

LADY AND THE TRAMP
Deluxe Pet Grooming

NOW FEATURING

- Dogs & Cats
- Flea Dips Included With Grooming
- Medicated Baths
- Overnight Facilities
- Pick-Up & Delivery Available By Appointment
- Yuppie Puppie Whirlpool

TWO LOCATIONS TO SERVE YOU
6 Days A Week — Sundays By Appointment

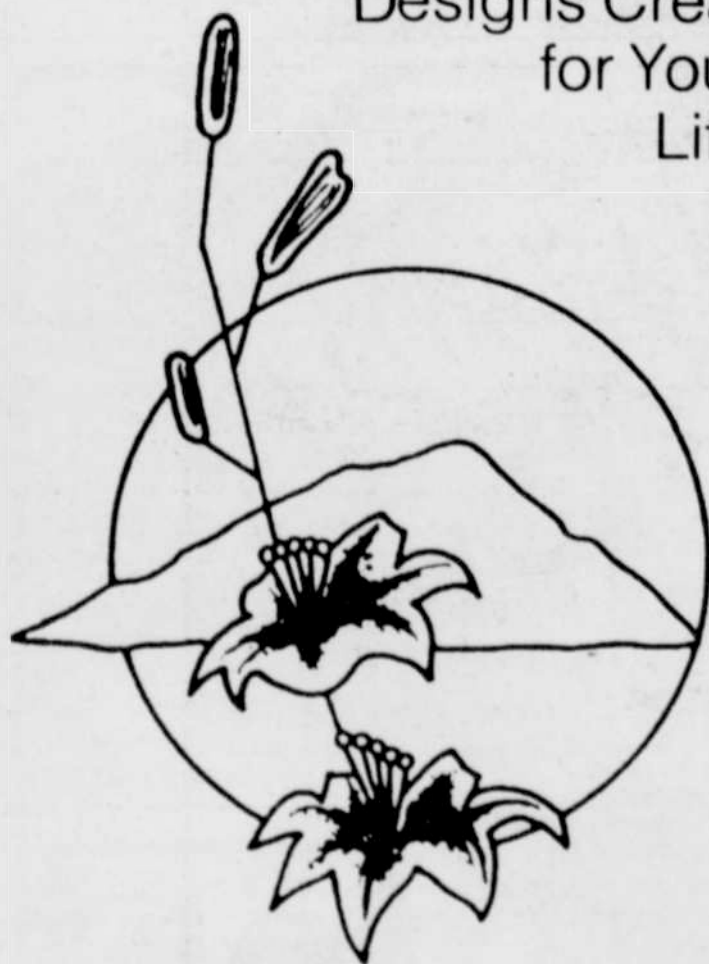
235-2627 **Nutra** **253-0310**
1721 SE Hawthorne PET FOOD 11251 SE Division

new market village
54 sw 2nd
228-1693
open daily

gazette
NATURAL FIBRE CLOTHING

MT. TABOR FLORIST

Contemporary and Distinctive
Designs Created Specifically
for You and Your
Lifestyle



- gift ideas
- cut flowers
- plants • silks
- balloon creations
- parties
- all occasions

serving all hospitals
and funeral homes



7819 SE Stark
256-2920

just news

Tim Shuck wins

*Jury's finding against Priscilla Martin is
"blow against AIDS terrorism"*

BY ANNDEE HOCHMAN

Tim Shuck does not have AIDS, and Priscilla Martin will have to pay for saying that he does, a Multnomah County Circuit Court decided July 26.

Martin, a well-known anti-abortion activist and vocal foe of the gay community, taunted Shuck during protests at the Lovejoy Surgicenter in northwest Portland on several occasions, shouting that he had AIDS and that people would be infected if they entered the clinic. The jury, after two hours of deliberation, determined that those statements were slanderous, inflicted intentional emotional harm on Shuck and would cost Martin \$175,000.

Shuck, 39, has worked at Lovejoy for 14 years and is presently director of the clinic's counseling department. In December 1985 he tested positive for the HIV antibody. In October 1986 he appeared on an Oregon Public Broadcasting program called "AIDS: Out of the Closet" and was identified as being infected with HIV. He filed suit against Martin in March 1987.

On the witness stand, Shuck recounted the day Martin's harassment of him began, the last Saturday in October 1986.

"As I was getting out of my car, she was screaming, 'Here comes Tim Shuck. He has AIDS. If you get near him, you'll get AIDS.' I went up to her and said, 'I don't have AIDS — you have to stop saying that.' ... I was stunned; I couldn't believe that she could be saying that."

Shuck's attorney, Ronald H. Hoevet, described the jury's finding as "a blow against AIDS terrorism. [Martin] was hoping that hatred and bigotry and fear would prevail."

For the jury, a major question in the case hinged on a point of medicine rather than law. Martin agreed that she said Shuck had AIDS on several occasions, both outside Lovejoy and outside the Portland Feminist Women's Health Center. But she said the statements were not slanderous because she believes they are true.

Two physicians, including Mark O. Loveless, assistant professor of medicine at Oregon Health Sciences University and chairman of the Oregon AIDS Task Force, testified that Shuck does not have AIDS.

"AIDS is not HIV-disease. AIDS is a complication of HIV-disease," Loveless said on the trial's second day. From a medical standpoint, the proceeding might have stopped there. But for three more days, Martin's attorney, Henry S. Kane, contended that the definition of AIDS is debatable and that, furthermore, Martin was just trying to protect the public.

"I was trying to warn people so that they wouldn't become infected with the virus should they go inside those facilities," she said in court.

Kane described the jury's finding as a slap to Martin's well-intentioned whistle-blowing. "Apparently the jury told Mrs. Martin: what you learn in Sunday School, leave in Sunday School. If you have a choice of telling people to protect themselves, keep your trap shut."

Martin persisted in her contention that Shuck has AIDS, even after hearing Loveless testify for one-and-a-half hours that he does not have the disease. During a hallway interview with a reporter for KINK radio, Martin said, "When I think of this person oozing AIDS, hugging, kissing, walking around, doing whatever to those people, I — it just made me revolted."

During the five-day proceeding, the jury observed two dramatically different pictures of Priscilla Martin. On the witness stand, Martin was mild and calm, dressed in pastel colors with ribbons in her hair, hands laced in front of her, answering questions in a voice soft as a reference librarian's. Then jurors watched a videotape of a 1987 protest at the Portland Feminist Women's Health Center in which Martin, hoisting a large white cross, followed a patient and her male partner, shouting, "Shame on you, murderer! You wicked, evil murderer! Wicked! Evil! ... Shame, shame, shame!" over the rumble of traffic on Southeast Foster Road.

On that day, Martin said in court, "I was all pumped up — I was worked up to where I could scream and yell."

Some of the trial's most dramatic moments happened in the jury's absence. During the jury selection procedure, Kane asked for permission to question a prospective juror about his sexual orientation. The response of Judge Robert W. Redding was unequivocal: "People aren't going to be bullied out of jury service by being intimidated regarding their sexual orientation. It's just not going to happen in this courtroom."

Later, at the conclusion of testimony, Kane spent one hour arguing for a mistrial on grounds that the courtroom deputy had smiled at some witnesses' testimony and rolled her eyes at others in a way that could prejudice the jury. Three observers, all connected with anti-abortion groups, were called from the spectators' gallery and testified that the deputy, Joan Peterson, appeared disdainful of Martin's witnesses and sympathetic toward Shuck's side.

To counter the motion, Hoevet called two journalists from Channel 6 and Oregon Public Broadcasting away from their notebooks and to the witness stand, where both said they had not noticed any improper smiles or gestures from Peterson.

Redding concluded that "this motion was frivolous; it was brought without any good foundation."

In closing arguments, Kane continued to claim that Martin was acting in the interest of the public's health. "What is the high crime that Mrs. Martin has done? She has warned people," he said.

Hoevet saw it differently. "Tim Shuck was just a pawn in her effort to achieve her anti-abortion aims. What I hope is that [this finding] sends a signal that people can't engage in that kind of unlawful behavior, in that kind of terrorism and bigotry."

At press time, Kane said he and Martin had not decided whether to file an appeal.

Police break Doney case, suspect indicted

Information received by Portland police from a Roseburg informant has led to the arrest and indictment of a suspect in the February 13 murder of Eugene Doney.

Darrell Blaine Monical, 19, of Roseburg was taken into custody by Detective Tom Nelson on July 13, five months to the day after the brutal killing of Doney in northwest Portland's Couch Park.

Monical was indicted by the Multnomah County Grand Jury on July 21 and will face trial in the fall on the charge of murder. According to Nelson, information about the case will not be released until the trial.

— Harold Moore