

■ Guest commentary

Keep health negligence reward decisions in juries' hands

I'll never forget the words or the way they filled the room. They were ordinary words, delivered in serious, yet distant tones from a doctor I had only recently met. "Your son has suffered brain damage," he said. "It's unlikely he will ever walk."

"In fact," the doctor continued, "the complications will probably result in termination of life before age two."

And with that, I left the hospital with my new baby boy, Jerry.

Our story is why I feel so strongly about defeating this ill-conceived constitutional amendment, Measure 35.

Seven years ago, when Jerry was ready to be born, I was 37 and overdue. I asked for a Caesarian, but my doctor didn't believe in them. She

said I should "buck up" and go through labor.

I was kept in labor for 48 hours. Late at night — the second night I was in the hospital, exhausted, I asked for a Caesarian again. Again, my doctor told me to "buck up."

It was during this time, as I would find out later, that there were clear medical signs my baby was in extreme distress.

Thankfully, an anesthesiologist came in and took a closer look at my baby's vital signs. He turned white. He told the nursing staff he wouldn't touch me until the baby was "stabilized." This was the first time I realized that something was wrong.

My doctor was gone. The hospital

staff found another OB/GYN. When she arrived, she immediately performed an emergency Caesarian. It turned out that my baby had been suffocating in the womb. Compounding the problem, nurses had inserted a resuscitation tube down Jerry's throat the wrong way, so he was still without oxygen until the mistake had been noticed.

Afterward, the hospital instructed its staff not to talk to us. I thought we were at least due an explanation.

What were we supposed to do? Shrug our shoulders and go away?

We turned to Oregon's justice system. With the help of our attorneys, the truth trickled out: The doctor failed to tell me that Jerry was not

responding to the induction. The hospital was understaffed to deal with an emergency that night. The nurses went far beyond the prescribed level for pitocin, the drug that induces labor. The nurses destroyed the paperwork.

Eventually, it would be up to a jury to decide who's accountable and who's responsible for Jerry's medical needs. I was fine with that. I've served on juries and knew jurors try to do their best to be fair.

On the eve of trial, the insurance company came to us with a settlement that would provide Jerry with the care required by someone with severe brain damage. It was a long way from their original suggestion of putting Jerry in an institutional setting where his care

would be paid for by taxpayers.

If this measure had been in effect, it's clear in my mind that Jerry would be living in a group home somewhere, and I would have never found out what really happened during my childbirth.

It shouldn't be up to insurance company executives to decide what happens to children like Jerry when mistakes are made. Those decisions are better made by juries — people like you and me. People with no financial interest in the outcome.

Let's not change that system. Let's not change our constitution.

Kathy Brooks lives in Portland.

INBOX

Despite imperfect choices, vote Kerry now, support Nader later

With a majority of Americans dissatisfied with the direction of our country, the unspoken truth is that neither Kerry nor Bush nor Nader represents the visionary leadership that America needs. While Nader can be far more frank with Americans on many issues

than either of the other two, he is also being self-deceptive about his impact on America's direction. We absolutely need a teller of unvarnished truths, but we cannot afford to let the ideal become the enemy of the possible.

Before we can take the first step in the right direction we must end our sprint in the wrong direction. We have seen where George Bush has led us, and if you have been paying

attention, you can imagine where Bush, Cheney and company would take us given four more years without having to worry about getting re-elected. John Kerry is an imperfect candidate in an imperfect party in an imperfect political system. But the alternatives to each must be considered before deciding to cast or withhold your vote. The choice is not between Kerry and Nader. It is between Kerry and Bush.

Vote on November 2 and make sure your vote counts toward steering America in a new and sensible direction. Then, after the election, help Nader or McCain or Dean or whomever you want, to shape and advocate for the real changes that are necessary for a secure, peaceful and sustainable future.

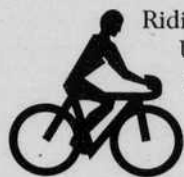
Mark McKinney
Portland, OR



Sidewalk Etiquette



PRESENTED BY UNIVERSITY OF OREGON DEPARTMENT OF PUBLIC SAFETY



Riding a bicycle to and from the University campus is a great way to travel. We encourage its use, but we all need to keep in mind the equipment, rules, and regulations to make bicycle riding fun and safe.

Equipment

Make sure the bicycle you are operating is in good working order and adjusted properly.

⊗ Make sure the bicycle you are riding is equipped with brakes adequate to skid on clean dry pavement.

⊗ Starting one-half hour after sunset a headlight must be visible 500 feet ahead and a red reflector visible 600 feet to the rear. Those who fail to display the light and reflector are subject to citation and fine.

⊗ Protect your life, wear a helmet.

Bicycle Licensing

All faculty, staff and students who operate, store or park bicycles on the University of Oregon campus must register their bicycles with the University of Oregon Department of Public Safety. Unregistered bicycles are subject to citation and fine.



Bicycle Parking

Bicycles shall be parked, stored or left outdoors on the University campus only in areas specifically designated by the presence of bike racks or other devices for the parking of bicycles. However, bicycles may be stored, parked or left in any area or room which has been assigned to the registered bicycle owner, e.g., office, residence hall, or student family living quarters.

Bicycles may be cited and fined or impounded if:

⊗ Trees, handrails, hallways, parking meters or signs are used as a bike rack.

⊗ Parked or stored in such a way that a safety

hazard is created.

⊗ Bicycle is blocking a walkway.



Bicycle Use on Campus

In addition to the state laws and city ordinances governing the operation of motorized and non-motorized vehicles, the University of Oregon has its own set of rules and regulations that must be followed for your safety and the safety of others.

Bicycles involved in a collision are required to render aid as appropriate, call the UO Department of Public Safety, and remain at the scene until released by an officer.

Those who fail to observe the following rules are subject to citation and fine.

⊗ Bicycle riders must proceed cautiously at all times, and are not to exceed the posted speed of 15 miles per hour.

⊗ Walk your bicycle on sidewalks.

⊗ Riding a bicycle on sidewalks, walkways and landscape is prohibited, except on designated bike paths.

⊗ Bicycle riders must yield right of way to pedestrians and disabled persons at all times.

⊗ Bicycle riders shall use the designated bike lane when classes are in session.



Roller Skates and Skateboards



Skating across the University campus can be a fun and easy way to get from class to class. Remember, you share the campus with many others. Roller skate or skateboard cautiously. Here are a few facts to keep in mind as you skate across campus.

Skaters who fail to observe the following can be cited.

⊗ A helmet and pads are suggested for safety, but not required.

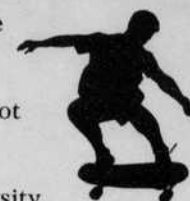
⊗ Use of roller skates or skateboards within University buildings is prohibited.

⊗ Acrobatics or other stunts are prohibited.

⊗ Users of roller skates and skateboards must yield the right-of-way to pedestrians.

⊗ All skaters and skateboard users must obey all campus stop, yield, and dismount signs.

⊗ Skateboarding or rollerblading is prohibited on sidewalks.



Citation Schedule

Bicycle, Roller-skate and Skateboard Fees

- Failure to obey "Dismount and Walk" sign.....\$10.00
- Blocking Violations (traffic, ramps, entrance/exit).....\$20.00
- Prohibited Parking (no bicycle parking sign, yellow zones, landscape area, library area).....\$20.00
- Unauthorized storage.....\$15.00
- Impound Fee.....\$10.00
- Failure to register bicycle.....\$20.00
- Failure to yield to a pedestrian.....\$25.00
- Skating in a building or structure.....\$25.00
- Acrobatic or stunt skating.....\$30.00

If you have any questions, stop by the Department of Public Safety Straub Hall • 1319 E. 15th Ave. or call 346-5444 safetyweb@uoregon.edu

Any University public safety officer or other person specifically authorized by the Director of Public Safety may impound any parked, stored or abandoned bicycle causing a safety hazard or cite any bicycle rider who violates University bicycle rules.

University public safety officers or other personnel authorized to remove and impound bicycles shall not be liable to the owner of the securing device.

University of Oregon Bicycle Regulations