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DUII charges lead to serious consequences

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Although it is against better judgment, it's not against the law to drink and drive in Oregon unless:

- (1) You have blood alcohol of .08 percent or higher, or
- (2) You are noticeably impaired by alcohol or a controlled substance, regardless of your blood alcohol level.

"Noticeably impaired by alcohol" means you exhibit signs such as slurred speech, fumbling for your driver's license or loss of balance. Police will typically test a suspect's eyes in a manner which they claim can prove noticeable impairment, even if you seem otherwise fine.

Police will stop your car if they reasonably suspect that you are driving under the influence of intoxicants (DUII).

Common signs of DUII to police are weaving, forgetting to use headlights and driving too fast or too slow. Once stopped, officers will ask for your license and ask you whether you have been drinking. If they smell alcohol, observe bloodshot, red or watery eyes, or receive an admission that you have been drinking or consuming a controlled substance, they will ask you to exit your car to do field sobriety tests (FSTs).

Oregon courts have determined that FSTs are consensual, meaning that drivers may decline to perform them. This includes the right to decline the officer's request to look into your eyes with a flashlight while you follow the movement of his finger or a stylus. If a driver does perform the tests, the driver must listen carefully to the officer and do exactly as told or risk a failing score. If performance of FSTs is declined, the officer will decide whether he has probable cause to make an arrest for DUII. If you are arrested, you will be handcuffed and taken to the station. At the station, you will be asked to blow into a machine to determine your blood alcohol count. If you refuse to blow, you will lose your license for one year. After January 1, 2004, refusal to blow will result in a fine of \$500 to \$1,000, in addition to the one year license suspension. You can still be charged with DUII when you blow less than .08 percent if the officer believes you were noticeably impaired.

The first time you are charged with a DUII, you may be eligible for a Diversion program. You will be advised of your eligibility when you appear in court, and you will have 30 days from that date within which to accept the Diversion program. Diversion requires you to pay court costs and participate in drug/alcohol evaluation and treatment. Court costs and treatment can run as high as \$2,500. The diversion period lasts one year, during which you must commit no new offenses.

Penalties for DUIIs increase with each successive charge. In addition to mandatory jail time, the minimum fines are \$1,000 for a first conviction, \$1,500 for the second and \$2,000 for the third and subsequent conviction, unless you are sent to prison. A fourth DUII conviction becomes a felony if it is within ten years of the other convictions. Penalties are not just issued by the court. For example, a DUII conviction can keep you from getting certain jobs and will cause your car insurance to increase dramatically.

Bicycling under the influence is also a crime and subject to diversion programs, fines, incarceration and treatment requirements. A better alternative is to ride the LTD bus, which is free with your student ID.

Laura Fine is an attorney at law for ASUO Legal Services.

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.



Eric Layton

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More than just a game

Ah, the 1980s.

In a decade laid to waste by overcooked imagery, overconsumption and the simply overdone, Big Brother wasn't watching you, but Madison Avenue was certainly distracting you.

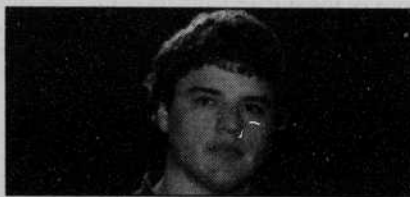
But in August 1985, an unassuming gray box from Japan became a welcome counterpoint for a youth culture inured by years of usually mediocre mainstream music, often equally mediocre foreign policy and the general disaffection of an era better suited to rush than to reflection.

The gaming oracle that is the original Nintendo Entertainment System monopolized many of my summers at my aunt's and uncle's California house in the late '80s. Most years, they would only have the Super Mario Bros. / Duck Hunt cartridge, but that was always more than enough. Even in the modern era of trilinear filtering and subpixel anti-aliasing, the eight bits and 80 minutes of Super Mario Bros.' 32 levels (or 20 minutes and eight levels, if you know where the Warp Zones are) still match up toe-to-black goomba-toe with graphically superior 40- and 50-hour games. Summer trip to Sacramento after summer trip, my chores were picking fire flowers and weeding piranha plants. Lunchtime? Red mushrooms (and green ones, because I learned where those were, too). The rest of my afternoons I ran, trying to rescue the Princess and discovering that, of course, she was in another castle.

After that watershed summer of 1985, video games were no longer the exclusive domain of dorky engineers in chino shirts, who'd retire for the evening to dusky pizza parlors and smoky pool halls to pour change into Asteroids or Pac-Man or some other antedivulian console.

Now they were children's games too, something you'd do to unwind from the grinding rigmarole that was second grade. By the end of the decade, many moms had welcomed video games in the house (almost) as readily as they had Mr. Belvedere or ALF. And the NES didn't even encourage children to eat sticks of butter or cats.

Anyway, fast-forward maybe 14 years — and at least six Mario Bros. sequels,



Travis Willse
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depending on how you count. An invitation to the first Nintendo College Media Day lands on the office's Pulse desk.

Editor in Chief Brad Schmidt and Pulse Editor Aaron Shakra couldn't go, and I asked (read: pleaded, with some dignity) for the reporting assignment to the video game Mecca.

The trip would prove to be a welcome counterpoint to weeks of late hours in the office, staying up till 2 a.m. doing math assignments, and the general disaffection of a term better suited to sleep deprivation than to relaxation.

The day after a flight on a plane-with-fewer-seats-than-I'd-hoped landed me in Seattle, shuttles carted 22 other college newspapermen and me — yes, every participating school sent a guy — off to Nintendo headquarters in Redmond, Wash.

I should digress here: Even in retrospect, a company shelling cash out of some expense account for twenty-something college students to fly to Washington to play video games still seems pie in the sky. (Particularly since, given the company I kept there, most of us would've spent the free time playing games anyway.) But rest assured, Nintendo's public relations people knew what they were doing: Most of the crop of recently released and upcoming titles that Nintendo paraded at the media day — including the long-awaited sequel Mario Kart: Double Dash!! and the Paper Mario quasi-sequel Mario & Luigi: Superstar Saga — were strong enough that some good press is all but guaranteed — and rightfully so. (To wit, see my review in next Thursday's Pulse section.) We journalists enjoyed ourselves too,

but expectedly so. Bringing in writers who care enough about video games to fly out of state to play them is about as likely to draw complaints from the participants as driving children to a candy store and handing them new flavors of a confection they've enjoyed for years.

Organizers had scheduled more than gameplay for the day, though: In the morning, four of Nintendo of America's localization experts explained the challenges of translating games from the original Japanese — and often making them otherwise more culturally relevant to the target American audience. That includes inside jokes, too.

When presenting translators Tim O'Leary and Bill Trinen were localizing Animal Crossing, a simulation game wherein players control a village populated by animals, the two found an amicable green and yellow duck with a numeral 3. Both being University grads, they named him Joey. (Localization is the process of translating a foreign game and making it more culturally relevant to a target audience.)

Likewise, O'Leary and Trinen replaced an untranslatable Japanese joke that a salty seagull spews in the same game with a shtick that starts, "So there's this husky, a duck, and a cougar, and the duck asks the husky..."

But certainly the junket's climax was Nintendo's demonstration of Double Dash's network capabilities, wherein players can link several Nintendo GameCubes with broadband adapters for multi-screen play. Surely, this is not your father's video game.

In the waning months of 2003, video games are possibly more than ever a welcome counterpoint for a culture inured by years of usually mediocre mainstream music, often equally mediocre foreign policy and the general disaffection of an era better suited to rush than to reflection.

But if you'll excuse me now, I need to nurse an acute appreciation I've developed for F-Zero GX.

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