

Situation justifies police shooting

As a former police officer, I was dismayed after reading Jan Tobias Montroy's commentary on July 1 ("A deadly mistake," ODE) criticizing Portland police officer Scott McCollister's fatal shooting of Kendra James. Montroy seemed to portray police officers as gun-slugging renegades who shoot unarmed civilians at their leisure. He characterized McCollister's actions as "inept," and went so far as to imply the incident was a "police execution."

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To the contrary, it appears the shooting was not only lawful, but fully justified. In fact, a grand jury on May 19 unanimously cleared the officer of any wrongdoing, and although McCollister remains on administrative leave, his actions were entirely reasonable under Oregon law.

Police procedure and state law authorize officers to use deadly force to protect themselves from what they reasonably believe to be an immediate threat of death or serious physical injury. In this case, James climbed into the driver's seat of the car, put it in gear, continually ignored directions to turn off the engine and attempted to drive away with McCollister hanging partially outside the car. McCollister truly and reasonably believed that his actions were necessary. He thought he might have been killed, or at least dragged down the street and critically injured.

It is easy to second-guess the decisions made by officers in such situations. But it is important to recognize that officers have the right to use deadly force when reasonably necessary to prevent serious harm to themselves or others. Unfortunately, Montroy's criticism was misguided and does a disservice to the thousands of police officers who risk their lives protecting the safety and welfare of the public everyday.

Andre Ahuna is a student at the School of Law.

Illegal aliens would up tuition cost

I would like to respond to the editorial "SB 10 Will Help Needy Students" (ODE, July 1). It blows me away that this is even under consideration and is the Emerald's stance, though it is par for the editorial board's overt political beliefs.

First, if this is going to cost us money, why do it? I don't care if the Legislature has never demonstrated care for the cost of higher education. It is in this case. Why incur more cost?

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You may respond that this will increase diversity and that is why the cost is worth it. I must tell you that I am sick of this paradigm that the color of one's skin is what makes diversity. It is one's thoughts and beliefs, no matter what the color of their skin. Besides that, we should realize that we are already, as an institution, more diverse (in ethnicity) than the state of Oregon.

Furthermore, these people are illegal. Their presence in this state or any other is against the law. Regardless of one's feeling on immigration, as of now, that is the law. If you don't like it, fix that law, do not make a loophole. Also, in-state versus out-of-state tuition is based on the premise that an in-state person is contributing funding through taxes. If you are illegal you cannot legally work or own property, thus you are not paying taxes. Also, the three other states mentioned that have this system all border foreign countries. There is the potential that the people attending schools near the border are crossing the border to attend those schools. That is not the case in Oregon. Even if that isn't likely, illegal residents in Oregon are several hundred miles from a border. They are here to take advantage of our country. I don't mean that in a mean way, though "taking advantage" often sounds that way.

Also, the argument that Oregon will have a more highly educated population is even suspect.

We very much lack industry and as such it is more worthwhile to go to another state after graduation. Thus we are helping to provide other states with an educated work force.

Lastly I am disappointed with ASUO and OSA for taking on this cause. I am a student: Fight for my rights, that is what I pay you for. Why don't you go fight to expand the university system employee tuition discount to the whole education system. Or at least don't fight to increase costs that will be felt by students.

I'm happy to give them in-state tuition if they become legal residents. They illegally came here because they felt that, even as an illegal alien, they would have better opportunities than in their own country. They have stayed because they do have better opportunity. Leave it at that. If they want more, become legal.

Gregory McNeill is a senior majoring in political science.

Locals must eye research development plans

Before over-hyping the yet-to-be-decided-on basketball arena, The Register-Guard ought to analyze its motives for failing to put news of the upcoming development of the University's Multi-scale Materials and Devices Center on its front page. The MMDC would be a one-of-a-kind facility developed by the University, likely to conduct defense-related research.

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The site for the proposed facility is the controversial Riverfront Research Park area along the University greenway by the Autzen footbridge. Eugene's City Council is now quietly enlarging and extending corporate welfare tax breaks to develop the area (Eugene Weekly, March 6).

The plan to build the MMDC was written about in the Emerald on May 5 ("Scientists to explore world of the 'nano-sized,'" ODE, May

5) after I gathered information and gave the details to a reporter.

Any institution whose massive, state of the art facility siting schemes have to be uncovered by community volunteers must be immensely scrutinized regarding future land deals. The MMDC project is likely related to the University Senate's failure to pass a resolution against the war in Iraq. A resolution calling for peace could have alienated University research development partners.

Top University officials are now busy securing more power to install cell towers (The Register-Guard, June 14). A 120-foot University/Sprint tower now threatens the Fairmount neighborhood, the south University historic district and the Hayward Field area. The project was also publicized by information I gathered and presented to the media, not by the University announcing a cell tower deal was under way.

For a new basketball arena, only two sites would not result in massive new traffic impacts. They are the existing site — demolish Mac Court — or developing the Autzen Stadium parking lot to include a parking garage.

A large, open, meaningful debate should occur to evaluate whether any new stadium is built at all due to library cuts, tuition spiraling higher and continuing University Housing demolition of state-owned, low-income housing (The Register-Guard, December 2002).

A more conservative plan might be to divert these millions to replacing the existing, dismal, Meningitis-friendly dorms in which residents are more likely to contract the deadly disease due to their room's sub-standard square footage. Postponing the replacement of these dorms surely will result in more deaths.

Zachary Vishanoff lives in Eugene.

Editorial ignores Thomas' dissent; lacks coherence

I write in response to the editorial ("Supreme Court sodomy ruling reaffirms rights," ODE, July 1) on Lawrence v. Texas, a rather confused piece that closely resembles Justice Kennedy's opinion in its lack of coherence and seeming lack of familiarity with the American system of governance.

Firstly, the editorial board unreasonably asserts that the decision is a "triumph" for gays and lesbians and that "homosexuals deserve the same rights as heterosexual America." The latter clause, besides being rhetorically ill-advised, certainly cannot have drawn its warrants from this case: Justice O'Connor is the only justice to use equal protection as a basis for her decision; the majority opinion even goes so far as to say, "As an alternative argument in this case, counsel for the petitioners and some am-

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ici contend that Romer provides the basis for declaring the Texas statute valid under the Equal Protection clause. That is a tenable argument, but we conclude the instant case requires us to address whether Bowers itself has continuing validity."

Further, you contend that "three members of the Supreme Court were ready to pass moral legislation that discriminate (sic) against (sic) those with different traits and beliefs from them? (sic)" This is surely a misguided figure of speech, as all the world knows that American courts do not pass legislation. What is most appalling is that you seem not to have read Justice Thomas' dissent, in which he forcefully declares the opposite of your statement: "I write separately to note that the law before the Court today 'is ... uncommonly silly.' If I were a member of the Texas Legislature, I would vote to repeal it ... Notwithstanding this, I recognize that as a member of this court I am not empowered to help petitioners and others

similarly situated. My duty, rather, is to 'decide cases agreeably to the Constitution and laws of the United States.'" As Justice Scalia and the Chief Justice are only two people, I am unsure of the basis for your above remark about "three justices."

I am not so unreasonable as to insist the editorial board should read all of the decisions issued by the Supreme Court this term when the office is so short-staffed that metaphrases such as "against," previously unattested idioms such as "in the sheets" and "tout one's laurels," and the use of "contend" as a transitive verb are published, but the board ought at least have skimmed the opinion in question before producing a commentary that, besides being ill-indited, suggests things that are constitutionally impossible, arithmetically unjustified and factually incorrect.

Heath B Hutto is a senior majoring in English.

Today's crossword solution

H	E	A	D	S	D	O	O	R	D	E	B	S	
E	G	R	E	T	A	I	N	U	E	L	A	N	
R	O	T	A	R	Y	C	L	U	B	C	A	S	A
D	O	E	R	S	E	M	I	N	A	R			
R	E	C	E	P	T	O	R	S	A	D	D	L	E
I	V	A	N	N	E	O	N	E	S	T	S		
S	E	N	S	E	S	V	A	L	I	D			
E	N	E	D	I	G	I	T	A	L	A	B	A	
M	I	D	A	S	C	A	E	S	A	R			
C	A	R	I	B	P	E	P	M	I	N	E		
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R	A	S	P	S	T	A	R	S	E	A	L	S	

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