Black Caucus demands investigation of racist remarks

WASHINGTON, D.C. -- The Congressional Black Caucus demands a full investigation of the "racist remarks" which a Republican Congressman is alleged to have made while discussing the investigation into the assassination of civil rights leader Dr. Martin Luther King, Jr. Congressman Parren J. Mitchell, Chairman of the Caucus, asked for the investigation in a letter to John J. Rhodes, "Minority Leader' in the United States House of Representatives.

Syndicated columnist Jack Anderson recently reported that John Ashbrook, a Republican Congressman from Johnston, Ohio, objected to the Capitol Hill probe into the assassination of the slain Nobel Peace Prize Winner, and reportedly said that he believed that time and money should not be wasted "investigating the murder of some nigger." The Caucus letter indicated that this alleged racial slur by a public official must be investigated to determine the true facts.

The Congressional Black Caucus, whose membership includes Cleveland Democrat Louis Stokes, House Assassinations Committee Chairman and District of Columbia Delegate Walter Fauntroy, Chairman of the Assassinations subcommittee investigating Dr. King's death, strongly urged the House Republican party leadership to release the results of its investigation. When the report is released, the Caucus further stated, "Representative Ashbrook (should) take the first opportunity possible to publicly set forth his personal and political attitudes and practices toward Black Americans, should the investigation be inconclusive."

"The implications of such a statement, for the King Family, for the Black people in Representative Ashbrook's Congressional district and political party, and generally for all decent-thinking people, are so serious that if it is shown the racist statement was made, then nothing less than a public apology made in the U.S. House of Representatives is acceptable." stated Congressman Mitchell.

The House Select Committee on Assassinations was established on September 17, 1976, primarily through the efforts of the Congressional Black Caucus, and Caucus members Congresswoman Yvonne B. Burke (D-Calif.) and Congressman Harold Ford (D-Tenn.) also are Committee members. The Committee is supported by the members of the House of Representatives, having been funded through the ninety-fifth Congress with a budget of two and one-half million dollars.

LT. COLONEL RICHARD CHANDLER

Chandler joins corps staff

Lieutenant Colonel Richard Chandler, Jr., 41, has been assigned to the Portland District, U.S. Army Corps of Engineers, to serve as deputy district engineer. He replaces Lieutenant Colonel Melvyn R. Brown, who retired from military service in April.

Lt. Col. Chandler's position with the Portland District marks his first assignment in the civil works activity of the Corps. He was formerly engineer construction adivsor to the U.S. Army Logistics Center at Ft. Lee, Virginia.

As deputy district engineer, Lt. Col. Chandler will assist District Engineer Colonel Lou Arnold in supervising a $120 million annual program of water resources development and protection in Oregon and southwestern Washington. This includes the operation of Bonneville, The Dalles and John Day dams on the Columbia River and 13 flood control dams and lakes in the Willamette Valley.

Major construction activities in the Portland District at present include a $525 million second powerhouse at Bonneville Dam, dredging for the $19 million Coos Bay channel deepening project and completion of Lost Creek Lake near Medford.

Lt. Col. Chandler is a graduate of South Carolina State College with a bachelor's degree in mathematics. He received a master's degree in public administration from the University of Oklahoma in 1973. He is a graduate of the advance course, U.S. Army Engineer School, and the Command General Staff College.

From 1971 through 1973, Lt. Col. Chandler was director, Facilities Engineer, with the U.S. Army at Kagnew Station in Asmara, Ethiopia. He served two tours of duty in Vietnam, where he was awarded two Bronze Star medals. His other military decorations include two Meritorious Service and two Army Commendation medals.

Lt. Col. Chandler and his wife have two children. Both he and his predecessor, Lt. Col. Brown, are originally from Columbia, South Carolina.

Policing the federal bench

by Mary Ellen Leary*

Sacramento, CA. (PNS) -- America's federal judges, whose lifelong appointments have made them virtually immune to public censure, may soon come under the same disciplinary review mechanisms faced by their colleagues on most state benches.

On April 30, the California Commission on Judicial Performance provided one of the most striking examples of disciplinary review, forcing immediate retirement of 82-year old State Supreme Court Justice Marshall F. McComb for senility.

That same day Senator Sam Nunn (Dem. Ga.) introduced legislation in Washington, D.C. to create a similar commission at the federal level.

California pioneered the concept that a spcial commission could effectively police the occasionally errant judge whose ill health or ill will might render him unfit for the bench. Since 1960, when California passed the law, more than 30 states have followed suit.

But federal judges -- who never face elections and are thus less answerable to the public than their state counterparts-- are subject to no disciplinary procedure but impeachment by Congress.

In the 200-year history of the nation, only four of the more than 50 judges whose official conduct has been the subject of congressional inquiry have been impeached, the most recent case occuring 40 years ago.

Judge Warren E. Burger, before he became Chief Justice of the Supreme Court, told an attorney generals' conference, "I would not presume to say how many judges now in active service are not able to perform their work adequately, but every observer knows there are more than a few."

Of the 500 federal judges now serving, Burger's "more than a few" probably referred to those who judgment is impaired by ill health, alcoholism, or senility. But there also have been cases where justice has been trampled by judges' arbitrary courtroom practices--or even criminal conduct.

One of the most notorious cases documented in Joseph Borkin's book, **The Corrupt Judge**, involved Senior Judge Martin T. Manton of the U.S. Circuit Court of Appeals. Judge Manton resigned voluntarily after being charged before Congress with "employing fixers, engaging in corrupt practices and performing a host of improper activities tantamount to the sale of his judicial office."

Manton was subsequently sentenced to two years in prison by a federal court.

Senator Nunn claims the impeachment process for errant judges is "too cumbersome and impractical." Nunn favors a supervisory agency patterned after California's, which is composed of five judges, two attorneys and two members from non-legal professions.

The Georgia Senator has powerful, high-level support for his proposal. President Carter, also from Georgia, has pubically expressed his concern for higher ethical standards in government.

And U.S. Attorney General Griffin B. Bell, another Georgian, last year testified in support of an earlier version of Nunn's proposal, while still a U.S. Circuit Court Judge.

"We are living in a time when our public institutions are under examination and the courts are not exempt. A citizen should be afforded a clear method for complaining against the courts," Bell said.

Bell was not referring to the complaints of disappointed litigants who have recourse to appeals courts for controversial rulings, but to protests over elementary lapses of conduct--prolonged absence, intemperate speech from the bench, or, as in the McComb case, inability to comrehend legal arguements because of senility.

Harvard professor Raoul Berger, the noted expert on the impeachment process emphasizes that judges hold office "during good behavior." Some apparatus for dealing with judges who fall short of this standard is essential, he says.

"It is costly in terms of Congress' time and energy to take weeks and weeks off to get rid of a dirty little crook in the judiciary.... It is advantageous to rid yourself of this housecleaning chore (by establishing a judicial commission) and use impeachment as a sword when needed," Berger said when he testified for the Nunn plan last year.

Two years ago the Judicial Conference of the United States, representing all federal judges, studies the Nunn proposal and announed support "in principle." But the Conference contended that U.S. Supreme Court members should be subject to remvoal from office only by the impeachment process.

Other impressive support from the Nunn plan comes from the American Bar Association, the American Association of Attorneys General and the American Judicature Society.

But among all the support mounting for a policing system over the federal judiciary, the most powerful argument is probably California's successful system.

Put to California voters in 1960, the Commission on Judicial Peformance was approved three to one. By a curious coincidence the judge currently presiding over the commission--Bertram D. Janes, associate justice of the Third Appellate District--was rushed to a remote mountain town 20 years ago to replace a judge whose drinking held up a murder case for four days.

Since it set to work in 1961, the California commission has brought abut enforced resignation or retirement of 67 judges after investigations substantiated charges against them. California has 1,000 judges.

Complaints have been increasing in number, some of them the result of citizen surveillance bodies that have sat through court sessions and written reports about questionnable judicial conduct.

In the first year, 1961, 68 complaints were lodged and 23 inquiries followed through. Last year, 251 complaints were lodged, 63 of them judged serious enough for an inquiry and 46 of those leading to direct discussion with the judge involved. Three retirements or resignations occurred thereafter.

Cases that became public through final censure or dismissal often involved intemperate tantrums by a judge, use of foul language or accusatory statements. One such was directed to a girl victim in a rape case. Another involved a judge who made derogatory comments on the race of a Mexican-American juvenile.

This latter so outraged the Mexican-American community that a group staged an all-night vigil at the state building in San Francisco when the commission considered the censure move.

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Law students

(Continued from p.1 col.2)

encourage Black enrollment in law schools. Ms. Harris will represent the West Coast and bordering states including Idaho, Arizona and Montana. "Hopefully I will be receiving support from participating schools in the Far West region. I am in the process of working on a financial grant proposal which would include finances for all operating expenses.

Ms. Harris is a graduate of Franklin High School. From there her ambition took her to Linfield College and to San Jose State, where she completed her B.S. in Administrative Criminal Justice in 1973. She received a Pre Legal Studies Law Certificate from the University of Washington, along with a certificate in Jail Remodeling and Architectural Design. At Lewis & Clark School of Law she served on the Curriculum Committee, as Affirmative Action Committee Secretary for the Minority Law Students Association, and was the Director of the first annual Minority Law Students Banquet. At present she is a 3 year night student at Southwestern School of Law in Los Angeles.

The determination and preservation of this young Black woman goes further than her scholarly achievements. During her second year of law school she underwent minor surgeries which she accepted as "minor" setbacks. Personal inspirations include her father and mother, Mr. & Mrs. Ulicious Harris, Dr. Lee Brown, and Judge Mercedes Diez, all of Portland. Dean Paul Wildman of Southwestern has given his support for her successful election. Her immediate ambition is "To finish law school of course!".

Public hearing explores gas price hike request

A public hearing will be held Tuesday, June 14, to consider Northwest Natural Gas Co.'s request that nearly half the 10.85 percent rate increase it is seeking be made effective July 1 on an emergency basis.

Oregon Public Utility Commissioner Charles Davis said that after the hearing to receive evidence he will decide whether the company should receive any or all of the 5.4 percent emergency increase, which it requested May 16.

The 1.18 cents-per-therm increase would raise the bill of a customer using a median 49 therms by 58 cents per month. The full increase would generate an additional 18.2 million annually in Oregon revenues.

Northwest President Ron Miller said the company is requesting the emergency increase since a decision on the full request may not be made until late 1977. He said the company needs the increase to maintain earnings so it can issue new securities next fall.

The commissioner has 10 months from the Feb. 28 filing date to decide whether any of the full rate increase is justified.

The emergency request hearing will be at 10 a.m. in Room D, Labor & Industries Building, Salem, before a PUC administrative law judge.