

**MORTON SENTENCED TO FEDERAL PRISON**

Eugene peace activist and Quaker scholar Peg Morton says she's "relieved" at her three-month sentence this week for criminal trespass at the former Army School of the Americas (SOA) in Georgia (see news briefs last week). Morton, 73, says Judge Mallon Faircloth usually gives six-month sentences for repeat offenders, but may have taken into account her bad back and age. Three other protesters, none from Oregon, did get six-month sentences. A fifth protester got two years of probation.

Morton stipulated to the facts in the case, which means she conceded that she was on Fort Benning property, but she pled not guilty, which allowed her to make a statement to the court.

Due to prison overcrowding and multiple convictions in the civil disobedience actions, Morton won't begin serving her sentence until April, which will give her more time for preparation and research. She's particularly interested in the stories of women who are serving time for non-violent crimes, such as being "co-conspirators" in drug cases.

She says she's willing to go to federal prison, but she still thinks the sentences given to SOA protesters are unfair and the true criminals are those trained in torture and murder by the SOA. "The generals and dictators who are authors of these crimes and graduates of this school have never been brought to trial in Central and South America." — *TJT*

**WINTER RAINS DUMP RAW SEWAGE IN RIVER**

On Dec. 13 one out of every five toilet flushes in Eugene-Springfield went directly into the Willamette River untreated.

The regional sewer plant released 23 million gallons of raw sewage into the river in a 16-hour period during a rainstorm last month, according to a memo from the plant. The plant has a capacity of 175 million gallons of sewage a day, but, due to rainwater infiltrating the sanitary sewer system, was deluged by more than 195 million gallons on Dec. 13.

"There was minimal risk of public expo-

sure from these overflows because of the cold temperature, heavy rain, high stream flows, and lack of water recreation activity," Wastewater Director Peter Ruffier stated in the memo.

Since the last overflow during storms in 1996-97, the plant has been working on a plan to handle five-year storm events equal to 3.9 inches of rain in one day. On Dec. 13, rainfall measured 2.7 inches. — *Alan Pittman*

**GARRETT EPPS' TALK ON CITY CLUB SITE**

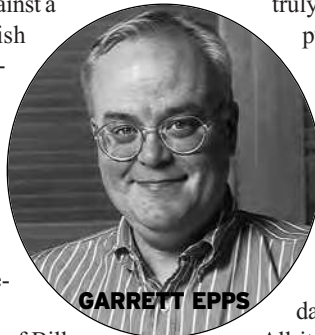
For those who missed law professor Garrett Epps' talk to City Club Jan. 6 on "The Bill of Rights Today: an Historical Perspective," the text of his presentation is now available on-line at [www.cityclubofeugene.org](http://www.cityclubofeugene.org)

Epps says his talk, which examines how constitutional rights have been interpreted during times of war, is scheduled to be published in the next *Oregon Law Review* and will eventually be on-line for broad readership at [www.law.uoregon.edu/org/olr/](http://www.law.uoregon.edu/org/olr/)

In his talk, Epps describes the Bill of Rights as "a partial list of the treasured liberties traditionally enjoyed by British subjects, to be read explicitly against a background of the English common law, and to be interpreted by — by whom? Nothing in the Constitution makes clear who if anyone is to enforce the Bill of Rights. In 1789, it was far from clear that courts would have that responsibility."

Epps outlines the pattern of Bill of Rights abuses by our government during wars hot and cold, but "The eventual happy ending of the story comes only because the people themselves have kept alive the idea that there are some things government should not do, even in moments of danger."

He notes that "the movement by cities across the country, including Eugene, to adopt resolutions opposing the USA PATRIOT Act is very much in the mainstream of the American tradition — and it has had a



GARRETT EPPS

**THIS MODERN WORLD**

by TOM TOMORROW

truly profound effect on the tone of public debate and has shaken the Bush administration."

But Epps is still worried. "Each dark moment in our history has ended well so far; but that does not make a happy ending inevitable in our time. Over and over, fear and hatred attack freedom, and one of these days those wounds may prove fatal.

All it will take is a government determined to drive every nail, and a people so frightened and divided that they will accept the hammer." — *TJT*

**PARKWAY COSTS ALREADY EXPENSIVE**

The \$100 million or more West Eugene Parkway hasn't even broken ground yet but it's already bleeding the city of money.

The city spent \$50,000 on the parkway last year, according to a city memo. Public works staff working on analyzing the many environmental impacts of the project spent \$10,144. The rest was \$39,913 in legal fees defending the controversial project. — *AP*

**COURT STOPS SPRAYING ALONG SALMON STREAMS**

In a precedent setting ruling, federal district court Judge John Coughenour last week restricted the use of 38 pesticides near salmon streams and has required point of sale warnings on products containing pesticides that may harm salmon. The ruling came in a case brought by fishing and conservation groups in Seattle.

"This is a landmark decision that finally gives salmon relief from pesticides after a decade of agency inaction," said Patti Goldman, the Earthjustice attorney that represented the groups. "The court has blocked the use of the most harmful pesticides along salmon streams until the government has ensured that salmon will be protected."

The ruling followed Judge Coughenour's 2002 decision that found EPA out of compliance with the Endangered Species Act for failing to protect salmon from harmful pesticides. The Judge ordered EPA to consult with the NOAA Fisheries to establish permanent

restrictions needed to protect salmon from 54 pesticides over a two-and-a-half-year timeline. After the 2002 ruling, environmental and fishing groups filed for an injunction to reduce contamination of salmon streams while EPA and NOAA Fisheries develop permanent restrictions.

The ruling puts in place no-spray buffers of 100 yards for aerial applications and 20 yards for ground applications, with exceptions for certain uses that are unlikely to pollute water.

The court order also requires this warning for products containing seven pesticides that have polluted urban salmon streams.

These warnings must be provided to purchasers in urban home and garden stores throughout Washington, Oregon and California.

"Now consumers buying lawn and garden products can easily make informed choices that are better for salmon," said Aimee Code of the Northwest Coalition for Alternatives to Pesticides. She applauded the court's decision saying, "It imposes simple and effective measures to protect salmon."

The interim measures imposed in the court's ruling will protect salmon from these pesticides during the time it will take EPA to comply with the law. The Judge found "with reasonable scientific certainty that the requested buffer zones — 20 yards for ground applications, 100 yards for aerial applications — will, unlike the status quo, substantially contribute to the prevention of jeopardy" to salmon. He further found that the evidence "demonstrate[s] that pesticide-application buffer zones are a common, simple, and effective strategy to avoid jeopardy to threatened and endangered salmonids."

"Our streams and rivers should provide clean water for salmon to thrive in — instead they're a toxic soup of hazardous pesticides," said Erika Schreder of the Washington Toxics Coalition. "This court decision forces EPA to enforce current law and protect endangered salmon from the impacts of pesticides."

**KALI'S CALAMITY**

A month into the new year and it's already the end of an era for Mother Kali's Bookstore staff. On Friday, Jan. 23, the

**Happening people** BY PAUL NEEVEL

**David Oaks**

Since 1990, Eugenean David Oaks has directed Mind Freedom Support Coalition International, a U.N.-recognized NGO promoting human rights for mental health consumers and psychiatric survivors. "Drug companies dominate the mental health system — that's the problem," he explains. "We're in the pro-choice camp, looking at a full range of alternatives." In 1968, at age 13, Oaks published an underground newsletter in his school on Chicago's South Side. "It was all about social change and the counterculture," he recalls. "It was censored by the principal." Later on, as a student/activist at Harvard, Oaks suffered emotional and mental crises. "I was in a psychiatric facility five times, forcibly drugged and locked up in solitary confinement," he says. "That was my recruitment room for this work." After graduation, Oaks became an organizer for peace and environmental groups. In Eugene since 1983, he worked on forest actions and a nuclear-free zone before devoting his efforts full-time to mental health issues in 1989. "We oppose forced treatment," he emphasizes. "People should be given full information and the ability to make choices." Learn more at [www.MindFreedom.org](http://www.MindFreedom.org)

