

EDITORIAL/OPINION

City of Portland changes course

The City of Portland made a definite change in policy and priority with its budget decisions last week. The Bureau of Police came out with a \$2.8 million increase in funds while other bureaus and agencies that are important in the everyday lives of the people of Portland, such as the Park Bureau, were severely cut.

The change fits well with the philosophy of our Mayor, who has achieved national fame for his attention to "skid row bums," vagrancy and foul language while crimes of violence increase.

The Park Bureau, the Organization of Neighborhood Associations, (marked for destruction but saved by a public outcry), and the Metropolitan Human Relations Commission are among the City agencies that play an important role in making citizens' lives more satisfying, communi-

cating with City officials, and alleviating the affects of racism and poverty. These are the programs and agencies that prevent the serious crimes of violence and home burglary and robbery.

Our Mayor is afflicted with overkill and unfortunately he is joined by two of his peers. Commissioner Mildred Schwab fought for the Police Bureau funding because she always fights for her bureaus. If you want a program to survive, give it to Schwab. Margaret Strachan's role is more evasive; what did she achieve by supporting the Mayor except the destruction of MHRC?

If you see a tank come rolling down Broadway, don't be alarmed. It's just Mayor Ivancie with his friends, beefing up his police bureau to take care of those loitering on the Mall.

Reagan asks war escalation

While Ronald Reagan implored Congress to support his military conquest of "democracy and peace" in Central America, his real effort was to regain his influence over Congress in the matter of foreign policy. Reagan's tough-man policies have not paid off in Central America, his Mid-East policy is going nowhere, European opposition to his nuclear missile deployment is growing.

Reagan's military budget faces serious opposition in Congress and passage of a nuclear freeze resolution is a real possibility. Many Congressmen doubt Administration-provided information on El Salvador and are miffed by the Administration's non-adherence to the Boland Amendment that outlaws U.S. efforts to overthrow the government of Nicaragua.

By appealing directly to the American people via television, Reagan is passing the ball to Congress. Choose between a "communist takeover" and a jungle war that could lead to a nuclear holocaust, he told them. So, no matter how badly

his foreign policy fails, Congress can take the blame.

Unfortunately, Reagan's address was fraught with misinformation and lies. His talk about great progress toward democracy—free elections and land reform—in El Salvador, adoption of a democratic government in Honduras and a step in that direction by the brutal Guatemalan regime will not fool the rest of the world. Will it fool the American people?

Reagan's cry that we will not save the Nicaraguan government from its own people cannot justify the arming and supporting of insurgents to kill Nicaraguan people and attempt to overthrow their government.

Reagan's offer for negotiation is new for him but the government of Nicaragua has been offering to negotiate (to get foreign troops out of their country), and the guerrillas of El Salvador have been asking to negotiate. So have the nations of Mexico, Colombia, Venezuela, and Panama. Does Reagan mean negotiation, or does he mean the imposition of U.S. terms?

Quorum of One

by Greg Wasson

Around 8 p.m. on Feb. 3, 1946, Andy Dennis sat down to a dinner of fried oysters. Not unusual in itself, except it was the last dinner Andy ever ate. After the dishes were cleared away, he was led from his cell in the Oregon State Penitentiary to the gas chamber. At 8:41, cyanide pellets dropped into the metal compartment. One minute and forty-eight seconds later, Andy Dennis was dead.

Since then, Oregon's death penalty has been an on-again, off-again proposition. The people turned it off in 1964 after the legislature placed the repeal on the ballot, then turned it back on in 1978 after a successful petition drive.

The state supreme court extinguished it again on January 20th, 1981, ruling that the 1978 law allowed judges too much discretion in deciding when a convict should be executed. The fact that there is no current death penalty bothers Gov. Vic Atiyeh. According to the governor, the legislature ought to at least give

the people another chance to vote on the death penalty.

"Why have the citizens go to the trouble, and the expense, of putting something on the ballot which they so clearly favor. The legislature should offer voters the choice, regardless of how they (the legislators) feel about the issue."

Sen. Margie Hendriksen, D-Eugene, disagrees. Hendriksen, a member of the Senate Judiciary Committee, says the death penalty is wrong and legislators ought to oppose it in every way they can.

"It's hard to go against a popular, inflamed sentiment. But, I think it's a responsibility of those people that hold public office to speak out from their conscience. The voters have the ultimate right to replace us if they don't agree, and unless you're willing to speak out and chance being replaced, then you're not worthy of public office."

In 1981, the lawmakers showed a willingness to take that chance where the death penalty is concerned. After

the 1981 Supreme Court ruling, which voided a law approved by the people almost 2 to 1, there was an intense effort to get legislative referral of a death penalty measure that met constitutional concerns. The lawmakers refused.

Somewhat surprisingly, an ensuing initiative drive failed to gather the needed signatures, and capital punishment is still outlawed in this state. It's unlikely that the 1983 Legislature will do anything to change that.

Friday's brutal execution of John Louis Evans III in Alabama — according to news reports it took 10 minutes and three separate electric charges to kill Evans — seems to endorse that position.

In the marble above the main passageway leading from the rotunda of the Oregon Capitol Building is carved a saying that starts, "In the hearts of its citizens will be found the likeness of the state."

If the government engages in violence and murder, can the people be expected to do any less?

Legal lynchings

by Manning Marable

Part II

How does the vicious assault against racial equality committed by Reaganites at the national level affect the courts and local law enforcement agencies and their relations with black working class and poor people? In brief, it sends an unambiguous and chilling message: repression is the order of the day. According to research completed by the Atlanta-based publication *Racially Motivated Random Violence*, a clear pattern of escalating police brutality against nonwhites continues across the country, unchecked and indeed encouraged by those sworn to uphold "law and order."

Two brief examples from the publication are typical of the general pattern of illegal brutality. On November 21, 1981, an Indianapolis black man, James E. Grimes, Jr., was shot by a policeman during an argument over Grimes' parking near a busy downtown intersection. The FBI and the U.S. Justice Department were called in to investigate the case. Predictably, both agencies concluded that there was "insufficient evidence to determine the use of excessive deadly force" by the officer. Eighteen months ago, five white officials in Bessemer, Alabama — the public safety commissioner, the state alcoholic beverage commissioner, and three white police officers — were indicted for systematically torturing black prisoners in the city jail with cattle prods. An all-white jury found the five not guilty in April, 1982, despite strong evidence warranting a conviction.

Probably the most provocative ex-

ample of the coordination between police violence and criminal justice maneuvering is found in the case of Michael Zinzun. During the night of February 13, 1982, two Pasadena, California, police officers went into an apartment building near Zinzun's residence, in search of a reported "man with a gun." Subsequently the report turned out to be false; nevertheless the police did seize two young male suspects. A crowd gathered when one of the young men arrested was being beaten. Police demanded that the residents disperse, and threatened mass arrests. At this point Zinzun stepped forward, telling his neighbors that they had "a right to stay and witness the officer's actions."

Zinzun was no stranger to the local police. As co-founder of the Coalition Against Police Abuse, he had been a leader in the battle to create a Los Angeles Citizen's Police Review Board. For fifteen years, he has been involved in community free breakfast programs, emergency medical and first-aid programs, and has helped to organize public protests against police brutality. The Los Angeles Police Department's Public Disorder Intelligence Division (i.e., Red Squad) has, over the years collected 400 pages of evidence on Zinzun and his activities. After years of trying to silence "the community's pre-eminent police critic," as media sources describe Zinzun, the police and Los Angeles prosecutors found a means to commit a legal lynching.

Five days after the February 13 incident, Zinzun was arrested by Pasadena police on an "incitement-

to-riot misdemeanor." Days later, Zinzun discovers that the case is in the purview of the Los Angeles County District Attorney's Office, and that the charge against him is a felony, a violation of California State Penal Code 69. This obscure 111-year old law makes it a crime to use "threats or violence to deter an executive officer from performing any duty imposed on him by law." Penal Code 69 is so rare that at Zinzun's hearing on September 10, 1982, the presiding judge himself was completely ignorant of it. Los Angeles municipal judge Terry Smeling recently termed the law "archaic," adding that "most prosecutors have said the statute, as written, impermissibly interferes with freedom of expression." Yet prosecutors are demanding a twelve year prison sentence for Zinzun.

At the early stages of the civil rights era, the basic assumption of many black and white progressives was that racism could be fought by the enactment of liberal reforms and affirmative action legislation. It is now apparent that the racist Right is using the apparatuses of desegregation and political reform, as well as the criminal justice system, to crush the collective life from the freedom movement. The courts, the police, and the legal agencies of biracial reform such as EEOC are being orchestrated into a complex yet unerring weapon to preserve white supremacy, the hegemony of corporate capital over the black, Latino and white working class, and to nullify the modest legislative gains of past decades.

Salem Scene

by Rep. Wally Priestley

The arrival of spring, and the natural beauty it brings, is always a welcome sight in Oregon. Spring also brings relief in the form of lower utility bills as heating needs decline. But one problem that remains year-round is the problem of utility shut-offs and large utility deposits.

To help address this problem, Oregon Fair Share and the Washington County Energy Coalition asked 11 legislators, including myself, to introduce House Bill 2527. The intent of this bill is to tighten up loopholes in existing shut-off protection law.

The current law, passed by the 1979 Oregon Legislature, required the Public Utility Commissioner to establish rules to prohibit electric and natural gas shut-offs in the winter when a customer's health is in danger. Additionally, the law required the Commissioner to adopt rules outlining certain procedures (notices, payment plans) utilities must follow before they could terminate service.

While the rules the Commissioner initially adopted seemed adequate, problems have developed.

HB 2527 addresses 4 specific areas where increased protection is needed. First, and probably most important, it broadens the definition of customer to include people who move from one residence to another. Currently some utilities, including Portland General Electric, classify

people who have moved as applicants rather than customers. Applicants do not have the same rights as customers do.

Second, HB 2527 changes shut-off protection from winter-only to year-round.

Third, HB 2527 sets into law the requirement that utilities give customers 15 day and 72 hour written notices of proposed termination and make a good faith effort to personally notify customers before actually terminating service.

Fourth, HB 2527 sets rules regarding payment schedules for and size of deposits. Utilities are now charging, in some cases, deposits larger than a customer's previous bill.

By setting these provisions into law, this bill would eliminate the ability of the Public Utility Commissioner or the utilities to circumvent the intent of the original shut-off protection law. These protections are needed now more than ever.

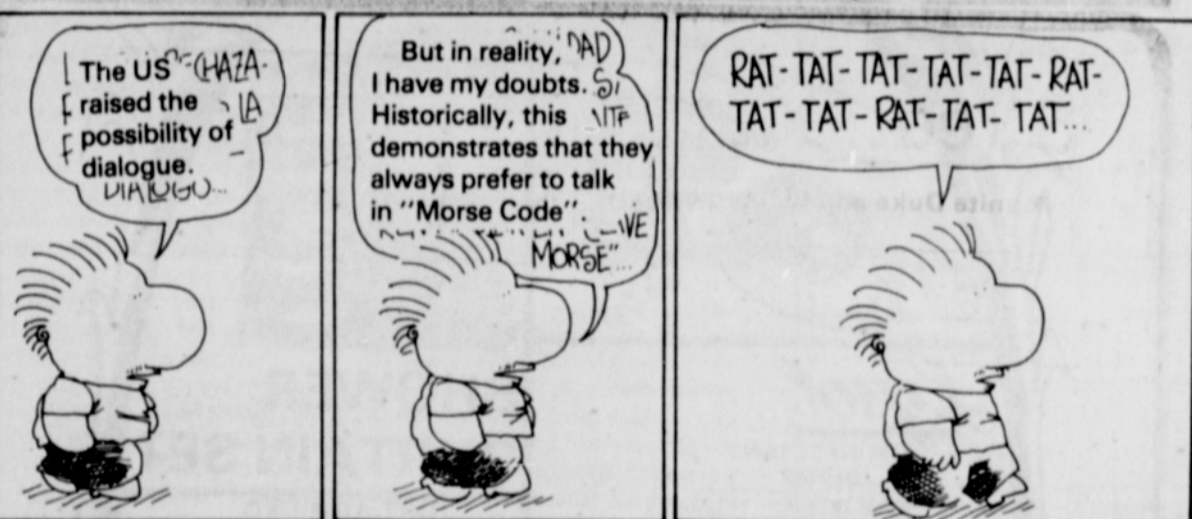
Portland General Electric has

justified its 'get tough' policy on shut-offs and deposits because of an increase in its write-offs of bad debt from \$1.5 million in 1979 to \$3.4 million in 1982. While unpaid bills are a problem, these figures need to be put into perspective.

In 1979, PGE's revenues were \$350 million; in 1982, their revenues were \$572 million. That's an increase of 63%. Even more important, profits increased from \$45 million in 1979 to over \$124 million in 1982, an increase of over 175%.

In other words, from 1979 to 1982, PGE's profits increased almost three times as fast as their revenues. If you consider the fact that these figures come during a recession and a time of increased unemployment, you begin to understand the true power that the utilities have over our lives.

HB 2527 is an attempt to limit that power. It is very important that this bill pass.



POLIDECTO

Barricada: Nicaragua

CORRECTION

Rep. Carl Hosticka (D-Eugene), not Rep. Ed Leek (D-Portland), is the primary sponsor of the bill. Hosticka wrote the bill, and carried the bill on the House floor.

Housing

(Continued from page 1 column 3)

Ironically, none of the participants or speakers commented on the recently released report by the U.S. Civil Rights Commission on government housing policies. The report, which received front page coverage in the Oregonian just the day before, noted that the bulk of government housing assistance has benefited white middle-class homeowners. Government subsidized mortgages and property tax credits have been much more important in shaping the housing market than direct construction of housing for low-income people. The study noted that such policies have been implemented under both Democratic and Republican administrations since World War II.

We encourage each and every person to speak out against overt and subtle racism as and wherever it occurs in your daily life.

Black United Front, Citizens Party, The Portland Observer, The CRIB, Debonaire Productions, Albina Ministerial Alliance, Portland Committee for Unemployment Action, Black Lesbians and Gays United, King Improvement Association, National Lawyers Guild, P.O.I.C., Committee to Support the BUF, Anti-Klan Network, American Muslim Mission, Governor's Commission on Black Affairs, Rep. Wally Priestley, Jeri, Tina, Edward and Cassandra Abrams, Patrick Clancy, Sunnyside Neighborhood Association.

Deadline for articles and for calendar events is Monday at 5:00 p.m. Calendar items must be mailed or delivered to the office.

The Observer welcomes Letters to the Editor. All letters must contain the writer's name and address. We reserve the right to edit for length.

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