

METROPOLITAN

Judge drops AIM charges

Federal Circuit Court Judge Jim Redden dismissed cases against four Indian people Friday, determining that their constitutional rights to a speedy trial had been violated.

On November 14, 1975, Kenneth Loud Hawk, Russ Redner, KaMook Banks and Anna Mae Aquash were shot at and stopped while traveling in the highway in Eastern Oregon. Two buck knives and one gun were found in their possession. Three days later Loud Hawk and Redner were charged with possessing firearms and explosives and with harboring Dennis Banks and Leonard Peltier. The government said Banks had been in the truck and had escaped before the arrests. Peltier was wanted on charges of murder resulting from the FBI assault on the Pine Ridge reservation.

The harboring charges were dropped but all six defendants (including Banks and Peltier) were charged with explosives and firearms violations.

In February of 1976 Anna Mae Aquash, who had been taken to South Dakota by federal marshals

following the arrest, was found dead on the reservation. The FBI first claimed she died of exposure but an autopsy showed she was killed by a bullet in the back of the head, fired at close range.

U.S. District Court Judge Belloni threw out the government's case in May of 1976 for unnecessary delay and because the government said it had destroyed the alleged dynamite. The Ninth Circuit Court of Appeals reversed the case and returned it for trial.

In the summer of 1980 the defendants were re-indicted with new charges added. Belloni removed himself from the case and it was transferred to Judge Redden. Charges against Peltier were dropped because he was already serving two life sentences. The September trial date was postponed.

On January 10, 1983, the U.S. Supreme Court refused to hear appeals on the case and returned it to Portland for trial.

Judge Redden pointed out that the trial would begin 7 years, 6 months and 19 days after the indictments. He rejected the government's argument that a period of 6

years and 3 months that the case was on appeal should be excluded from that time. "To state that the delay was the result of appellate review does not absolve the government of the duty under the Sixth Amendment to give these defendants a speedy trial," he said. "The length of time each defendant has lived with these unresolved criminal charges — over 7½ years — is excessive."

Charles Turner, U.S. Attorney, has indicated that he is considering an appeal.

Banks, a co-founder of the American Indian Movement, is living with his wife and children on the Onondaga reservation in New York, where he was given political sanction. He was in California until this year, when the election of a new governor threatened his extradition to South Dakota to be sentenced on a riot charge. Banks believes his life would be in danger if he returned to South Dakota.

Loud Hawk lives in Bozeman, Montana. Redner is principal of elementary schools on the Pine Ridge reservation.

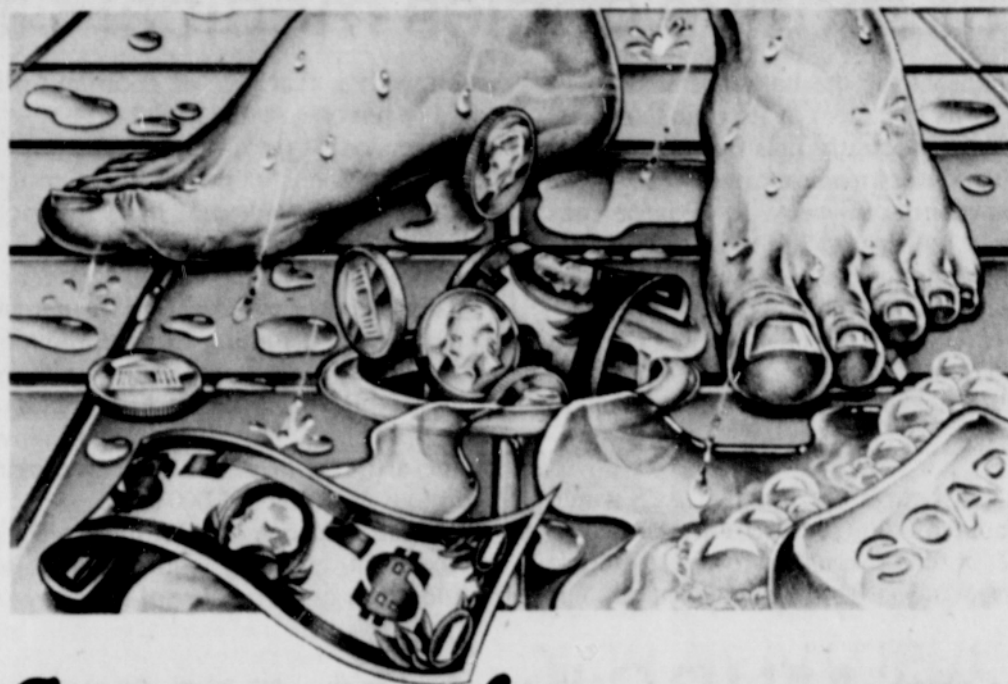
File HARRP

Oregon homeowners and renters aren't filing their property tax relief claims as quickly as expected, according to Department of Revenue officials.

As of Wednesday, the department had received some 153,000 Homeowner and Renter Refund Program (HARRP) returns — less than one-third of the half-million claims it expects by July 15.

Qualifying homeowners and renters should file HARRP form 70R by July 15 to receive refund checks in October. The forms can be filed after July 15, but refunds may be delayed.

Homeowners and renters with 1982 household incomes less than \$17,500 may qualify for HARRP.



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Learn to swim during the YMCA/YWCA "Learn to Swim Week", June 6th through 10th. Swimming is important for safety and recreation. (See coupon on page 2)

MHRC support grows

A citywide support group, Citizens for Restoration of the Metropolitan Human Relations Commission, has formed in support of MHRC. The group, working with the approval and support of MHRC, seeks a reversal of the City Council's actions to dismantle MHRC through restoration of the full budget and program as submitted to the council by MHRC. MHRC is a 15-member commission appointed by the mayor of Portland and the Multnomah County Executive to oversee human relations in its jurisdiction. In recent budget hearings the City Council eliminated or removed close to 70 percent of MHRC staff and programs. The actions were requested by Commissioner

Margaret Strachan.

The committee was formed following a public forum Saturday, sponsored by the *Portland Observer* and the Ad Hoc Citizens Advocacy Committee.

Activities planned by the support group include informational meetings, personal contacts, and identification and coordination of organizations expressing concern and outrage over the issue. The committee is chaired by Fred Milton.

For information on committee activities, call 284-1816. For information on MHRC activities and programs, contact Linda Roberts, executive director of MHRC, at 796-5136.

Salvadoran doctor speaks

Rafael Barrera, MD, will speak on the medical consequences of the war in El Salvador at an informal potluck evening at the home of Pat and Peter DeGarmo, on Memorial Day, May 30, 6:00 p.m., at 2927 S.E. Main in Portland.

Dr. Barrera is a Salvadoran physician specialized in occupational health and a member of COPROSAL, an organization of Salvadoran health professionals. Currently Dr. Barrera is employed with the Occupational Health Section of the Nicaraguan Ministry of Labor. Dr. Barrera collaborated in the preparation

of a recent book published by COPROSAL, *El Salvador: War and Health*.

Dr. Barrera's visit to Oregon is being facilitated by the Eugene Center for Human Rights in Latin America and the Multnomah County Democratic Party Central America Policy Group. He is also invited to give a seminar on Occupational Health in El Salvador at the Oregon Health Sciences University Department of Environmental Medicine.

For more information, call 281-8126 or 236-4087.

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