

# OPINION

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## Letter to the Editor Democrats United

The Democratic Party is united behind Gov. Ted Kulongoski and we are energized for the general election campaign.

This election is about what's at stake for Oregon's future and whether we will continue to build on the progress of the past three years. With a Democratic Governor and a Democratic state legislature we can continue to invest in our schools, provide affordable healthcare, create living wage jobs for every Oregonian, and make our state the capital for the uses and innovations of renewable energy technologies.

Like their Republican leader George Bush, Ron Saxton and Ben Westlund want to take our state in the other direction. They are both advocating policies that would result in huge cuts in our schools and health care system.

Worse, whether it's Iraq, illegal wire tapping or raiding our public lands, you can't trust these guys to stand up for Oregon and against the Republicans in Washington. Mr. Saxton, a big donor to George Bush's re-election campaign, said that it is wrong to criticize the President's handling of the war in Iraq.

Ron Saxton is right when he says Oregonians want change, but it's certainly not more of the failed Republican policies that he and Ben Westlund have spent their careers peddling. They want to run Oregon just like Bush is running this country - on a credit card and we can't afford anymore of that.

Democrats welcome a robust and substantive debate on the issues and Gov. Kulongoski's vision for Oregon. For Democrats and for Oregon, the choice is clear.

Jim Edmundson  
Oregon Democratic Party Chair



## Gun Dealers Sell Illegal Weapons *New York City investigators prove racket*

BY JUDGE GREG MATHIS

New York City investigators made illegal gun purchases in 5 states from 15 gun dealers as part of an undercover investigation. The two-month long sting was part of a calculated and unique campaign to cut down the number of illegal guns that make it into the city.

Officials say this is the first time such an operation has been carried out on such a large scale. Federal officials should take note and follow suit, by leading the way on similar investigations around the country.

According to reports, investigators wearing hidden cameras made straw purchases, an illegal purchase in which an individual provides their name for the legally mandated background check for a gun that will clearly be used by someone else. The purchases were made in Georgia, Ohio, Pennsylvania, South Carolina and Virginia. Each of the dealers previously sold guns



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that were linked to over 500 crimes in New York City; each dealer made an illegal gun sale during the sting. The city will use this evidence in a lawsuit against those dealers.

It seems that such investigations may be one of the last remaining ways to fight gun violence in this country. The National Rifle Association, one of the most powerful lobbies in this country, has made it virtually impossible for gun control advocates to combat gun-related crimes. The NRA's allies include numerous elected officials, all of whom have received generous financial support from the organization. In return, these congressmen promote legislation that protects the nation's gun dealers.

Republican Rep. Todd Tiahrt of

Kansas worked tirelessly to add provisions to a Bureau of Alcohol, Tobacco and Firearm's bill; ensuring the ATF could no longer provide information from its gun sales databank to the public and that the data could not be used as evidence in court. A crime gun trace follows the sales history of the gun, from manufacturer, to the dealer and, finally, to the first buyer. In the past, this information has helped law enforcement and community groups identify the close relationship between the gun industry and the illegal gun market.

Recently, Republican Rep. Lamar Smith of Texas introduced legislation that would make those provisions permanent.

Other cities have tried suing gun manufacturers, dealers and distributors: Chicago, Detroit and Gary, Ind. have all filed lawsuits - for hundreds of millions of dollars - claiming that the gun dealers contribute to the flow of illegal weap-

ons that make it onto urban streets. All of these cases were eventually rejected. With an opponent as powerful as the NRA pulling the strings, individual cities are hard pressed to win this battle.

Over 300,000 Americans are injured or killed during gun-related crimes each year. In the African-American community, gun violence is a pressing concern: the gun death rate for blacks is twice that of whites.

A collective investigation, headed by the federal government, is needed to put an end to these senseless crimes. With enough evidence in hand, the federal government could then begin to crack down on these rogue retailers and, ultimately, make a dent in the number of guns that make it onto our streets.

Judge Greg Mathis is national vice president of Rainbow PUSH and a national board member of the Southern Christian Leadership Conference.



## While I Was Sleeping

OHSU doctors are virtually unaccountable

BY KEN ACKERMAN

It was supposed to be a 45-minute day surgery. "Dime a dozen," my doctor said. When the anesthesia wore off, I'd go home.

Several weeks earlier, I had been playing tennis when I felt a sharp pain in my neck. I called the head of neurosurgery at OHSU who referred me to a doctor on his staff. We met and decided I would undergo a procedure designed to reduce spinal nerve pressure.

Following the early morning operation I woke up in a hospital room. I wasn't supposed to be there. It was dark outside. Nighttime. I was supposed to be home. Yet, here I was, hooked up to tubes, my friends and family were there, my mother was crying. My doctor announced, "We think the swelling in your neck is the cause of your paralysis."

Paralyzed? The shock of hearing that word was only slightly more shocking than the news I received a few weeks later. A friend told me that an acquaintance of his was in the operating room during my surgery and had witnessed a second-year resident perform most of the procedure. I had put my faith and trust in one doctor. I had gone under the anesthesia with the understanding that the physician I had selected would be performing my surgery. I began to look for legal



representation. That's when I received another big surprise.

One well respected Portland lawyer told me I had a case, but he wouldn't represent me because I had the surgery at OHSU. Doctors at OHSU claim protection under the Oregon Tort Claims Act, a law designed to limit liability for public agencies. If you file a medical malpractice claim against an OHSU doctor, you are limited to a maximum of \$200,000 in damages. The cost, I learned, of preparing a malpractice claim for

representation. That's when I received another big surprise.

It's our contention that these doctors shouldn't be able to hide behind any kind of public protection. It took months of physical therapy before I finally regained most of my mobility. However, over the next two years, reality set in. I would live the rest of my life in pain and with limited use of my right hand. I can't open a jar of baby food for my young son. I will never be able to put on a glove and play catch with my son or teach him many of the things my father taught me.

My trial is set for this coming August. A jury will decide if the

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trial is too great and doesn't pencil out with the limits in place. In other words, I discovered, OHSU doctors are virtually unaccountable.

I was eventually able to find an attorney who believed that, with the right approach, we could make a difference. We filed suit against the OHSU Medical Group, which the doctors established in 1998 for the express purpose of separating themselves from OHSU Hospital.

OHSU Medical Group doctors are public agents or private businessmen. If jurors rule in our favor, it will open the door for many others to get the most basic of questions answered like, "Who operated on me?" Just the first of many questions a victim has a right to know when a routine day surgery turns into a lifelong disability.

Ken Ackerman is a former Portland television anchor.