

■ Guest commentary

# Treatment of DDS and police officers share similarities

While reading the Eugene Weekly Viewpoint in the June 30 issue, titled "Designated Driver," I couldn't help but see the parallels between Travis Allan Edwards' argument regarding the treatment of the Designated Driver Shuttle following two employees being caught drinking on the job, and the Eugene Police Department's treatment by Eugene residents and the city itself (certain elected officials).

Edwards describes his job and how he has been assaulted. He also notes having to clean up "unpleasant amounts of bodily fluids." Think of the police officers who work on the streets. Every day they are forced to deal with drunks, people who have

urinated/defecated themselves or puked on themselves, all so the citizens' lives can be free of this filth. Not even to mention the numbers of people with AIDS, Hepatitis of all sorts and infectious skin diseases. Like Edwards and DDS, think of how many people the police have prevented from driving any farther while under the influence. Yet, they become the bad guys when they do their job.

Eugene Police patrol officers have always been shunned by the unappreciative vocal minority. Also being "accused of not doing our jobs properly," the officers every day are faced with officials and citizens who think they know what the job of police

officer is about. It is not coincidental that officers go through six to eight months of training before working the streets. That, in itself, should shoulder a lot of weight when someone with no experience tries to tell officers how to do their job.

Edwards says he does "not see why this one event which only involved two employees should have such an impact on DDS as a whole." Does this ring any bells? Need I mention what two former officers I am referring to? Now, the bandwagon has been loaded full of uninformed accusers, labeling all other police officers in Eugene as racist sexual predators.

EPD also is labeled as an

"unorganized group of people who have no passion for (their) jobs." Knowing nothing of who the officers are as people out of uniform, the label is generously applied to all the hard workers wearing the unappreciated blue of EPD. Like Edwards claims, these assumptions are also based on "the few conflicts we have encountered." Here in Eugene, I think it is very fair to say the anti-police citizens/officials overlook all the positive contributions EPD makes to this ungrateful city.

I share Edwards' feelings when he said, "We have hit our share of snags and complications, but I don't see why these small and

infrequent occurrences should be used to make generalized assumptions" about the service Eugene's street officers provide.

Now that Edwards presented his argument in favor of his job, and I have paralleled those with my argument in favor of mine at EPD, I feel a sense of relief that at least one person in Eugene feels what it is like to be a police officer every day in this city. I also assume Edwards will never join the bandwagon of EPD critics, and he will appreciate officers doing their jobs, just I as I appreciate the one he does.

Don Hollis works for the Eugene Police Department

# Country's commitment to free press compromised

Reporter Judith Miller of the New York Times was sent to jail. Along with Matthew Cooper of Time magazine, she has been held in contempt for refusing to testify about her confidential sources to a federal grand jury.

Because Time has now complied with the grand jury's subpoena by supplying Cooper's notes, and because Cooper has agreed to testify, he is likely off the hook.

To many of us, however, our news media's high-profile legal confrontation with the government is a depressing story — especially when we celebrated our Independence Day just weeks ago. More than anything, it compels us to wonder whether our commitment to a robust and uninhibited press is still the defining characteristic of our country.

Miller would never have imagined facing jail time in July 2004, when columnist Robert Novak "outed" a CIA operative, Valerie Plame.

But all the courts, including the Supreme Court, have rejected Miller's

claims that reporters have a right to protect confidential sources.

What's the scorecard for the news media's most serious legal battles with the government since the Supreme Court held in *Branzburg v. Hayes* in 1972 that the First Amendment does not protect reporters from grand jury subpoenas?

A 4-0 victory for the government.

The Supreme Court refused to hear Miller's appeal from the District of Columbia Circuit Court, which upheld a federal district court's contempt findings against her.

Most dismaying, however, is the judicial obduracy in rebuffing the reporter's argument that courts should examine the post-*Branzburg* evolution of the journalistic privilege.

The Miller case is also revealing in that the judges are unnervingly cavalier and dismissive in rejecting the reporters' privilege as a matter of policy or principle. Few judges were willing to grant the press due credit as an institutional check on the government.

In April, when the full D.C. Circuit Court declined to reconsider a three-judge panel's unanimous ruling against Miller, there was no dissent.

Likewise, the Supreme Court's decision against Miller was tellingly silent in sidestepping an overdue opportunity to clarify several significant constitutional and common-law issues raised in the case. Attorney generals from 34 states and the District of Columbia had asked the court for a more definitive position on the law. Yet none of the justices bothered to write his or her own opinion, whether concurring or dissenting, for the court's refusal to hear the case.

The Supreme Court was not swayed at all by a growing split among federal courts and by the divergence of federal law from the laws of 49 states, which recognize the privilege.

The news media's loss will likely exacerbate the legal quandary facing news reporters. It emboldens federal prosecutors and litigators in demanding the identity of confidential sources.

But we don't have to lament the Miller case as just a futile exercise by the news media. If the post-*Branzburg* history serves as a guide, the case will act as a catalyst for the reporters' right to safeguard their sources' anonymity.

Indeed, it has already galvanized several senators and congressmen into action on a possible federal shield law. Bills on the reporters' privilege have been introduced to Congress. The Reporters Committee for Freedom of the Press and other media advocates push for a federal shield law. Besides, a number of states are considering passing or amending shield laws.

On the other hand, the federal prosecutor's strong-armed pursuit of Miller's confidential source or sources, even though she did not write a story using the sources, is reverberating far beyond our borders.

Recently, the International Press Institute, the global network of news professionals based in Vienna, Austria, has noted "an alarming new pattern of

assault" on press freedom in our country by judges and prosecutors.

We cannot afford this kind of fallout from the press-government conflict while trying to restore our tarnished reputation and influence in the post-Sept. 11 world.

Our courts' increasingly callous outlook on the reporters' privilege sends an unintended, misguided message to many countries that our reporters are coerced into serving as the government's investigatory arms.

Hence, we should be rightly concerned about the negative global image of our country that might emanate from the Miller case.

Few of us will bear watching Miller being hauled into jail as a heavy price for doing her work as a committed journalist.

Kyu Ho Youm holds the Jonathan Marshall First Amendment Chair. This guest commentary is a reprint that appeared in the Register-Guard on July 7.

## INBOX

### Public deserves political discussion, not radical rants

In response to Gabe Bradley's recent commentary ("Why I'm becoming a Republican," ODE, July 7), this is why I am staying a moderate Democrat who can't help but respect moderate Republicans: The writing is in the books, not on the wall.

There are some issues that Republicans and I agree on, like fiscal discipline. I'm a moderate Democrat. There

are many issues that both the radical left and the radical right and I do not agree on. Beyond the handful of issue that are used to divide people like me from my moderate Republican neighbors, I find myself in better company on a lot of issues with the pleasantly reserved individual occupying the middle ground of our American political spectrum. Party affiliation aside, we are all Americans who deserve good public policy tempered by cool heads. I have learned in my limited political experience to be suspect of people who are sure they have the one correct answer

for everyone, and I have learned to be wary of people thirsty for power. The radical right wing of the Republican Party falls into these categories.

While I respect the columnist's opinion and right to support a political party, I do not respect the "foaming at the mouth" approach he uses to subtly urge people to follow his lead and buy into the Republican ideology. Bomb-dropping statements appear, such as "But now the Democrats are yacking their heads off about what Bush should do because that's all they can do, talk," or "Well there's only

room for one John McCain," or "When Democrats win elections, they get to pick judges. Until then, they might as well just shut up."

I wouldn't mislead people into supporting all that falls on the left side of the political spectrum, but generally it fits my tastes and you may agree. Check it out for yourself. My support of my party does not mean I approve of everything that is associated with my party, or being liberal, or left leaning. The world and politics are much too complex for that. Don't buy the rants of party hacks, think for yourself

and let the radicals, like this columnist, tire themselves out before trying to have a civil political discussion with them. We would all be better off if more of us chilled out. I heave read statements on the right such as "Democrats are the enemy," "politics is war." My father, my brother and many of my friends are Republicans and they are not my enemies. Political radicals are not even my enemies, they are my opponents. And that is a big difference.

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