

Supreme Court uses law school to hear cases

The Oregon Supreme Court held two hearings on Wednesday in the law school auditorium

By Moriah Balingit
Freelance Reporter

The Knight Law Center auditorium was transformed into a courtroom Wednesday when the Oregon Supreme Court visited to hear two criminal cases.

A silence fell over the room and an audience of mostly first-year law students stood as the bailiff commenced the hearing with a "hear ye, hear ye" and rap of a gavel, to which

the six judges then entered.

The first case heard was *State v. Miglavs*, a case in which a concealed weapon was found on the defendant after a pat-down. The officer who requested the pat-down did not have a warrant but said she felt an immediate threat from the defendant, which would validate her search because of his apparent association with the 18th Street gang, a local gang whose members had previously been found with concealed weapons.

Attorney Garrett Richardson represented the defendant and argued that the officer's assumptions were based on unfair presumptions about the defendant's clothing, including baggy pants.

"These days, baggy is in," Richardson said.

Assistant Attorney General Jonathan Fussner represented the state.

"Let's assume bulky police officers ... encounter a slightly inebriated law student from Lewis and Clark or Willamette," he said, describing the hypothetical student as wearing a dance leotard, thus preventing him or her from concealing a weapon.

"Did you stay awake at night thinking about this?" Associate Justice W. Michael Gillette asked of the fictional example.

Fussner's point was that in such an instance, a claim of an immediate threat would not be valid. He argued

that the officer's experience with the gang and the neighborhood justified her actions, and furthermore, he said, the officer's assumption was fair based on the defendant's attire because he was wearing a shirt that read "18th Street".

The decision for the case was not determined at the hearing.

The next case, *State v. Ventris*, had a markedly serious tone to it. The case involved a set of sentencing questions that many of the law students admitted they did not understand.

Joseph Ventris had been involved in an incident in which he and two other men burglarized an apartment, and the apartment's owner

was later found murdered. Wednesday's hearing dealt with issues that would alter the length of the sentence, and whether or not Ventris could serve some of the sentences concurrently.

In a tense question-and-answer session after the case, Karen Friend, the defendant's mother, implied that Associate Justice Rives Kistler had a conflict of interest, and she gave Chief Justice Wallace Carson an article from *The Oregonian* that supported her case.

"Judges have no personal stake in the case," Kistler said.

Moriah Balingit is a freelance reporter for the Emerald.

NEWS BRIEFS

Board affirms EMU budget

The EMU Board of Directors approved the EMU's 2004-05 budget at its meeting Wednesday, sending it to the ASUO Student Senate for approval next week. The \$3,569,746 budget is an increase of 4.76 percent from 2003-04, but is less than the board's 4.8 percent benchmark.

"The process that the budget committee followed was very good and very thorough," EMU Board Chairwoman Christa Shively said.

The budget, which had been recalled to allow the board to reconsider how it calculates reserve funds, passed by a

vote of 13-0. It includes funds for renovating the Outdoor Program's barn roof and allowed the board to change how it will pay for the remodel of 71 EMU, a large office vacated by a branch of the University Child Care and Development Centers.

The board also debated a new policy on the allocation of space for publication distribution. After much discussion, the board decided to delay approval of the policy for another week to allow time to "wordsmith" it.

As the policy currently reads, it puts forth a set of criteria for how the board will determine whether a publication is "suitable" for distribution within the EMU. Among these criteria are the availability of space for the

publication's distribution needs, whether the publication is relevant to students and whether it presents a different perspective from publications already distributed in the EMU.

The policy states that all publications must comply with the Student Conduct Code and other relevant University policies, but specifies that the board "shall not consider the message of the publication."

— Chuck Slothower

Senate approves extra funds for Campus Recycling

The ASUO Student Senate approved special requests from Campus Recycling, the Chinese Student Scholar Association and the Vietnamese

Student Association in a one-hour meeting Wednesday.

Campus Recycling requested \$16,477 for a small electric-powered utility truck and trailer to add to its fleet of vans. Operations Recycling Coordinator Jim Fleck said the electric-powered vehicle is better than a gas-powered vehicle.

"There's no doubt in my mind that it'd be cheaper than a gas-powered vehicle," he said.

Program Manager Karyn Kaplan added that the new vehicle would also be safer and emission-free.

The program has also seen increased requests for special-events recycling, for which a smaller vehicle is generally necessary.

ASUO Senate President Ben Strawn said the purchase of an environmentally friendly vehicle is in line with Campus

Recycling's mission and goals statement, but "asking them to purchase a gas-powered vehicle probably isn't."

Sen. Kevin Day motioned to make the transfer. The funds were taken from the over-realized fund, and the motion was approved unanimously.

The Chinese Student Scholar Association had little difficulty obtaining an additional \$142 for its programming account. The motion passed 12-0 with one abstention.

The Vietnamese Student Association requested \$1,095 for food for Vietnamese Culture Night.

The Senate eventually decided to transfer \$982 from surplus to the group's food-holding account. The difference will be covered by a transfer from the group's fall event account.

Moriah Balingit is a freelance reporter for the Emerald.

CAMPUS BUZZ

Thursday

"Save The Willamette" art show, runs March 4 and 5, Wilkinson House, 8 a.m.-5 p.m.

Candidate interview drop-in session with Director of Faculty Development candidate Mary Fechner, Century Room E, EMU, 10:30-11 a.m.

Comparative Literature lecture entitled "The Act of

Writing and Literary Experience: Some Consequences of the Understanding of Language in Mallarmé, Blanchot and Heidegger," Browsing Room, Knight Library, 4 p.m.

Romance Languages lecture entitled "The Italian Job: Manuscripts of Old French from Medieval Italy," 221 Friendly, 5 p.m.

Author Wayne Besen reads from and discusses his

new book, "Anything But Straight: Unmasking the Scandals and Lies Behind the 'Ex-Gay' Myth," 110 Willamette, 7 p.m.

Art History lecture entitled "The Discovery of Tsagaan Gol - A Petroglyphic Complex in the Mongolian Altai Mountains," 177 Lawrence, 7:30 p.m.

UO Ensembles Concert, Beall Concert Hall, 8 p.m.



SUMMER EXPO

WESTERN OREGON UNIVERSITY

Wednesday, March 10
10 a.m. to 6 p.m.
Werner University Center
Oregon Room

Division of Extended Programs
503-838-8483 • extend@wou.edu
www.wou.edu/summersession

- **Jump ahead or stay on track** by attending WOU's Summer Session
- No need to be admitted
- **Register online** even if you can't attend Summer Expo
- **Transfer advising, financial aid information and online registration** under one roof
- Get leads on **summer jobs, housing** and more
- **Free coupons**
- **Bookstore gift certificates**

Win Free Tuition:
Register for summer session by **March 19** and you'll be entered in a grand prize drawing for six credits of WOU summer session tuition.



Better Ingredients. Better Pizza

Call us at:

| | |
|---|--|
| South Eugene and U of O 484-PAPA (7272) | Springfield, Duck's Village, Chase Village and University Commons 746-PAPA (7272) |
| W. Eugene 683-PAPA (7272) | Santa Clara 461-PAPA (7272) |

BEAT THE CLOCK

BEAT THE CLOCK

The TIME you call is the PRICE you pay
for a **LARGE 1 TOPPING PIZZA** (from 6pm-8pm).
NOW AVAILABLE 7 DAYS A WEEK!



Coupon required. Not valid with any other offer or special. \$1 charge on delivered orders. Additional toppings extra. Available in original or thin crust. Limited delivery area.

EXPIRES 3/31/04

MARCH MADNESS DEAL

ANY LARGE SPECIALTY PIZZA for only \$10⁹⁹



Also get a Limited Edition Final Four Basketball and any 2-litre Coca-Cola product for only \$5.99 more! while supplies last.



Coupon required. Not valid with any other offer or special. \$1 charge on delivered orders. Additional toppings extra. Available in original or thin crust. Limited delivery area.

EXPIRES 3/31/04