



We see the world
through Black eyes

Legislature overlooks causes of crime

The last few months have brought stiffer sentences for those who commit "street crimes" -- robbery, burglary, assault. These crimes are most often committed by the lower classes and are often the result of drug use. These are the defendants who have little money for their legal defense and often use court appointed attorneys.

Judges appear to be responding to the public outcry for an answer to this type of crimes through longer and tougher punishment.

The public is also calling for a return to the death penalty in Oregon. The fate of the death penalty bill now before the legislature seems to rest on the passage of a mandatory minimum sentence. Some proponents of the death penalty bill are willing to vote against the bill if they can be assured that every conviction will result in a penitentiary sentence.

This is a complete return to the punishment philosophy as opposed to rehabilitation. It takes away the mitigating factors of prior record, age, family or programs able to assist, employment. It denies the opportunities of probation.

The most discouraging aspect is that while all of this attention is given to mandatory sentences, death penalty, the parole board -- the causes of crime are not being attacked.

In the last ten years there has been a loss of

ground in the early identification and treatment of children who are headed toward delinquent behavior. Although teachers and social workers, as well as parents and relatives, know these youngsters there is now place to go for help. The Juvenile Courts counselling system has been cut back to almost nothing. Treatment programs for disturbed children are almost non-existent. Family counselling and individual counselling programs are limited -- all because society is just not willing to spend the money to attempt to save our children.

The causes of crime are not being seriously addressed either. The nation will never be free of street crime and crimes of violence as long as there is poverty, slum housing, inadequate education. We readily accept the concept of the "have not" nations fighting the "have" nations but cannot understand the frustrations of the "have not" youths.

Rather than spending a lot of time considering mandatory sentences and the death penalty, the legislature would do a better service to address the causes of crime -- poverty and racism. It would be more profitable to find a way to build community mental health clinics, community corrections programs, drug treatment programs, and vocational training programs to help the young people who are already on the road to crime.

More on school district affirmative action

The Northwest Minority Contractors Association recently went to the Board of Education of the Portland Public Schools charging that the administration was acting in bad faith on a NMCA request for a minority business enterprise program. Two years ago NMCA had asked for a minority preference program, similar to that provided by other federal and local public bodies, that would enable minority contractors to participate in school district building and remodeling projects.

Mark McClanahan, legal counsel for the district, had provided the administration with his opinion that set-asides are unconstitutional.

The Board of Education agreed to consider the matter in its April 11 meeting and Dr. Blanchard, superintendent

of schools, assured the Board that he had asked McClanahan to discuss the matter further with NMCA attorney, Marvin Helfrich.

Following is McClanahan's response to that directive and Helfrich's reply.

Dear Mr. Helfrich:

As I understand it, your client Northwest Minority Contractors insists upon set-asides and preferences such as those presented at the board meeting of March 14, 1977, and that the three drafts which we have authored (and of which you have had copies for some time) do not satisfy the association's objectives.

Inasmuch as I have received no in-

structions to work out a set-aside or preference arrangement, I have no plans to do so. If you have any comments on any of our three drafts, or if you have any proposals short of set-asides and preferences, please make them. However, in view of the content and personalized nature of the comments which have been made by the representative of the association and the fact that we thought we had had several oral communications with you prior to the above-mentioned board meeting (which apparently you do not consider to have been communication), we would like to see your comments in writing prior to any further oral discussions or meetings on the subject matter.

Very truly yours,
Mark C. McClanahan

Dear Mr. McClanahan:

Receipt of your letter was a pleasant surprise. It was long overdue. It had been my understanding after our meeting at the School Board on January 5, 1977, that your final draft would be forthcoming within approximately three or four weeks of that date. This draft was to be a compromise between the positions of the School District and that of Northwest Minority Contractors Association. I firmly believed that a set-aside of some sort would be incorporated in your final proposal. Of course, this was anything but the case. This draft was not made available to me until very recently and it came from a source other than yourself. That is the most regrettable aspect of our meager dealings with one another.

On reading this draft (supposedly your final effort), I was distressed to find that the concept of a set-aside was in no way part of the proposal. In any event, I do not wish to be misunderstood, nor do my clients. Their position is that in order to effectively attain and satisfy the lofty purposes and objectives in an affirmative

action proposal with School District No. 1, set-asides are a necessary component of such a proposal. Consequently, the statement in your letter to the effect that Northwest Minority Contractors Association insists on a set-aside as part of its proposal and that the three drafts you have authored do not satisfy association objections is very accurate. Incidentally, to set the record straight, while I did receive your first and second drafts shortly after our January 5 meeting, I did not come into possession of a copy of the third draft until the afternoon of the date of the School Board meeting (March 14, 1977), and that copy was provided to me by the Portland Observer.

I believe your position regarding set-asides are constitutionally suspect on the basis that such arrangement constitutes impermissible reverse discrimination. Based upon my review of the case law and statutory law and the fact that the Supreme Court of the United States has not rendered a definitive statement on the question, our position is that set-asides are constitutionally defensible.

Northwest Minority Contractors Association is still willing to sit down with yourself and the School District representatives to discuss a set-aside proposal, but in view of your inflexible position on the matter, I do not see how any progress would be made toward my clients' objectives as a result of such a meeting. The association intends to make its formal proposal presentation and statement of views at the April School Board meeting of the Board of Directors.

Finally, your comment regarding our oral communications is curious. Only two communications were had between our offices. One, via a letter and second via a telephone conversation. Other telephone conversations were had between myself and Donna Cameron of your office. These were merely to inform me of the School District's inactivity regarding your final proposal and did nothing to obviate the fact that I was no advised of your inflexible position at an earlier point in time.

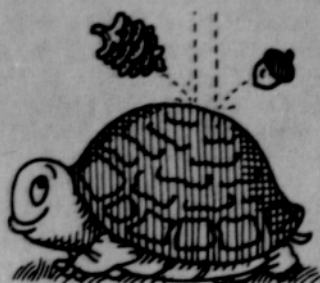
I look forward to your response.

Very truly yours,
Marvin E. Helfrich

There's
no natural
Protection

Birth defects
are forever.
Unless you help.

March of Dimes



Portland Observer

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The Panama Canal

by Yvonne Brathwaite Burke

When asked the question, "Should we give up the Panama Canal?" the majority of people polled answered "Of course not!"

But, if asked the more overriding question, "Should we alienate all of our Pan American neighbors?" I'm sure most Americans would also answer, "Of course not!" -- and that is the real question.

Last month, I joined my colleagues on the House Appropriations Committee and representatives from other interested House committees, on a trip to Panama.

We met and talked with the U.S. officials who have been negotiating with Panama on a revision of the Panama Canal treaty. We also met and talked with President Demetrio Leksas, the general of our command in Panama, the governor of the Canal Zone, as well as residents of the Canal Zone.

The Appropriations Committee has become involved in the Panama Canal issue because of the attempts over the last two years to block negotiations on a new treaty by limiting the use of State Department funds for further negotiations.

Most people do not realize that we have renegotiated the Panama Canal treaty two times before and have changed the amount of lease payments in the second revision from \$250,000, the original amount, to our present amount of 2.5 million a year.

The existence of the Canal Zone, an area 500 square miles, is the heart of the objections by Panama to our present treaty. Panamanians make up 70 percent of the employees in the zone; also some 3,500 Americans live in the area with independent police forces, courts and school system. The area is totally independent of the Panamanian government. This governmental structure costs \$22 million a year to operate.

But more importantly this area is an American colony existing at a time when the United States takes the position, internationally, that we are not a colonial power.

The treaty negotiations have become the object of considerable controversy in recent years.

The key issues have become, first, the defense of the canal, and second, the operation of the canal if the treaty is changed.

I believe that we must maintain a defense presence in Panama because it remains an important defense asset to the United States. The canal allows us to shift military forces and logistic support between the Atlantic and Pacific oceans to overseas areas. The Joint Chiefs of Staff have been in close contact with the negotiators and have a representative on hand to insure that our defense position is maintained.

But we maintain defense bases all over the world without undermining the sovereignty of the host country.

Our financial interests in this waterway have greatly diminished over the last years. Only 12 percent of total U.S. waterborne exports and imports by tonnage pass through the canal. We have become dependent on alternative means of transport, such as container ships, supertankers and large bulk carriers.

The canal produces 13 percent of Panama's gross national product, a major source of the country's income.

I, for one, have many questions about the present government of Panama -- in particular, the state of human rights in Panama. There are numerous charges of denial of basic rights that must be investigated.

Our congressional delegation was scheduled to meet with the foreign minister of Panama but the meeting was abruptly canceled. The foreign minister has resigned and hurriedly left the country.

Any negotiations must be tied to guarantees that the canal will remain open and that the government will insure basic rights to many citizens who today are Canal Zone residents but tomorrow may be Panamanians.

The issue of the Panama Canal was raised to a presidential campaign issue in 1976.

I hope that the President will make every effort to arrive at a treaty that protects the future operation of the canal and lets our Latin American neighbors know that we need their friendship.

From the Legislature

by Rep. Gretchen Kafoury

The Oregon House of Representatives moved on some major issues last week and more important issues will surface during this week. Significant actions happened on the floor as well as in committee.

UTILITY ADVERTISING

Do public utilities need to advertise? And if they do, should the ratepayers have to foot the bill?

Rep. Sandy Richards (D-Portland) questions the necessity of large amounts of advertising and is definitely opposed to consumers being charged for certain kinds of utility advertising.

Richards testified before the House Elections committee last week on behalf of HB 2779 which limits the types of advertising that can be charged to ratepayers.

There have been nine utility rate cases, according to Richards, in the last four years in which advertising was a key issue and, because of assessments, the costs of those expensive hearings were passed on to the consumer.

HB 2779 does not affect the right of utilities to advertise. Nor does it influence the content of advertising. But it would mean, says Richards, "the ratepayers of Oregon will no longer be charged for expensive messages enhancing the company's image, attempting to influence public opinion on particular types of energy, or for messages which might lead to increased demand and, therefore, increased costs to (the ratepayers)."

HB 2321 seeks to establish the death penalty in Oregon for the third time. Oregon has twice repealed capital punishment, once in the 1920's and the last time in 1964. If this bill passes both houses, it would be placed before the voters for approval in the fall. State Government Operations is chaired by Rep. Glen Whallon (D-Milwaukie).

UTILITIES PROFITS

And speaking of utilities, the House, after much debate, passed a bill which should provide a little relief from increased rates.

HB 2227-A would require excess income to be placed in a reserve equity account to offset future rate increases. The bill also contains a mechanism to establish a reasonable rate of return for the utilities. That bill now goes to the Senate side for consideration.

HOMEMAKER DEDUCTIONS

The House Social Services Committee, chaired by Rep. Peg Dereli (D-Salem), heard testimony last week on a bill that would help handicapped persons who hire their own homemakers.

HB 2076, introduced at the request of the Vocational Rehabilitation Division, would allow up to \$400 per month to be deducted by single handicapped persons who wish to become or are employed. The deductions would be co-ordinated with the amount of disability payments each individual receives from the state. More hearings are planned.

DEATH PENALTY

One of the major issues to face the Legislature this term surfaced Tuesday at 7 p.m. when the House State Government Operations Committee held a public hearing about the death penalty.

HB 2321 seeks to establish the death penalty in Oregon for the third time. Oregon has twice repealed capital punishment, once in the 1920's and the last time in 1964. If this bill passes both houses, it would be placed before the voters for approval in the fall. State Government Operations is chaired by Rep. Glen Whallon (D-Milwaukie).

DRIVING LICENSES

If some legislators have their way, the legal driving age in Oregon may rise to 18. The House Transportation Committee, chaired by Rep. Pat Whiting (D-Tigard), heard two bills last week which would accomplish this, but in completely different ways.

HB 2496, sponsored by Reps. Earl Blumenauer and Rick Gustafson (D-Portland) proposes a gradual rollback of the age limitation by three months every year until 1984. Another bill, HB 2927, would require all those between the ages of 16 and 18 to have completed a school traffic safety course or a commercial traffic safety course in order to obtain a license. Otherwise they'd have to wait until the age of 18.

Letters Schools

To the editor:

While driving over the city I've noticed the public schools with spacious lawns, shrubbery and beautiful plants with modern playgrounds and equipment. Then you drive through the inner city. What do you see? Old city buildings, makeshift playgrounds tucked in between freeways, factories and boarded up houses. I noticed on one school the cornerstone dated 1907! These buildings have been patched up, painted up, added to and left for children to try and get an education. When they drop out or lose incentive to advance, it's blamed on the children or their parents!

The blame goes much further than that! When reading the school board's excuse for not using minority contractors, I thought it was tragic. Children hear their parents talking about no jobs because of prejudice and short sightedness and they grow up with those frustrations. So, take an oldtimer's advice: hold off building bicycle paths, beautifying causeways and plazas and put new schools in the inner city before it is too late.

Attention, Dr. Blanchard!
R. A. Lindley

Our readers speak Human Rights imperialist play

by Herb Simpson

We hear so much about the lack of Human Rights in the Soviet Union these days and that the "Dissidents" are all for them. But where or what is their program? Have they issued their manifesto? Do these "Dissidents" complain that Soviet Nationalities are discriminated against? That jobs are not available for all? That health costs are so high that Soviet elderly live in constant fear of losing their homes if illness strikes? Do they complain because education is not available to all? Etc., etc.

Then what role can the "Dissidents" possibly play in 1977? The answer to this is simple. The current economic crisis is the first since 1917 that cannot be solved by starting a military adventure, because the people have gotten their belly full of war. I mean the American people as well as the people in the rest of the world.

For example, the rapid expansion of American imperialism's intervention into Vietnam in 1966 was for the sole purpose of solving the economic crisis at that time. The result of that misadventure, as we all know, was that the Vietnamese people, with the help of the Soviet Union and the rest of progressive mankind, turned it into American Imperialism's Stalingrad.

It is also important to note that for all practical purposes, the American soldier, to his everlasting credit, fulfilled the words of the ballad that says in effect "... what if there was a war and no one came?" because the American Army deteriorated to such an extent that it was

just that.

Now that we are in the middle of another economic crisis, even deeper than 1966 (it's severity to a great extent because of the consequences of the Vietnam war), we can expect that the Imperialists will try to solve this one in the same way. But will they be able to? Portugal and Angola are cases in point where past experience would lead us to expect direct military intervention by the Imperialists, but they were held back to a mere mercenary intervention because the American people wouldn't buy the deal. In time, when the African people liberate Rhodesia, Southwest Africa and South Africa, the people will again say "no" to intervention. As I write this, Katanga Province in Zaire is being liberated, much to the consternation of the American Imperialists.

The economic problems remain, however, for the Imperialists. In their profit driven minds, how better to solve the economic crisis for themselves than by smearing Socialism and thus any thought that the solution is to move on to Socialism? How better to convince our citizens that more military equipment is needed than by dragging out the so called "Dissident - Human Rights" campaign to confuse the issue? Profit is what they are after and profit they will have by the battleship full whether the military equipment is used or not.

[Contributions to the new column "Our readers speak" may be submitted to the Observer for consideration. The Observer maintains the right to edit for length.]

Thanks

To The Editor:

We want to publicly thank all of the people in the Portland community who helped make the 1977 Portland Area Camp Fire Girls' Candy Sale a grand success.

Each of the 11,000 girls and adults who took part in the annual event should be proud of her efforts; the Council was able to increase its sales over last year.

We also want to thank all of the persons who showed their support for local Camp Fire activities by purchasing a box of candy. The profits from the candy, along with help from The United Way and each girl's dues, are keeping Camp Fire Girls a strong and exciting activity for our young people.

Sincerely,
Harriet H. Leshner
Chairman
Portland Area Camp Fire Candy Sale

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