

- The Eugene **Police Commission** will meet at 5:30 pm Thursday, Jan. 8, at EPD Headquarters, 300 Country Club Road, Kilcullen Community Room. On the agenda is a closed circuit television proposal.

- **Church Women United** of Lane County will focus on "Activism for Christians" at its January forum from 9 to 11:15 am Friday, Jan. 9, at Church of the Brethren, 1027 Main St. in Springfield. Speakers will include the Rev. Melanie Domen of the First Congregational Church. The meeting begins with fellowship and a continental breakfast with the speaker at 10 am, followed by discussion. See cwulanecounty.org for more information.

- **City Club of Eugene** will hear about "Honoring the Resiliency of American Indian Nations" at noon Friday, Jan. 9, at the Downtown Athletic Club, 999 Willamette. Speaker is anthropologist Jason Younker, Ph.D., of the UO. The following week, Jan. 16, will feature Oregon Speaker of the House Tina Kotek. \$5 for non-members. See cityclubofeugene.org.

- **Jennifer Freyd**, professor of psychology at the UO, will speak Saturday, Jan. 10, during the meeting of the American Association of University Women. In the last two decades, Freyd has researched and written extensively on sexual abuse and memory. Her talk about issues of sexual assault will be at 10:30 am at Westminster Presbyterian Church, 777 Coburg Road. The AAUW meeting will be at 9:30 am and is free and open to the public. Call 344-4572 for more information.

- A memorial service for **Mark W. Lewis** will be at 10 am Saturday, Jan. 10, at South Eugene High School Auditorium. Open to the public. A memorial is also being planned at Faerie Con in February [check Facebook notifications] and there may be another held in California in the spring. The Emmy Award-winning storyteller and UO instructor died unexpectedly Dec. 7.

UO MEMO DETAILS PLAN TO QUASH UNION VOICE

"In the most elemental form, the faculty has traded its voice in internal government and management for the union's voice, and the union's only legal role involves terms and conditions of employment for bargaining unit members," reads a May 2012 memo written by the University of Oregon's then-legal counsel Randy Geller, calling to abolish the UO's Faculty Senate and advisory committees that are a part of the university's "shared governance." In shared governance, a university's faculty has a say in how the school is run.

The confidential memo surfaced, thanks to Prof. Bill Harbaugh's UO Matters blog, as the university and the United Academics faculty union prepare for bargaining this spring. The memo from Geller to interim president Bob Berdahl and other administrators was written shortly after the union was authorized, and after a bill in Oregon's Legislature reorganized the Oregon University System and allowed the UO to have its own board of trustees.

The 10-page memo suggested, among other things, that union members be kept off committees, such as intercollegiate athletics, campus planning, environment, LGBT concerns and student conduct and community standards.

When *EW* asked if any action had been taken on Geller's suggestions, UO spokeswoman Julie Brown responded, "I'm confused by your questions. You're talking about a dated advisory memo between people who don't work here at all or don't have the same administrative roles any longer."

Brown says, "If you're asking if the university has operated differently since 2012 in regard to the University Senate, it has not. That body is still an important part of campus governance and faculty are centrally involved."

UO professor emeritus Frank Stahl, who has long been in-

involved with the Faculty Senate and shared governance, says, "This memo looks to me as though [Geller] has used unionization as an excuse for a broad attack on the governance rights (granted by the UO Charter) of the teaching faculty. His arguments look specious to me. I trust that the UO administration and/or the board do not take them seriously."

UO Matters writes that "Geller's proposal seems insane, but key parts of it have already been implemented," pointing to "administrative advisory groups that Bob Berdahl and Mike Gottfredson set up to replace Senate committees," such as the President's Advisory Group on Intercollegiate Athletics and the Public Records Administrative Advisory Group.

The memo says, "The reality is that the role of the faculty, including bargaining unit members, has been significantly diminished, and we will not do nearly as much work by committee as we have done in the past, including via the Faculty Assembly or the University Senate."

Using committees for decision making is an essential part of the UO's shared governance, says Jane Cramer, a professor in political science and chair of the United Academics Diversity and Equity Committee. She says universities with their many stakeholders run better collectively, which "is nearly opposite of how good businesses are usually run, in efficient and top-down managerial style."

Cramer says, "We know shared governance can work at a unionized university," giving Rutgers University as an example. She adds that one reason many faculty voted to unionize was to strengthen shared governance and the Faculty Senate. "The Senate is broader than the union," she says.

Cramer says, "We welcome that the UO had the enlightenment to get rid of" the sort of advice Geller was providing. Geller now works for Harrang Long Gary Rudnick, the law firm representing the Eugene School District 4J in a public records case against the R-G. — *Camilla Mortensen*

CRIMINAL NEGLIGENCE

Animal neglect not criminal in Lane County?

In mid-November, Darla Clark began getting frantic calls about Dani, a young Tennessee Walker horse in Lane County who was so emaciated that her spine and ribs protruded through her muddy black hair. Clark, who runs Strawberry Mountain Rescue and Rehab, says people who called Lane County Animal Services about the horse were told an officer couldn't make it out until after the holidays.

Dani's condition was so bad, Clark says, the mare didn't have a week, let alone more than a month. Clark's rescue took her on.

Clark does most of her work in Douglas County, where Strawberry Mountain is located, so Lane County's animal control system was new to her. As she looked into Dani's case, she was dismayed to discover that, despite positive changes in animal neglect and abuse cases at the state and federal level, cases in Lane County aren't affected because these cases are handled as code violations rather than criminal cases. In Douglas County, Clark has been part of criminal neglect and abuse cases that have gone before the Oregon Supreme Court and won.

In recent years, agencies have cracked down on animal abuse and neglect — in many instances, early abuse of animals is seen as a precursor to violence against people. In fall 2014, the FBI announced it would begin tracking animal cruelty cases, including neglect, in its crime report data.

On the state level, in a 2014 Oregon Supreme Court case that Clark was involved in, the court ruled that police do not need search warrants to seize endangered animals. In another 2014 case, the court ruled that animals are not just a single unit of property but can be considered individual victims.

In 2013, the Oregon Legislature passed a bill that makes first degree animal neglect punishable by five years in jail, a

\$125,000 fine or both, for each offense if more than 10 animals are involved, it's done in the presence of a minor or it's a repeat offense.

Clark says Lane County is missing out on these legal improvements because if it files animal neglect cases as violations instead of criminal cases, there is no criminal history.

She tells *EW*, "That means anyone selling or rehoming animals could not check public records to see if an abuser has a history." Clark adds that landlords and employers would not see code violations when doing a background check, and "there is no simple way for another prosecuting attorney to track violations if the individual is later charged in another county, making our new felony aggravated neglect [law] difficult to enforce."

Clark says if animal violations are pursued as criminal cases, there is a five-year ban on owning animals in misdemeanor cases. She also points out that if an offender from another county moves to Lane County, there is a chance their previous conviction would go unnoticed because the case would not be sent to the district attorney, "allowing for potential felony offenses to be written off at the level of a traffic ticket."

Mike Russell, Lane County's manager of the Parks and Animal Services Division, says Lane County Code violations can lead to seizure of an animal, fines and possible payment of restitution. Under Lane Code, the violation of "animal abuse serious injury" faces a \$435 fine. Failure to pay fines can then lead to more charges.

Animal control officer Bernie Perkins says a person who is found guilty of an animal violation can be prevented from owning an animal for up to two years. Perkins is Lane County's sole animal control agent and is responsible for responding to rural calls for large and small animals. According to Lane County spokeswoman Anne Marie Levis, the reason the county could not respond to Dani's case in November was because the animal control officer was out on injury leave.

Eugene and Springfield have their own animal control officers for within their city limits.

Clark has offered to aid in organizing, training and writing grants for a group of volunteers to aid Lane County in dealing

with its large animal cases, as she has successfully done in Douglas County.

Russell and Perkins met with Clark Dec. 31 to discuss her suggestions. Russell says obstacles include changing training and certification standards to possibly require officers being armed. Also, he says the policy would have to change not just for horse owners but across the board.

Russell says the advantage to pursuing code violations as the county has done since the 1970s is that the county works under a "'preponderance of evidence' not 'beyond a reasonable doubt.'" This, he says, gives "less burden and broader leeway in investigation ability. We obtain a speedier judgment and outcome of pending cases we prosecute."

Finally, Russell says, "Our philosophical approach is to seek voluntary compliance from owners to do the right thing." This "covers everything from unlicensed dogs to skinny horses," he says. "With limited ability to seize and care for animals, it is often best for us to work with owners to keep their animals and correct the situation." But, according to Russell, "In severe cases, we do work with rescues to help us when we must seize animals for immediate safety and health concerns."

In order for a criminal case to proceed, a sworn sheriff's officer would have to be involved, and given Lane County's precarious financial state that relies upon a levy to fund the jail, funding and manpower are an issue.

But thanks to a three-year, \$300,000 grant from the Animal Legal Defense Fund (ALDF), Oregon has a prosecutor, Jake Kamins, who is solely focused on animal cruelty cases. Kamins says while he can't comment on Lane County's procedures as he hasn't worked with counties that handle cases in this way, more generally speaking, in order for a case to come to him, a report would have to be submitted to the DA's office, which could then call upon his expertise.

While Clark has Dani in her care, four other horses remain with the owner, who was recently jailed on charges of stealing horse tack. The county has worked out a feeding plan with the owner and says it will check on the horses to ensure they are gaining weight. ■