

Attorney General Discusses Role of District Attorney

By ROBERT Y. THORNTON
Attorney General for Oregon

Law enforcement is a chain of three links—the arresting officer, the prosecutor and the judge. In some respects the prosecutor—in Oregon he's called district attorney—is the most vital link in this chain.

Why? Because as county prosecutor he virtually controls the enforcement of the state's laws in your county.

How It Works

Let's see how he works. To begin, no person is usually prosecuted for violating the law until the district attorney files a complaint or the grand jury indicts him. Rarely will a magistrate grant a complaint without the sanction of the county prosecutor. If the prosecutor doesn't feel that the facts justify prosecution, the law does not require him to prosecute.

Experience has shown that this system of entrusting the district attorney with broad discretion works out very satisfactorily. A district attorney cannot prosecute every supposed, and in some instances unfounded, charge which is brought to his attention. To do so would be to take away his energies from more important cases and clog our courts with needless and sometimes petty criminal prosecutions, imposing unnecessary costs upon the taxpayers.

Must Weigh Facts

He must weigh the facts of each complaint and prosecute only where in his judgment sound law enforcement and the public interest require it. Although this system is in use, with local variations in every state in the nation, cases of abuse of discretion have been exceedingly rare.

The district attorney is the legal adviser to the grand jury. Grand jurors are not lawyers and they are not trained in drawing up criminal charges. They rely heavily on his guidance. They have no authority to call in another attorney to ad-

vises them if they are not satisfied with his advice. Similarly the law does not permit the grand jury to call upon the attorney general to enter the grand jury room and advise it in conducting an investigation, interrogating witnesses or determining what constitutes proper and improper evidence. The grand jury may indict contrary to the legal advice of the district attorney, but seldom does.

Can Dismiss Indictment

After the complaint or indictment has been filed and the case is awaiting trial, the district attorney may elect to dismiss it entirely and cause an order dismissing the indictment to be entered. In summary his discretion in dismissing criminal cases is practically unlimited, so long as he is free from dishonesty or criminal intent himself.

After conviction of a person charged with a crime, and before sentence, the recommendation of the prosecutor as to the sentence is often requested, by the trial judge, and is usually given great weight. The same applies to his recommendation for suspension of sentence, parole or probation from jail or to the Oregon State prison.

Impartial Umpire

The third and last link in the law enforcement chain, the judge, is the impartial umpire at the trial. He has the highly technical and difficult responsibility of seeing that both the state and the accused person receive a fair trial. But he cannot try the prosecutor's case for him. As a practical matter, likewise, the judge cannot compel the district attorney to prosecute a particular case, nor control the latter's discretion in deciding for one reason or another that the case should not be prosecuted.

Most people think of their county prosecutor as a county official. They are wrong. Oregon's 36 district attorneys, while elected locally in each county, are state officials and are paid

by the State of Oregon.

Where does the attorney general fit into this picture?

The law says that the attorney general shall "consult with, advise and direct" the district attorneys in all criminal cases. The attorney general cannot, however, step into a county and start a criminal prosecution on his own hook. The law says that he can advise and direct the district attorney to do so only. But if the district attorney does not choose to follow the advice or directions given him by the attorney general, contrary to the laws in some states, in Oregon there is nothing that the latter can do to compel compliance.

The governor can, if he chooses, direct the attorney general to supersede the district attorney temporarily in a particular case or situation. But even the governor cannot remove the district attorney from office. The constitution requires a two-thirds vote of the members of the state legislature to accomplish this.

Can Be Recalled

Of course the district attorney can be recalled by the voters in the same manner as any other elected official.

Thus we see that the prosecutor in a very real sense is the key to honest and efficient law enforcement. To accomplish this end the law entrusts him with great authority over the liberty of any citizen accused of committing a crime.

Meet your district attorney. He's one of the most powerful officials in your community and in the whole state.



AIDED by Vice President Nixon, Haine Gregory, night club singer, awaits phone call at Los Angeles home to dying mother in Communist-dominated Poland. (International)

Eye Clinic Visits Total 25,000 Elks Conclave is Told

The Dalles — Approximately 25,000 patient visits have been recorded by the Children's Eye Clinic at the University of Oregon medical school in Portland since it was founded five years ago by the Oregon State Elks association.

Visually handicapped children of needy parents in Oregon's 36 counties and Alaska have been examined and treated at this pioneer eye clinic, representatives of the Elks association were told here at their mid-winter session this week end.

Hal Randall, Salem, chairman of the Elks Eye Clinic committee, said the clinic's work was receiving nationwide attention. This was acknowledged by the special guest, Grand Exalted Ruler William J. Jernick, Nutley, N. J., corporation executive who is on tour of Oregon lodges.

Randall quoted Dr. John Bond director of the clinic, as saying that Oregon's 41 Elks lodges, through the clinic, have provided "a tremendous amount of medical service for the low-income families of the state." The Elks association has contributed nearly \$85,000 to support of the clinic, including several thousands of dollars for research equipment.

Practicing eye specialists in Oregon have reported that the Elks program is making parents aware of the frequency and seriousness of children's eye diseases, Randall said. As a result, neglected cases of serious eye disease in young children are becoming less common.

Last year, 1033 new children were examined in the clinic, which increased the load of new patient visits by 38 per cent over the previous four years. This indicates a growing need for the services of the clinic for those children whose parents otherwise could not afford it, Randall pointed out.

About one-third of the children treated at the clinic live outside-Portland and Multnomah county.

Around Hollywood

Hollywood—(U.P.)—One of the most popular quizzers with the movie stars isn't Groucho Marx but a studio publicity man who doesn't even give out prizes.

John Springer, a praiser for RKO, is a walking encyclopedia on movies. Some citizens go in for remembering baseball batting averages, but Springer knows the casts, directors and release dates of some 6,000 movies.

Thus filmites from stars to columnists often buttonhole the publicist and try to stump his amazing movie memory or demand he give them an on-the-spot quiz about who played in what films.

Stars Quizzed, Too

"Marlene Dietrich and Mel Ferrer wanted to be quizzed when I took them to Chicago for a personal appearance," recalled Springer. "Bob Preston, John Beal and Milton Berle also have good movie memories."

Another high scorer is ex-child star Roddy MacDowell, who knows about movies made when he wasn't born. Springer says Roddy knows Richard Barthelmess credits "backward and forward."

Tony Curtis and Janet Leigh also ask Springer to quiz them. Their specialty is romantic teams, such as Janet Gaynor and Charlie Farrell.

I watched Springer shine at a recent press gathering where he was surrounded by film columnists. He was not even stumped when someone asked him who was in "Mother Macree." He knew it was a 1927 silent, starring Belle Bennett and directed by John Ford. He not only quickly recited the cast of the silent "Beau Geste" (Ronald Colman, Neil Hamilton, Ralph Forbes) but knew the supporting players (William Powell, Noah Beery, Mary Brian, Alice Joyce, Norman Trevor, Philip de Lacy) and the director (Herbert Brennan).

"I've always been a movie fan," he shrugged. "I can't remember my phone number but I can remember the cast of

By ALINE MOSBY
United Press Correspondent

"Birth of a Nation." Film studios and magazines use him as a reference library, and the publicist writes movie memory quizzes for a film magazine, "Films in Review," without using film history books. One actress, Nancy Carroll, telephones him to find out the names of her own pictures.

The most frequent question asked Springer is what picture Mae Busch played in, or if there was a Mae Busch. The late silent star has become a household word again since Jackie Gleason mentioned her on his television show.

"She was in 'Foolish Wives' and 'The Unholy Three,'" Springer recited.

157 ARRESTED

Portland — (U.P.)—Portland police department's radar unit had accounted for 157 arrests on traffic violation charges from noon Thursday until 8 a.m. Saturday.

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BASIN MEETING SET

Portland — (U.P.) — Fisheries multipurpose development of the Pacific Northwest will highlight a meeting of the Columbia Basin Inter-Agency committee at Walla Walla, Jan. 19, William A. Pearl, chairman and Bonneville power administrator said Saturday.

officers. The emphasis on friendly service and convenience for patrons, both in Medford and from out of town, apparently has "made a hit" with the banking public, officers added.

Two New Directors

Two directors were added by action of the shareholders. Named to fill the posts were Ralph Pierce, a vice-president of the bank, and J. H. Stanley, a rancher in the Antelope area.

Directors who were reelected include W. H. Young, president; Clarence H. Young, executive vice-president and manager; Frank P. Farrell, Leonard Bradshaw and Thomas H. Shearin.

An annual dividend was declared at the meeting. The bank has paid a dividend to shareholders for many years. All but two of the bank's 14 shareholders were present at the meeting.

Extended Banking Hours Voted for Rogue Valley Bank

The annual stockholders' meeting of the Rogue Valley State bank was held here Thursday, and it was voted to extend the banking hours at the new bank building on Court st. by one hour daily.

The new hours will be from 9 a.m. to 3 p.m. week days, and from 9 a.m. to noon on Saturdays. The walk-up window will be open from 3 to 5 p.m. week days, and from noon to 1 p.m. Saturdays.

There has been a "very satisfactory" reaction to the bank's move to Medford from Eagle Point, shareholders were told by

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