• Last week we ran a cover story on the proposed external police review, and our editorial urged Eugene voters to mark their ballots in favor of Measure 20-106. The deadline to drop off ballots is Tuesday, Nov. 8, sooner for mailing ballots. Only 16 percent of ballots were turned in, last we heard. One thing puzzling to us in this debate is why the police union is fighting this modest, conservative proposal. All we can figure is that it's a matter of pride. The cops are on the streets battling the bad guys every day, they take care of their own internal problems, and they are insulted by having wimpy civilians (who don't know a night stick from an umbrella) poking into their business. Well guys, here's some news for you. Your job is going to get a whole lot easier when thousands of people in the community no longer cringe or see red at the sight of a badge and uniform. EPD has huge image issues to overcome, and we continue to hear about police bullying, profiling and selectively enforcing laws. Having an independent mechanism in place for dealing with complaints will in itself be a big step toward changing police behavior, building trust and healing the rift. It's going to take time and money, however it's done. Even the police union should recognize that doing nothing is the worst possible option. Vote yes on 20-106.

• Here's an Oregon politician to watch carefully, especially if you're Kevin Mannix or Ted Kulongoski. He's Ben Westlund, a Republican state senator from Bend who was nominated this time by both D's and R's in Central Oregon. Last week he told guests at the 20th anniversary dinner of the Lane Metro Partnership that " Oregon is being destroyed by petty partisan politics .... it's time to stop being mere politicians thinking of the next election, and time to become statesmen thinking of the next generation." He called the current tax structure "stupid ... too much money in good times, not enough in bad." But mostly, Westlund blasted what he called "extreme partisanship." That's the defining line for a man rumored to be considering a run for governor in 2006 as an Independent. He and his message are appealing, especially in a state split nearly evenly three ways, R, D, and Independent, and where he wouldn't need to run in an expensive primary. It was a little ironic at the anniversary party that Metro Partnership Director Jack Roberts gave Kulongoski the Director's Award for his economic development efforts. Choosing sides is getting harder and harder!

• Mayor Piercy is taking a lot of guff for her tie-breaking vote last week to pull city support from the problematic West Eugene Parkway, and seek better solutions. Much of the criticism focuses on the previous two advisory votes on the WEP, but support for the parkway has been eroding for years. The last vote barely passed, and only with a big-buck campaign from developers, coupled with a load of misinformation. More importantly, the recent elections of openly anti-WEP city candidates Piercy, Betty Taylor, Bonny Bettman and Andrea Ortiz should put those arguments to rest. Why have so many people turned against the WEP? The reasons are many, but for starters, the project violates federal laws protecting wetlands purchased with federal money, it would only have a marginal impact on traffic, it's not the same project voters looked at in the past, the cost has grown immensely, and even state and federal officials are divided on whether it's a good idea. The city's been divided for 20 years on the WEP. Piercy wants to resolve the west Eugene traffic dilemma. Let's give her our support and work for solutions that make sense.

• A couple of sources tell us former Congressman Jim Weaver is threatening to run against County Commissioner Faye Stewart in 2006. Now that would be a fascinating race, squaring off two candidates who are polar opposites in manner, experience and political philosophy. Run, Jim, run.

David Monk, Mary O'Brien, Anita Johnson and Lisa Arkin at the Oregon Toxic Alliance anniversary celebration.

• Great turnout last Friday evening for the fifth anniversary celebration of the founding of Oregon Toxics Alliance (see news brief last week). The biggest attention was on Mary O'Brien and her role as a "passionate, fierce advocate" for the public's right to know about toxics in our community and statewide. OTA has been a vital organization for environmental accountability and transparency, and it's the kind of organization that serves as an example for other cities, counties and states. O'Brien's persistence and scientific expertise in pushing toxics disclosure has "put a whole new conversation on the table," noted Greg McLaughlan of Friends of Eugene.

news Briefs

COP ADS & SHOOTINGS

Eugene police union executives have been spending thousands of dollars on big ads in *The Register-Guard* against the external police review Measure 20-106.

The ads, which take up to one full page, include a letter from the Police Employees Association Executive Board. One of the signatories, Randy Berger, identified as the union "Legislative Chair" was involved in two controversial police shootings a decade ago.

In 1995 Berger shot and killed an intoxicated man who was holding a toy gun. Police said Berger feared the toy was real and ruled the shooting justified.

In 1996 Berger shot and killed Marvin Young, an unarmed heroin addict, through Young's car window. Berger said his handgun discharged accidentally while he was using it to break the window. The district attorney refused to prosecute Berger.

The city hired an experienced police psychologist who examined Berger and determined that he lacked the social judgement, willingness to conform to rules and emotional self control to be a police officer. The city then terminated Berger.

Berger, backed by the police union, appealed to the state Employment Relations Board. The city brought in another psychologist who concurred that Berger's tests showed he was "a risk for losing emotional control and reacting with intense aggression or temper" and argued that allowing Berger to continue as an officer "would put the public's safety at risk," according to documents in the case.

But the union called the city's doctors "incompetent," biased "paid assassins." The arbitrator agreed with the union and its psychologists that Berger was psychologically fit to be a police officer and gave him back his job.

"The vehemence" of the city psychologist's "attack on [Berger's] personality and his fitness for duty and the intensity of his predictions of future behavior is incredulously impassioned for a professional who has been retained to do an objective evaluation," the arbitrator wrote. Berger is not a "shoot happy police officer" but a "very valuable and important asset" for the EPD, the arbitrator said.— *Alan Pittman*

FIRST, THERE WAS ADAM

As the nation debates the role of "intelligent design" in publicly funded classrooms, some local home-schooling parents worry that when it comes to publicly funded alternative education, the apple doesn't fall far from the Tree of Knowledge. A teacher for HomeSource, a resource center for home-schooled students that receives funds from local school districts, recently used instructional material that smacks of religious doctrine.

In early October, HomeSource teacher Barbara Smith-Gillespie posted *The Wall*