

■ Guest Commentary

How to deal with cops at UO

Editor's note: This commentary is part of ASUO Legal Services' ongoing efforts to assist students through education as well as representation.

"We're on the front lines of a war zone," the Harvard Square tour guide told me last month in response to my question of why can't I go into a certain Harvard library to observe an art installation. "There's sensitive documents in there which we can't allow the al-Qaida terrorists access to." Okay. I get it — sensitive documents need to be protected. But the entry-way art exhibit and the thousands of non-sensitive books and documents should be available to the average citizenry, right?

The ridiculousness and hysteria of this shotgun approach to homeland security struck me as eerily similar to the mentality I've encountered when dealing with the Eugene Police Department Party Patrol, who appear to have predominantly adopted a

one-size-fits-all attitude when dealing with anyone remotely college-aged.

For the last two and a half years, I've been a contract lawyer for ASUO Student Legal Services. During that time, I've encountered many students who, due to their own mistakes in judgment or just plain stupidity, found themselves cited into Municipal Court for violations ranging from underage drinking to DUII and Assault on a Police Officer. Unfortunately, for every five students cited into court for their own folly, I've come across at least one student who was innocently in the wrong place at the wrong time and who was erroneously charged or grossly overcharged for de minimis conduct.

In response to what I've observed, I've met with the chief of police and the city prosecutor to discuss policy. I've published numerous articles in the Emerald about students' legal rights. I've assisted students filing

complaints against police officers. I've litigated some cases and won. I've litigated others and lost. But in the end, I think I've done little to change the system and failed to help students change their attitudes about dealing with the police.

The bottom line is that the police can enter your home without a warrant under certain circumstances, such as when they reasonably believe that the crime of furnishing alcohol to minors is occurring. If you are accosted by police, you will certainly worsen your situation by attempting to have a conversation with them or by asking them repeated questions about what right they have to do what they are doing. Increasing numbers of students are cited with the crime of Interfering with a Police Officer. Under Oregon law, 'interference' occurs when a citizen intentionally tries to prevent an officer from performing

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How to rent in campus area

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This time of year, many students rush to find housing for the upcoming school year. This sense of desperation can lead to rash decisions in signing a lease which, unfortunately, is often the first step in creating an unsatisfactory landlord-tenant relationship.

Take the time now to carefully consider your lease. After you move in, continue to be proactive in protecting your rights.

Read and understand your lease

Let's face it: Leases, like most legal documents, can be difficult to read: not necessarily because they are complex, but because they are boring. Nevertheless, it is crucial that you read your lease before signing it. A lease creates legal obligations for you. You need to know what these obligations will be

before you agree to perform them.

If any portions of the lease are confusing or objectionable, discuss them with the landlord. If necessary, insist on making written changes to the lease itself. Handwritten changes are adequate if they are initialed by the landlord. Don't accept statements from the landlord such as "that's never been a problem." If it's not important, the landlord should be willing to change it. If a landlord is unwilling to discuss or modify troublesome lease provisions, this is a red flag that the landlord will be difficult to work with.

If the landlord has agreed to do repairs prior to move-in, get those promises in writing.

Think carefully about the security deposit

Is the full amount of your security deposit refundable? If not, think about whether you can afford the non-refundable amount, and what you will get in return. A non-refundable

cleaning deposit does not mean that you do not have to clean when you move out.

Discuss the landlord's expectations regarding the refundable portion of the deposit. Will it go only to pay for damage, or will it also be used for cleaning? Many students are surprised when money is withheld for cleaning a unit which was dirty when they moved in.

Be wary of excessively large deposits — it can be very difficult to get your deposit back, even if it was wrongfully withheld. Some local landlords take advantage of that fact.

Keep good records

Keep a copy of your lease and any attachments. When you move in, carefully inspect the unit, document any existing damage in writing, and provide a copy to your landlord. If the landlord provides a move-in checklist, request and keep a copy. Throughout the tenancy, request any

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