

Mike's Gulch that was clearcut and replanted 30 years ago. "To use the same failed management techniques again must mean that the Forest Service is incompetent or operating in the interest of industry, not that of the ecosystem or the public," she said.

Siskiyou Timber Officer Rob Shull disagrees. "We have a number of plantations in that area, all of which are successful based on the post-planting surveys we complete," he said.

Shannon Wilson, a forester with the Sierra Club, contends that several large mudslides on steep slopes in and around the Blackberry unit represent "a very serious violation of environmental standards and guidelines." Clearcutting could potentially exacerbate those slides and clog up North Fork Indigo Creek, a salmonid habitat important for anglers who fish on the Rogue River.

Shull said that the Forest Service shares that concern, and that geologists and soil scientists assessed the Blackberry unit to ensure that mudslide risks will be minimized.

Rolf Skar of the Siskiyou Project worries that the nature of the Blackberry sales, scattered over a large area, could disqualify thousands of nearby acres from future wilderness designations. The Siskiyou Project is working to establish the Siskiyou Wild Rivers National Conservation Area, which was considered as a potential national monument before the 2002 Biscuit Fire.

Those concerns are unfounded, Shull said. "If one were to look at the Blackberry timber sale from a map, the units are essentially located between areas that have been harvested historically," he said. "We chose those areas particularly because they were the least likely to be designated wilderness."

Gov. Kulongoski is accepting comments regarding the state petition to protect Oregon's roadless areas through Sept. 8. The comment form can be filled out online at <http://nrimp.dfw.state.or.us/roadless/comments.aspx> — Kera Abraham

EUGENE'S REPUTATION SPREADING

Eugene's reputation for failing to stop bad cops has spread nationwide.

The *Philadelphia Inquirer* focused on Eugene last month as part of an investigation into officers across the country who are "Extorting Sex With a Badge."

The article describes the EPD sex scandal involving officers Roger Magaña and Juan Lara. Two years ago Magaña was sentenced to 94 years for sexual abuse involving a dozen women over seven years. Lara served two years for a lesser sex crime spree.

Eugene Police Chief Robert Lehner tried to explain why the EPD failed to act on years of complaints about Magaña by telling the paper that the victims were drunk or high and "almost impossible to believe."

But a jury and county prosecutors did believe the victims. Some had drug or alcohol addictions, but many others had no serious criminal records, according to court records and testimony. One was a teenage

police cadet, another was a college student, one a woman looking for her cat and another a relative of an EPD officer.

Greg Veralrud, an attorney for one victim, blamed the EPD for the abuse. "There was a tolerance that had developed, a kind of boys-will-be-boys, shrug-your-shoulders attitude," he told the *Inquirer*.

Lehner repeated the city's refusal to discipline or even investigate other officers for failing to act on the complaints. The newspaper wrote, "Mistakes were made, Lehner said, but he's not sure that means anyone should be punished: 'Do I go back and end [someone's] career because of it?'"

The *Inquirer* found nearly 400 reports of police sexual misconduct around the country in the past five years. The paper identified a pattern with cities that employ sexually rogue officers: "Once abusers cross the line, they attack again and again before they are caught. ... Most police departments do little to identify the offenders, and even less to stop them." — Alan Pittman



MASCOTS NO LONGER

Suzan Harjo is a preserver of Native American history, but she has also spent the last 30 years making some of her own. The writer, lecturer, curator and policy advocate brings her knowledge and expertise to the UO as the keynote speaker for the Sept. 14 symposium, *Preserving Our Pasts, Telling Our Stories: Indians, Museums and the Management of History*, sponsored by the Wayne Morse Center for Law and Politics.

Harjo is one of the primary plaintiffs behind the active lawsuit Harjo et al v. Pro Football, Inc., filed in 1992 to discontinue the use of "Redskin," as the mascot for Washington's football team. Harjo gives a wry summary of the 13-year-old case.

"They say they 'We're honoring you.' We say, 'No, you're offending us.' They say 'We're honoring you.' We say, 'No, you're offending us.' They say, 'Shut up,'" she reports from the offices of her Washington, D.C., Native rights organization, Morning Star. "It didn't have to take this long, but the other side is dragging their feet, trying to starve us out."

Despite the defendant's stall tactics,

Harjo et al have stayed the course, recently partnering with a group of young Native American rights advocates she hopes will infuse the case with new energy. Harjo points out that while lengthy battles can be discouraging, the movement to eliminate Native American references from sports teams has already achieved tremendous success.

"The first reference to Native Americans was eliminated in 1970 at the University of Oklahoma. There used to be over 3,000 references to Native Americans in sports teams. Now there are 900. We are really on the downhill slide with this movement. Soon everyone's going to look around and say 'Look at this racist piece of our history!'"

Harjo and the current Wayne Morse Chair of Law and Politics, Richard West Jr., will discuss representations of Native Americans both as both sports icons and subjects of historic preservation during the Thursday evening address, "Mascots, Museums and Indian Identity: A Conversation." Harjo hopes members of the public will decide to attend out of a desire to understand more about the history of a peaceful movement.

"Where we have been going has been in the direction of a less contentious and more peaceful and creative kind of world. This is one of those small areas of life where a little effort goes a long way. You can do something about something. We're eliminating a whole area of racism."

Harjo will speak at 7 pm Sept. 14 at the Knight Law Center Commons.

— Adrienne van der Valk

TOWNHALL ON TOXICS

Northwest Eugene residents and workers concerned with the health affects of railroad and industrial pollution have a couple of opportunities coming up to learn about the issues and comment on proposed clean-up plans.

Public comment is invited through Sept. 30 on an Oregon Department of Human Services (DHS) investigation into cancer risks in the northwest Eugene neighborhoods; and the Railroad Pollution Coalition (RPC) and the Oregon Toxics Alliance (OTA) are hosting a public meeting at 7 pm Tuesday, Sept. 12 at the Red Cross building, 861 Bethel Dr.

Last week the DHS released the results of a seven-year state and federal research project that found no evidence of increased cancer rates in the neighborhoods near the J.H. Baxter creosote plant. But members of the RPC say that more than just cancer rates need to be considered.

For the past three years, OTA and neighborhood leaders have been meeting with the Oregon Department of Environmental Quality to "watchdog the investigation, provide whistleblower information, identify additional testing needs, and push for action to protect nearby residents," according to an OTA flier.

"Public involvement in this decision-making process is critical at this time," says Lisa Arkin of the OTA.

Mayor Kitty Piercy and Councilor Andrea Ortiz plan to attend the Tuesday community gathering. For more informa-

tion, call OTA at 465-8860. To read and/or comment on the DHS cancer study, visit <http://oregon.gov/DHS/ph/shine/bxsites.shtm> and to get on the DEQ email subscription list on Eugene railyard cleanup, send a note to aitken.greg@deq.state.or.us — TJT

BAT-WIELDING BUS DRIVER

A man's gotta be able to protect himself, thought Lane Transit District bus driver Syd Jacobson. Riders would clamber onto his bus with all sorts of intimidating household objects, like umbrellas and hammers, yet he wasn't even allowed to carry pepper spray on his shift in case things got out of hand.

So he decided to make a point. On Sept. 24, 2004, Jacobson brought two baseball bats to an LTD training session. One he propped by fellow driver Jim Stinson's table; the other he leaned near his own seat. When instructor Kay Christopher asked him what was up with the bats, Jacobson picked one up and walked slowly toward Christopher. He asked her if she was uncomfortable. She said yes.

That's the point, Jacobson said, explaining that he had brought the bats to show then-General Manager Ken Hamm how vulnerable he felt during his night shift without pepper spray. He then handed Christopher the bat and returned to his seat.

Jacobson's supervisor, Mark Johnson, accused him of gross willful misconduct and suspended him for five days without pay, requiring him to attend counseling sessions. Jacobson's union filed a grievance, challenging the suspension on the grounds that Jacobson didn't get a written warning before his suspension, as his labor contract required. The matter went to arbitration.

On July 10 arbitrator Mark Downing sided with the union, ruling that Johnson didn't conduct a fair and objective investigation before suspending Jacobson. Seven drivers who had been at the training said that Johnson did not interview them about the bat incident. One of the witnesses, Tony Zacchino, testified that Jacobson had held the bat at waist level and not in a threatening manner, in contrast to Christopher's account that Jacobson had approached her red-faced, slapping the end of the bat into the palm of his hand.

Downing decided that LTD should have given Jacobson a written warning rather than a suspension. He ordered the district to compensate Jacobson for lost wages and counseling expenses. Arbitration costs totaled about \$36,000, according to LTD spokesman Andy Vobora.

The district maintains that it was right to suspend Jacobson. "[T]he imposition of discipline was certainly warranted," Vobora wrote in a letter to *EW*.

Jacobson, for his part, was appalled that his bat-wielding stunt caused so much

