

Charter

continued from page 1

either the new statewide commission or a local school board that has been authorized by the state school board to approve charter schools.

Out-of-state groups have offered to help Washington make the transition toward becoming the 42nd state with charter schools.

"There's really been an outpouring of support that I couldn't have predicted," said Chris Korsmo, executive director of the League of Education Voters, who worked on the Yes on 1240 campaign and whose group advocates for school reform.

She called the idea of opening the first charter school by fall 2013 a tall order and probably missing the point of the initiative. She said the goal is to insure the new schools are of the highest quality and focus on offering a great education to low income and minority kids.

The League of Education Voters has heard from parents, teachers and school leaders who are interested in being involved in the new schools, as well as from charter school operators in other states, Korsmo said.

Robin Lake, director of the University of Washington's Center on Reinventing Public Education, and a national expert on charter school research, said the most important key to success for charters in Washington is the 20 years of experience to draw on from the 41 states that already allow the independent schools.

The schools are most likely to succeed if the authorizers focus on good performance

management, Lake said.

The commission and any school boards that are allowed to authorize charters must make sure the schools they approve have more than just a good idea. They need to

The commission will be made up of nine members, three appointed by the governor, three by the president of the Senate and three by the speaker of the House

have the ability to create a great education programs, do effective planning, manage their budget, roll out well and meet their goals, she said.

"It takes commitment and on-the-ground work after the law is implemented," she said.

Finding a balance between regulations and freedom for creativity helped lead charters to success in other places, like Denver, New York City and New Orleans, she said, noting failures in states such as Arizona are due to weak oversight and accountability.

The long-term goal is about improving education for all kids and that can happen if the people who run traditional and charter public schools learn from each other, she said. "This is about more good schools. It's not about charter schools."

One significant hurdle is Superintendent of Public Instruction Randy Dorn, who says he may sue to stop the initiative from establishing a parallel department of education.

Soldiers, Civil Rights



PHOTO BY SUSAN FRIED

Tommie Lamb, president of the Washington Sam Bruce Chapter of the Tuskegee Airmen, listens to Tish Okamoto, a member of the 442nd regimental combat team, the most decorated unit in the history of American warfare, on Wednesday, Nov. 14. The men spoke at a presentation at North Seattle Community College entitled "Leadership in Uniform and Beyond: How the Military Service and Moral Leadership of WWII Era Japanese American Veterans, Tuskegee Airman and other Excluded-Americans Led to Civil Rights." The event was moderated by North Seattle Community College President Mark Mitsui, the son of a WWII Nisei Veteran, whose family was incarcerated in the Heart Mountain, Wyo., internment camp.

Initiative 1240 was unconstitutional because it would set up a separate school system with a board that isn't elected by the people, he said.

"It is clearly circumventing the constitution," he said, because the state constitution established an elected superintendent of public instruction to oversee all public

schools.

He has talked to the attorney general's office and state lawmakers about his concerns and hopes the Legislature will find a way to fix the new law, but is willing to bring a constitutional challenge all the way to the Washington Supreme Court, if necessary.

Officer

continued from page 1

Thompson is a Vietnam veteran and a decorated 40-year veteran of law enforcement in Los Angeles, northern Idaho and Spokane, Oreskovich said. "This man before you is not a villain," Oreskovich told the judge.

But federal prosecutors noted that Thompson attacked Zehm without warning, and struck him repeatedly with a 30-inch baton and also stunned him.

"There were seven baton strikes in less than eight seconds," said Tim Durkin, an assistant U.S. attorney.

"There is compelling medical evidence in this case that Mr. Zehm sustained serious bodily injury."

Prosecutors sought a sentence of nine to

11 years because of the seriousness of the attack on Zehm, and its impact on the community.

"When officers abuse their power and lie to cover it up, it fundamentally under-

Officer Karl F. Thompson Jr. was convicted last year by a federal jury of violating Zehm's civil rights by using excessive force and then lying to investigators in the case

mines" their position of trust in the community, said Victor Boutros, a Justice Department attorney who helped prosecute the case.

On March 18, 2006, police received a report that a man matching Zehm's description might have stolen money from people at an ATM. Surveillance video showed that Thompson found Zehm inside a convenience store and immediately struck him repeatedly with a baton and shocked him with a stun gun.

Other officers arrived and hogtied Zehm, put a rubber mask over his mouth, and sat on him. It was later determined that he had not committed any crime.

His last words were: "All I wanted was a Snickers bar," according to trial testimony.

Anger boiled in the community over the death, but the Spokane County prosecutor's

office declined to bring charges against any officers. Amid demands for justice, federal prosecutors eventually charged Thompson with violating Zehm's civil rights through use of excessive force and then lying to investigators.

Prosecutors also alleged the case involved an extensive cover-up by police. That investigation is ongoing.

Boutros said it was important to remember that Zehm, a mentally ill janitor, had committed no crime.

"He was just going in as he always did to buy his soda and his candy," Boutros said. Thompson's actions warranted prison time, he said.

"A badge cannot equate to a free pass," Boutros said.

Marijuana

continued from page 1

But marijuana remains illegal under federal law. States are not required to enforce the federal prohibition, meaning they can make marijuana crimes legal under state law, but whether they can set up licensing schemes to promote violations of federal law is another story.

Many constitutional lawyers don't think so: In general, state laws that "frustrate the purpose" of federal laws can be blocked.

But the DOJ hasn't said whether it plans to sue to block the licensing schemes from taking effect. Seventeen Democratic representatives signed a letter to Attorney General Eric Holder and Drug Enforcement Administration Administrator Michele Leonhart urging the DOJ to let the states

proceed with regulating pot and to refrain from prosecuting people who comply with the state laws.

"These states have chosen to move from a drug policy that spends millions of dollars

turning ordinary Americans into criminals toward one that will tightly regulate the use of marijuana while raising tax revenue to support cash-strapped state and local gov-

ernments," the letter said. "We believe this approach embraces the goals of existing

federal marijuana law: to stop international trafficking, deter domestic organized criminal organizations, stop violence associated with the drug trade and protect children."

Proponents of the marijuana measures welcomed the letter and DeGette's legislation, which would amend the Controlled Substances Act to clarify that it shall not pre-empt state mari-

juana laws.

"It's fantastic to see congressional representatives move decisively to respect the will of the voters and facilitate the fundamental reformation of our marijuana laws at the state level," said Alison Holcomb, campaign manager for Washington's Initiative 502.

So far, no Washington lawmakers have signed onto DeGette's legislation.

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