibility. Signing should be voluntary and come with a prestige of being a responsible partier and should not be worded as to prevent anyone of a particular age from signing.

I think a call to personal responsibility is a significant part of the solution for stopping riots, not just more patrols and definitely not loosening of personal responsibility.

Gabrielle Guidero
senior
geological sciences

ONLINE POLL

Each week, the Emerald publishes the previous week's poll results and the coming week's poll question. Visit www.dailyemerald.com to vote.

Last week: What do you think of the West University Task Force's findings?

Results: 16 total votes

Mostly bad ideas — 43.8 percent or 7 votes

Leave me alone! — 25.0 percent or 4 votes

Adequate ideas — 12.5 percent or 2 votes

All bad ideas — 12.5 percent or 2 votes

All good ideas — 6.2 percent or 1 vote

Mostly good ideas — 0 percent or 0 votes

This week: Should Oregon's non-legal aliens graduating from high school be given in-state tuition rates?

Choices: Yes, if they want education, it should be adequately provided; Yes, they've lived in Oregon long enough regardless of citizenship; No, they should still pay out-of-state tuition; No, they should be deported; Leave me alone!