

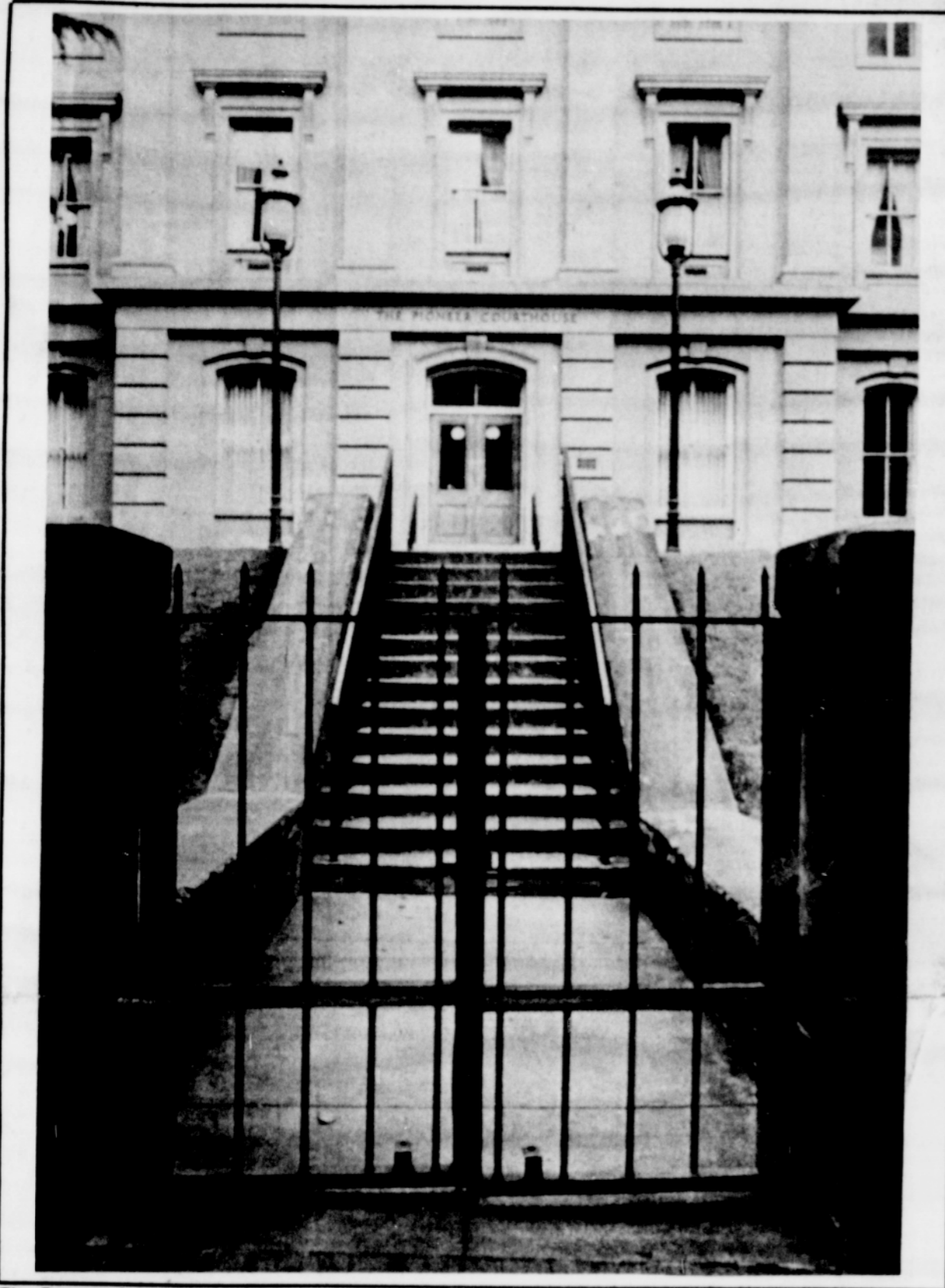
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The Reagan Administration's federal courts' conservative appointees are slowly closing the gates on concerns of minorities. Photo by Richard J. Brown

Northwest Senators Play Key

Role in Confirmation Controversial Judge

by Jerry Garner

Last Wednesday the U.S. Senate failed to reconsider a vote taken June 26, which confirmed President Reagan's nominee Daniel A. Manion, an Indiana lawyer to the 74th U.S. Court of Appeals in Chicago. During the June confirmation vote, Manion was confirmed 48-46 by the Senate.

Although Vice-President George Bush, who is the Senate's presiding officer, cast the deciding 50th vote

against a reconsideration vote, senators from the Pacific Northwest played vital roles in getting the controversial Manion (whose father was the founder of the ultra-conservative John Birch Society) confirmed to the federal bench in the first place.

One of the main reasons for Manion's confirmation in June is the result of a deal Senator Slade Gordon, R-Wash, made with the White

House. Gordon in the beginning had voted against the Manion nomination but changed his vote to yes after the Reagan Administration informed him that his nominee and personal friend William Dwyer would be appointed to a U.S. District Court position in Seattle for changing his vote. Gordon took the White House deal without hesitation. Besides Gordon, two more Northwest senators played crucial roles in the seating of Manion.

Gordon's fellow senator Daniel Evans, R-Wash St., also played a vital role in the confirmation of Manion. The Washington State Senator refused to vote on the reconsideration motion. Evans was one of the four GOP senators who voted against Manion last June. Evans was quoted as saying that he didn't think reconsidering a vote was a good practice, and that it wasn't justified in the Manion case. Oregon Senator Mark Hatfield voted in favor of Manion's nomination, while Senator Packwood voted no.

Those senators who voted against confirming Manion argued that he wasn't qualified to serve on the federal appeals court. Another reason for their refusal to seat him was due to his ultra-conservative ideological views and his John Birch Society connection.

Manion received the lowest passing grade given by the American Bar Association. Furthermore, the Chicago Council of Lawyers stated that after reviewing five of his legal briefs, they found them dotted with spelling and punctuation errors, bad grammar, poor organization, and less than forceful arguments.

The Manion episode brought to focus once again the controversy surrounding President Reagan's appointees to the federal bench. Critics of the Administration have alleged that Reagan is not concerned so much about the qualification of his nominees as he is about their ideological beliefs.

Civil rights organizations and civil libertarians believe that Reagan is trying to bring on the changes through the judicial process and through the Justice Department.

The Reagan Administration is seeking individual judges for the federal bench who believe in "judicial restraint". The President's Attorney General, Edwin Meese III, has been criticized for trying to limit judicial power because he (with the President's approval) wants to limit the rights of members of minorities seeking redress. Meese's attacks on Affirmative Action programs has become a major topic of discussion among civil rights groups around the nation. Furthermore, Reagan has begun to nominate judges for the federal court who are overtly insensitive to the concerns of minorities.

In June, for the first time, the Senate Judiciary Committee rejected a Reagan nominee, Jefferson Beauregard Sessions III, for a federal court position in Alabama. Sessions once called the NAACP "un-American," characterized a White civil rights lawyer as a "disgrace to his race," and described the Ku Klux Klan as "OK".

Although precedent restricts the roles of federal courts, the courts have a major influence in our society. The U.S. Supreme Court hears only about 150 cases each term. On the other hand, in fiscal year 1984, the nation's 12 appeals courts ruled on 31,387 cases.

So far, during his tenure as President, Reagan has appointed 267 judges to the federal bench. At the current pace, by the end of Reagan's second term, he will have named more than half of the 743 federal judges.

Shooting Leaves Man Dead

by Jerry Garner

One man was killed and another wounded last Wednesday in a parking lot on N.E. Union Avenue during a dispute. The dead victim was identified as Carl E. DeWeese, Jr., 31, of 311 N. Jessup St. The wounded victim was Jerry Crain, 29, of 5035 N.E. 10th Avenue.

According to Officer Henry Groepper, the Police Bureau's Public Information Officer, police received a call from someone at the Union Avenue Disco, 3905 N.E. Union, to report a shooting. When police arrived, they found DeWeese lying in a parking lot next to the curb and Crain inside a car with two other men.

Although the Observer couldn't locate anyone who witnessed the shooting, we did locate three individuals who saw a portion of the aftermath of the tragic incident.

According to one witness, he saw a man who he referred to as Crain's brother, beat DeWeese with the butt of a 9MM pistol as he laid mortally wounded in the parking lot. The witness said someone had told him that Crain's brother kicked the gun out of DeWeese's hand as he fled, and then proceeded to beat him with the gun. DeWeese, although seriously injured, was trying to defend himself from the pistol whipping. He was trying to fight him off; he was fighting for his life. He was fighting the attacker off until he was hit real hard with that gun. Then he (DeWeese) fell to the ground."

The witness went on to say that after DeWeese dropped to the ground, the unidentified man continued to beat him. "I tried to stop him. I held him, and he told me to let him go. He had a pistol in his hand, so I released him."

Joe Reese, owner of the Union Avenue Disco, said that he was upset about the fact that the news media had reported that the shooting occurred at his club. He was also critical of the manner in which the police and the medical personnel conducted themselves once they arrived at the shooting scene. "Instead of making room for the ambulance so it could get closer to the victim, the police made no effort to move their cars for the ambulance. The ambulance had to park on the far lane on Union Avenue," said Reese.

Reese also said the police were rough with an acquaintance of DeWeese, who was trying to comfort him. "The young man wasn't interfering with the medical personnel. He was just telling DeWeese to 'hang on, don't die'. When the young man tried to enter the ambulance so he could accompany the victim to the hospital, he was grabbed by the police. The police didn't show any sympathy," said Reese.

Another person told the Observer that the ambulance attendants didn't show much concern about DeWeese's condition. "They grabbed him and threw him on the stretcher like he was a sack of potatoes." The person said after the victim was loaded into the ambulance, 10 minutes elapsed before they took off. "During this time, the crowd had begun to get pretty upset about the situation."

DeWeese died at 3:55 a.m. during surgery at Emanuel Hospital, according to Dr. Karen Gunson, a Multnomah County medical examiner. Gunson, who performed an autopsy on DeWeese last Friday, ruled that he died from a gunshot wound in the abdomen.

Officer Groepper said police have not charged anyone with DeWeese's death and the investigation is continuing.

Reagan's South Africa Speech Draws Criticism

by Jerry Garner

President Reagan was criticized worldwide after giving a major policy speech on South Africa last Tuesday. Prior to his speech in the White House Eastroom, many thought Reagan would announce a major shift from his constructive engagement policy toward the White minority government of Pretoria. Instead Reagan made a speech similar to the ones he has made in the past.

The President condemned the

racist Pretoria government, calling the system of Apartheid wrong and immoral. Yet, like he has done in the past, refused to impose new economic sanctions on South Africa.

Reagan said, "sanctions will only deepen the crisis in that racially torn nation. If post Apartheid South Africa is to remain the economic locomotive of South Africa, its strongly developed economy must not be crippled. Therefore, I urge

the Congress and the countries of Western Europe to resist this 'emotional clamor' for punitive sanctions."

Reagan argued that if Congress imposed economic sanctions against South Africa, the U.S. will lose leverage and make the situation worse in that repressive country.

Reaction to Reagan's speech drew sharp criticism worldwide and locally. The official Democratic response to his speech was given by Con-

gressman William Gray, D-Penn. Gray, who is an African-American, said the Administration's approach sends the wrong message to both Whites and Blacks in South Africa.

Senator Gray said, "Reagan said to the racist minority regime of Pretoria, 'We are your friends. Don't cut our friendship off. We want your minerals, we want to work with you and continue our investment and loans.' Then the President said this to the 28 million Black

majority whose rights have been denied, whose lives are being lost, and to whom justice is being denied, 'maintain your hope, but do nothing to end this oppression'."

Bishop Desmond Tutu called the Reagan speech "nauseating". "I am quite angry; the West, on my part, could go to hell." Bishop Tutu was talking about the leaders of the U.S., West Germany, and Great Britain, not the people of those countries. "The people of those

countries have been magnificent, especially the young people in the U.S. who helped to change the moral climate dramatically," said Tutu.

Reagan's speech was condemned by Avel Gordly, an anti-Apartheid activist in Portland. Gordly, Director of the South Africa Program for the American Friend Service Committee, said the content of President

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