

O R E G O N

COMMENTATOR

OCTOBER 31, 2000

VOLUME XVIII, ISSUE II

A JOURNAL OF OPINION

The OREGON COMMENTATOR investigates the

ETHICAL PROBLEMS

that arise when the EPD brings the local television stations — and their cameras — into your home



Also in this issue: the cigarette ban, the Gap, and ASUO “sudsidation”



FOUNDED SEPT. 27, 1983 • MEMBER COLLEGIATE NETWORK

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The OREGON COMMENTATOR is an independent journal of opinion published at the University of Oregon for the campus community. Founded by a group of concerned student journalists Sept. 27 1983, the COMMENTATOR has had a major impact in the “war of ideas” on campus, providing students with an alternative to the left-wing orthodoxy promoted by other student publications, professors and student groups. During its eighteen-year existence, it has enabled University students to hear both sides of issues. Our paper combines reporting with opinion, humor and feature articles. We have won national recognition for our commitment to journalistic excellence.

The OREGON COMMENTATOR is operated as a program of the Associated Students of the University of Oregon (ASUO) and is staffed solely by volunteer editors and writers. The paper is funded through student incidental fees, advertising revenue and private donations. We print a wide variety of material, but our main purpose is to show students that a political philosophy of conservatism, free thought and individual liberty is an intelligent way of looking at the world — contrary to what they might hear in classrooms and on campus. In general, editors of the COMMENTATOR share beliefs in the following:

- We believe that the University should be a forum for rational and informed debate — instead of the current climate in which ideological dogma, political correctness, fashion and mob mentality interfere with academic pursuit.
- We emphatically oppose totalitarianism and its apologists.
- We believe that it is important for the University community to view the world realistically, intelligently and, above all, rationally.
- We believe that any attempt to establish utopia is bound to meet with failure and, more often than not, disaster.
- We believe that while it would be foolish to praise or agree mindlessly with everything our nation does, it is both ungrateful and dishonest not to acknowledge the tremendous blessings and benefits we receive as Americans.
- We believe that free enterprise and economic growth, especially at the local level, provide the basis for a sound society.
- We believe that the University is an important battleground in the “war of ideas” and that the outcome of political battles of the future are, to a large degree, being determined on campuses today.
- We believe that a code of honor, integrity, pride and rationality are the fundamental characteristics for individual success.
- Socialism guarantees the right to work. However, we believe that the right not to work is fundamental to individual liberty. Apathy is a human right.

COMMENTATOR

OC QUIZ

Who is this rebel without a cause?

What you're in store for you in this issue of the OC, brought to you by Sal:



WHEN THEY COME FOR YOU

"Hey, I ain't screwin' around here. KVAL and the EPD mean business. They don't like your parties, kid. And they don't mind screwing you over if you don't knock it off."

***By Aaron K. Breniman
PAGE 6***

SMOKE 'EM IF YOU GOT 'EM

"Hey, I like a smoke every now and then. What, you say I gotta what? I gotta put it where? Out? Boy, are you asking for it..."

***By Brian Ouellette
PAGE 9***

THANK YOU FOR NOT SMOKING

"I don't go to LA no more. Nah, not cause of what happened with my high school sweetheart. It's 'cause of what they did to the bar scene, man."

***By Amber Plaunty
PAGE 12***

RAIDING NADER

"Yeah, who's this schmo, Nader, eh? Sonny on the Upper-Eastside says he a fraud, man. No joke. Dangerous. My uncle Jonny tangled with him once. It wasn't pretty."

***By Jason Larimer
PAGE 14***

OREGON STATEWIDE BALLOT MEASURE

RECOMMENDATIONS

"Bling-bling, you know what I mean?"

PAGE 16

• If you said: ***"an EPD officer before he grew old and forgot what it's like to be cool,"*** you've got an attitude problem. Turn to page 6.

• If you said: ***"the door man at Biagio's,"*** you've probably left your drink unattended. Turn to page 9.

• If you said: ***"a Californian risking his financial security by smoking in public,"*** you're not far off the mark. Turn to page 12.

• If you said ***"Ralph Nader hard at work on his first book, 'Unsafe at any Filter Length,'"*** you're right on the money. Turn to page 14.

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GLAD YOU CAME YET?

The media barge through your doors. The bars might not let you light up. The townsfolk love the Pied Piper of American Politics. You'd probably be better off just getting a job.

Whether your vice is a little Saturday-night partying, chain-smoking GPCs with your pint of Pabst Blue Ribbon at Max's (\$1.50 during happy hour — you can't beat it), or a little free market classical liberalism, this town has it in for you. They don't like the looks of you, they don't like the atmosphere of the West University Neighborhood, and they don't like the yellow Jeep Cherokee your dad bought for you.

From all sides, you, the average University student are the scapegoat for Eugene's problems. In this issue of the OREGON COMMENTATOR, we get around to covering just a few.

THOUGH THE NUMBER OF CALLS TO THE EUGENE POLICE Department for noise and alcohol-related disturbances have been dropping, the EPD continues to crack down on what it sees as an "out-of-control" party scene, and their chief ally is none other than the local media. KEZI, KVAL and KMTR have all covered the EPD's so-called Party Patrol incessantly since school began, and now they're even going into students' houses without permission.

One student invited a group of friends over to his house on a recent weekend night, and by the time he was over, they were hit with a cumulative several thousand dollars in ordinance violations. The EPD's tendency not to break things up, but to spend hours citing each and every student possible is a waste of time and resources. In any case, they may start charging you for the privilege of a visit.

Though the Supreme Court has frowned upon the invasion of residential homes by ready-or-not, here-we-come television cameras, the townsfolk of Eugene apparently don't mind getting their hit of reality television not from "Real Stories of the Highway Patrol" or "The Jerry Springer Show, but from the 11 o'clock news broadcast.

For Zack Shleifer, it wasn't just the EPD who caused him grief that night, but also KVAL's news cameras, who invaded his home and videotaped the grisly scene for the entertainment's sake.

EVEN IF YOU ARE NOT A SMOKER, CHANCES ARE YOU'LL BE affected by a possible new city ordinance which seeks to ban smoking in all indoor eating and drinking establishments — bars included. On this issue, there is little consensus. Many smokers and non-smokers alike oppose the measure. The vice versa is also true.

What the issue really comes down to is, will the City Council override the right of restaurant owners to decide what kind of activities go on in their establishments? While smoking cigarettes is the very antithesis of political correctness these

days, shouldn't a bar owner be able to allow his patrons to practice a legal activity on their property? An employee might complain about the health hazard, but no one is forcing them to work in such a place.

Besides, former Coast-to-Coast AM host Art Bell said it best when he said, "The drinking bone is connected to the smoking bone." Even a lot of professed nonsmokers like the occasional drag after they've had a drink or two. Isn't it a tad absurd to ban smoking from someplace where almost *everyone* smokes?

IF WE NEVER SEE ANOTHER NADER/LADUKE SIGN, IT'LL BE TOO soon. Still, Oregon — and Eugene in particular — is in the thrall of his particular brand of anti-corporate populism.

"Fascist" is a common insult hurled at conservatives, but the term applies much more to Nader and the classist, short-sighted, idealistic rhetoric of his adopted home, the Green Party USA.

On a radio broadcast several months ago, a caller addressed Nader, and asked him if he knew that the Green Party, on which ticket he is seeking the U.S. Presidency, supported the dismantling of the United States Senate. That's ridiculous, he said. Where did he hear this, he wanted to know. "At www.greenparty.org," the caller replied. Nader was in disbelief

Here's a sample:

"Centralization of wealth and power contributes to social and economic injustice, environmental destruction, and militarization. Therefore, we support a restructuring of social, political and economic institutions away from a system that is controlled by and mostly benefits the powerful few, to a democratic, less bureaucratic system. Decision-making should, as much as possible, remain at the individual and local level, while assuring that civil rights are protected for all citizens."

If you're still fighting through the buzzwords, just know that it pretty much means the representative democracy of the U.S. Constitution is oppressive, and that everybody should vote on everything that everyone else does with their money. Ralph Nader isn't really a Green, he's just a self-righteous, would-be Democrat who has long abandoned the closet socialism of economic regulation and leaped headlong into the isolationism with his opposition to NAFTA and the WTO.

If you hate freedom, then by all means: he's your man.

Read closely. This is not a town to be screwed around with. They don't like you, and after you read this, our bet is that the feeling will be mutual.

Shamrocks and Calvins

THE CAMPUS COMMUNITY RELATIONS TASK FORCE MET LAST WEEK, lacking any apparent objective, except to discuss campus-area parties, drugs, liquor, Halloween, and the proposed Incident Response Fee and then do nothing about it.

The drug that stole the show, MDMA, better known as Ecstasy, left the task force elders speechless, and the COMMENTATOR was on hand for the Officer Ed Tsui's profound insights into the dark world of "rave culture." And he wasn't too far off the mark.

While we just thought it was hot in there, Tsui informed the us (the task force) that it was actually our organs cooking inside our bodies. Thank God for the free water bottles, Lipton Ice Tea, and Dr. Pepper on hand. Doesn't Catering have chardonnay?

Interrupting Tsui's oral painting of a fascinating underground world of "candy flippers" and "awesome DJs" — one of pacifiers and dust masks, Vapo Rub and chipped teeth — UO student life coordinators asked Tsui if he felt they were promoting "rave culture" by sponsoring campus raves.

Tsui admitted that the department, in fact, had contact with an individual who used Ecstasy for his first time at one of these UO raves.... And the room fell silent. Dean of Students Anne Leavitt nearly fell out of her chair. Had the University been promoting... *drug use*?

Our drinks finished, the meeting rolled to a close. It wasn't until we were outside the building before we realized this was no "task force" at all, but a way for the community to tell itself it was doing something, when in fact, it actually wasn't.



"I just wanted to say..."

...though the ASUO tirelessly campaigns to assure you that a your incidental fees are well spent, the obvious fact that government is irrelevant and populated by amateur policy jockeys and future city council desk clerks always manages to shine through.

I will never forget this game so long as we win.

I'd buy you a beer if I was over 21."

Thanks for the tickets, everybody. I owe you one."



A chemistry major on ether

Happening Knobs

THE KNOB, A THREE-YEAR-OLD EMU AMPHITHEATER resident, hasn't missed a day of school in three years. While most days are spent being rained on, other are special. "Sometimes I'm lucky enough to be sat on," the Knob told the COMMENTATOR. "Yow!" Most of the Knob's nights are spent alone, drinking heavily. "I'm pretty much stuck here right now," it admits.

The Knob arrived on campus with the grand opening of the majestic, renovated EMU Amphitheater during the spring of 1998, though it hasn't been smooth sailing. Inclement weather, spray-paint wielding hooligans and local ska bands have plagued the Knob since then. "I've gotta get out of here," it said. "You know where to rent a jack-hammer?"

Two years ago, the Knob ran for the ASUO Vice Presidency with the Pioneer Mother Statue behind Johnson Hall, albeit unsuccessfully. "The ticket went nowhere. The communication just wasn't there. The least she could have done would be to come over and say 'Hi.'" The Pioneer Mother refused to comment.

The Knob is available for sitting on at all times.

NEXT WEEK: JAY BRESLOW!



The best in television commercial fine print for the weeks of October 10-October 31.

- "Do not put motor oil or automobile parts in your washing machine."
- "Past performance is no guarantee of future results."
- Flames added by special effect."
- Does not constitute endorsement by U.S. Navy.
- Could a Tracker tow a semi? Nah. Read your owner's manual.

WHEN THEY COME FOR YOU

It's no secret that students have dealt with pressure from the Eugene Police Department for years. Now, a new ally of the police is a new enemy of the student: the 11-o'clock news.



BY AARON K. BRENNAN

With the Halloween riot season upon us, the Eugene Police Department has picked up enforcement on the student parties. The increased enforcement will not only lighten your wallet, but an EPD visit could also infringe upon your rights.

The EPD's so-called Party Patrol has been accompanied by various local media, such as KVAL, KMTR, *Register-Guard*, and the *Oregon Daily Emerald*, while they protected the campus area during the past few weekends. The cameraman's footsteps might not stop where John Q. Public's are supposed to: your front door; but the sensationalistic, reality-based focus of the media could lead to the violation of your Fourth Amendment rights.

One such incident occurred Saturday Sept. 30, when University student Zack Shleifer had some friends over after the Ducks football team beat the Washington Huskies. He didn't expect random people to come over, nor did he expect the cops to show up, sending his friends scrambling over the fence. Shleifer won't forget it though — he has the KVAL newscast taped to remember it by.

Slightly before midnight that evening, police responded to a complaint about the noise at Shleifer's house on Alder street. They

arrived to find a note posted to the front door directing partygoers to the rear of the house, where police found a group of people in the backyard, estimated by Shleifer at about 35. While officers conducted sobriety tests, the KVAL camera rolled inside the house as Shleifer sat with his head in his hands. The evening's tally: 21 Minor in Possession citations, two for Allowing Alcohol Consumption by Minors on Private Premises, and one harassment charge against a female University of Washington student. (See picture in top right-hand corner, opposite page.)

Recorded documentation of police action is not uncommon, nor is it always illegal. The Supreme Court ruled in May 1999 that taped documentation of police action on private property is not a violation of the Fourth Amendment if it serves a legitimate law enforcement purpose. The Fourth Amendment reads "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search and seizures, shall not be violated."

The EPD's cameras first rolled in the 1980's, recording the police-citizen interactions in the department's DUII squad. According to EPD Spokesperson Jan Powers, the department's video capacity has greatly increased since then, allowing the EPD to bring camcorders to all calls where they believe criminal activi-



All photos broadcast by Fisher Broadcasting. © 2000

Above left: KVAL's Jodi Unruh, the reporter on the scene at Shleifer's house; **Above right:** The EPD handcuffs a visiting UW student; **Below:** Shleifer sits while the EPD takes control of the house.



ties might be occurring. Officers now record everything from campus-area parties to Anarchist riots and environmental protests. The law becomes less clear when a third party is brought into the equation.

The manner in which KVAL handled the situation was unethical at least, and at most an infringement of the Fourth Amendment. According to Shleifer, KVAL representatives did not seek permission to enter his residence. Shleifer did not object to their presence, other than to tell officers that the camera was making him feel uncomfortable. His shortcoming? He did not know that he had the right to kick the cameraman off his property.

"The cops did not tell me...that's an infringement of my rights. The cops made a huge mistake," Shleifer told the COMMENTATOR. "They should have told me that I had the right to kick them out."

KVAL News Director Deana Reece refused to deny or confirm the allegations that they entered Shleifer's residence without his permission. Reece was unwilling to go on the record on anything pertaining to this specific segment, however, she did explain that the station's general policy includes seeking permission to enter private property and to exit if asked at to leave at any time. For Shleifer, KVAL's actions speak far louder than Reece's words possibly could.

A man's home is his castle, even a rental castle, no matter how run-down it may be in this town of slumlords and shady property management companies. Cops have no place in your residence without a warrant, and certainly, neither do the local news media.

KVAL exposed what they called the "young revelers" on the following days five and eleven o'clock newscasts. In Eugene it is not unlikely to see stories of police busting student parties on television news. Similar segments aired this same weekend on KMTR Newschannel 16, and while it is highly debatable whether or not these busted parties are even newsworthy, the manner in which KMTR handled the situation was less intrusive. While KVAL aired footage shot inside a student's house, KMTR segments included only footage shot outside the parties.

Media intrusion into private property has been a legal question for years, but the 1999 *Wilson v. Layne* Supreme Court decision has done much to clarify the situation. The Court ruled unanimously that the Fourth Amendment does not allow police to bring members of the press into a private home uninvited, even while serving a warrant, stating that, "it violates the Fourth Amendment rights of homeowners for police to bring members of the media or other third parties into their home during the execution of a warrant when the presence of the third parties in the home was not in aid of the warrant's execution."

According to the EPD, before all media ride-alongs, participating members of the press go through a briefing at the police department headquarters in downtown Eugene. The briefing is supposed to make the legal issues very clear, stressing that the media representatives must ask to enter a house during a response to an incident.

KMTR reporter Kari Lampshire attended these briefings and was on a ride-along assignment the evening prior to the Saturday night occurrence.

"They made it very clear when we went with them that you can ask if you can go into peoples houses: 'We [EPD officers] will even ask for you, but if they say no, we can't allow you to go in,'" she recounted. Following the briefings, conduct of the media personnel is not supervised by the officers.

"They're basically out there on their own," said EPD

Lieutenant Rick Gilliam. Gilliam has been closely involved with the Party Patrol and police-student relationship in recent years. It is up to the police to supervise the media while on these ride-alongs, or students rights could continue to be compromised. The traditional police motto, To Protect and To Serve, applies to students as well: They are not criminals; they just drink heavily.

Many legal technicalities make this protection a potentially tricky situation, and some have even made the argument that a note on the front door directing party-attending guests to the rear of the house served as an invitation for the police and media to enter. The note merely read “ENTER THROUGH BACK DOOR, THANXS” [sic], which the EPD used their note to justify their entrance. That’s

nearly as pathetic reasoning as saying that a welcome mat technically invites a thief to burglarize your house. The note was directed at a specific audience: Shleifer’s guests. Nonetheless, ethical considerations should have kept the KVAL camera outside of the house, or at least caused the News Director, Reece, to refrain from airing the footage inside the residence when they found that permission was not granted.

The Radio-Television News Directors Association (RTNDA) code of ethics states, “Respect the dignity, privacy, and well-being of people with whom they deal.” The question of whether or not permission had been granted by any of the residents should have prevented the segment from airing.

The attitude of many students is that the EPD busting up some underage drinkers does not qualify as news. As any journalism class will tell you, a newsworthy event is defined as timely, relevant, or unusual. Sure it’s timely, probably is every night in this town. Relevant? Not really, students party. This is not some sort of emerging trend, the actual trend is that since 1998, there has been a steady decrease in calls for service for alcohol-related offenses. In 1998 calls for service peaked at 2,499, decreasing to 2,223 in 1999. For the year to date, there have been 1,808 calls. Lt. Gilliam estimates there will be 2300 alcohol-related calls by the end of the year. But if current numbers hold, the department will finish the year with 2410 calls. This would be more calls than 1999, but less than the peak years of 1997 and 1998. Unusual? The police bust parties all the time, and always have at universities in residential



Three EPD officers walk away from Shleifer’s door, upon which a note is affixed, directing partygoers toward a rear entrance.

neighborhoods.

The lack of news value in these segments forces those paying attention to look for a deeper meaning, if there is one. Given shows like “World’s Scariest Police Chases” and “Cops,” the sensationalist urge has given rise to the popularity of “reality-based TV” has blurred the definition of newsworthiness in recent times. In many cases, such shows have tested — and crossed — the lines of acceptable reality. Since the advent of *Wilson v. Layne*, “Cops” no longer take camera’s inside people’s houses. Newsrooms around the country have grappled with the issue as well. At the *Des Moines Guard* in Des Moines, Iowa, reporters are told that under no circumstances are they to accompany officers into citizens’ home, nor are they even supposed to set foot on their property. In Eugene, these boundaries are less clear.

According to the EPD, ride-alongs are instigated by the media as well as the police. At times a station might be looking to fill a slot, and at others the EPD might want some credit. One might even think of the correlation between the airing of this segment and a current ordinance under consideration by the Eugene City Council. The proposed Incident Response Fee would charge residents for officer’s overtime pay and excessive fees when police must respond to parties more than twice in an undetermined amount of time.

Critical viewers should watch these

CONTINUED ON PAGE 18

OREGON COMMENTATOR

SMOKE 'EM if you GOT 'EM

**Intrepid reporter BRIAN OUELLETTE
risks life and limb (or at least his
health) by traveling to the front lines
of the Eugene City Council's newest
battle: your neighborhood bar.**

I always pictured lighting up as something that was reserved for the great western stars, America's favorite Californians: John Wayne, Kevin Costner (remember Silverado?), and the great Clint Eastwood. We never saw Dirty Harry's true face, his visage clouded behind an evil barrier of Marlboro induced rage-lust. It was glorious.

Thanks to Hollywood and the readily available supply of these powerful

sticks, people across the States bought into leather, guns and — you guessed it — cigarettes. It couldn't hurt. After all, it was legal. Hell, if George Burns could do it, then so could I.

But on September 25th, the Eugene City Council unanimously adopted an ordinance prohibiting smoking in all public workplaces except for bars, taverns, cocktail lounges and bingo parlors where minors are not permitted. So what does this mean to you? ▶▶▶

For those under the age of twenty-one, this essentially means nothing. Everywhere you go already is non-smoking, save for the less-than-savvy International House of Pancakes.

For the adult, this could have more immediate ramifications — ramifications which include, but not may not be limited to, the restriction of smoking in Albertson's, hospitals and libraries. But seriously, the most likely change in the status quo for most students is the a vote on banning smoking in bars, bingo parlors, etc, which has been deferred until November 13th.

As stated in the September 26 edition of the *Register-Guard*, the smoking ban "covers virtually all other public places, including restaurants, worksites, etc., as well as restaurants which serve alcohol. On the advice of legal counsel, the City Council voted not to allow restaurants to have totally separate smoking rooms. Counsel said that having separate smoking areas which employees would not be required to go into because of the secondhand smoke would be inconsistent with Oregon Liquor Control Commission regulations because it would leave the room unattended and employees must be allowed to enter the room."

The aforementioned vote centers on the third clause of the smoking ban, which many people supporting the workplace ban oppose, would affect the employees and patrons of Eugene's bars. This intrepid reporter ventured into several nightclubs and a number of bars in the downtown Eugene area to get the "lowdown" on this scene, and the views of its regulars.

First stop: Diablo's, an underground dance club on downtown Pearl Street. Darris, the owner of Diablo's and a non-smoker, said that he should have "the right to choose," being the owner of his establishment. This is where the opposition had its strongest case, though this argument failed to register with the Council before the Sept 25th vote.

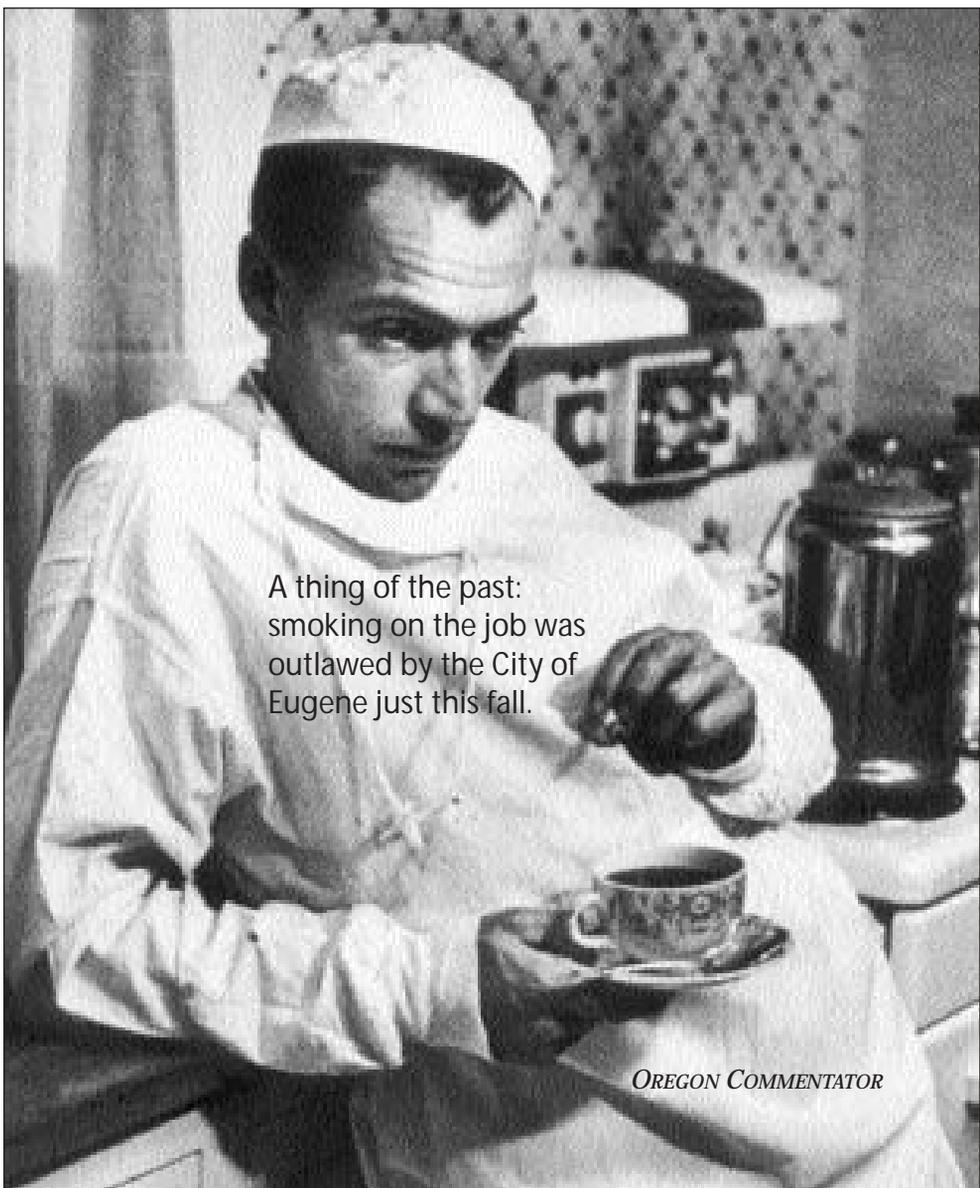
What the city is arguing is that the ban is like industrial restrictions and regulations, just on a smaller scale. Whether the smokestack is on a building or in your hand, it's all the same. Secondhand smoke has become such a large issue that the city feels pressure to regulate it.

Non-smokers such as Doug, a manager at Doc's Pad, says, "I hope it passes, [secondhand smoke] is not good for me." Several employees went on record stating a myriad of different opinions on the subject.

"I hope it passes, I quit!" says Libby, a waitress at Doc's. (Smoking, not her job.) Libby is familiar with the regulars at the establishment and states that people at Doc's Pad don't want to stop smoking; they've been coming to Doc's for years and are set in their ways.

"I at least want the option. It's a violation of my rights." What about smoking outside instead of indoors? "I don't like that option." Libby knows the arena, though. "[The patrons] are old and set in their ways. If they want to have a smoke,

SAYS A WAITRESS AT DOC'S PAD: [THE PATRONS] ARE OLD AND SET IN THEIR WAYS. IF THEY WANT TO HAVE A SMOKE, LET THEM! THEY'RE OLD. THEY DON'T GET TO ENJOY MANY THINGS ANYMORE."



A thing of the past: smoking on the job was outlawed by the City of Eugene just this fall.

let them! They're old. They don't get to enjoy many things anymore."

Libby recently visited California, where there is a full-blown smoking ban instituted. "Everyone went outside to smoke," she says. "It was calm, no big deal. It's a young versus old issue. The old want to keep their ways and the young want to be health conscious." The door man at Diablo's comeback to that echoes the sentiment of many self-aware drinkers: "If you're worried about secondhand smoke, you shouldn't be drinking!"

Does the door man at Doc's agree? "If you do not want to smoke go somewhere else or I'll have to kick your ass." The Doc's doorman, colorfully self-titled Azwipé, puts it, "If you don't want to be in a smoky environment, it's your choice." At Taylors, Bob Chisholm says, "I'm a smoker and I'm for [the ordinance]. I don't have the right to put others at risk; it's disrespectful and unhealthy."

The bartender at Taylors? "I'm not being forced to be in this environment, but I'd like to see it passed." He also had some corollary about the smoking ban leading to an increase in drunk driving, but this reporter forgot what it was, more intent upon finishing his Budweiser and moving on. Secondhand smoke may be killing me, but when you stack it up against stress, deadlines, Ducks football games, and red meat, it doesn't seem all that bad when you're at an American bar with an American beer. (Or an import, it doesn't matter.) It's just natural to abuse our bodies, and that's what modern medicine is for, right?

The door man at Diablo's on this particular night had a very interesting view on this as well — one not dissimilar from his other points: "If you're worried about your health, you shouldn't be out drinking!" Will the future of common-smoking establishments be a Californicated scenario for Oregon? Or will cigarette-friendly businesses win out? Only time will tell.

What about the smoking at home? "This is going to bring about more house parties," says Susan, an employee at Diablo's, watching the door. "People are going to stay home where they can smoke. Us smokers gotta have caves to crawl into. And this will bring about different problems." No doubt, the gatherings at residences are being dealt with as well on a strict basis. With the fines for noise and alcohol-related citations increasing with each voting cycle, this will continue to be a problem.

The resurgence of house parties could mean a loss of business, but perhaps not in the long run. "I see a loss of business in the beginning," Says Doc's Doug, "but people will come back." Azwipé says that they will "absolutely lose business." For example, he points to the video poker machines, from

which make Doc's Pad earns a large amount of money. "All the people that play poker smoke, and if they can't smoke they won't play." On the other side of the issue, where will the people go if they want to get out?

"There's nowhere else to go," says Doug. "Where are people going to go? Springfield?" Springfield would not be affected by the smoking ban, but is Hollywood Taxi going to become the hip place to be seen? Similar statements were uttered at Biagio's, Taylors and Diablo's.

November 13th is two weeks away. As much as some would like to believe, it is not just another anti-smoking bill: it's a bill to help those who don't smoke. Smoking and non-smoking sections don't work. For you non-smokers who have sat in non-smoking, but in close proximity to the other, you know what I'm talking about.

Personally, I go out to bars knowing that I'm going to come home smelling like a brush fire, and I'm comfortable with that. Yet you can also see that it's rude to those who don't smoke, cannot handle smoke, and are shunned from where the action is. (Tuesdays at Biagio's is "Glowstick Night." check it out.) After all, raging alcoholics don't have to be smokers as well to be accepted, do they?

Adults are mature enough to be able to make their own choices without a 'Big Brother' delegating rules for all to obey

AT TAYLORS, BOB CHISHOLM SAYS, "I'M A SMOKER AND I'M FOR [THE ORDINANCE]. I DON'T HAVE THE RIGHT TO PUT OTHERS AT RISK; IT'S DISRESPECTFUL AND UNHEALTHY."

with an iron fist. But is this one of those rights that cannot be impeded upon? Smoking is not going to be outlawed; the rules governing it are just going to be changed. Close enough, some say, but still allowed at least.

I suppose you could tie this to prohibition in the early 20th century. In "The Untouchables," Kevin Costner plays Treasury Agent Eliot Ness, who leads the charge against bootlegging and organized crime. He is asked towards the end, after Prohibition has been lifted, what is he going to do now? Ness responds, "I'm gonna have a drink."

The Eugene Board isn't out to get you. It's dealing with what the community sees as a problem. We may or may not see a ban on smoking in Eugene's drinking establishments, but if we did, it wouldn't be such a bad idea.



Brian Ouellette, a senior majoring in Political Science, is a staff writer for the OREGON COMMENTATOR



THANK YOU FOR NOT SMOKING



In California, bar patrons smoke at their own risk.



BY AMBER PLAUNTY



In January of 1998, California became the first state to ban smoking in all public establishments. As of October 2000, Eugene could be next—the proposed Clean Indoor Air ordinance would limit the exposure of workers to secondhand smoke and severely affect those who frequent restaurants and bars in Eugene.

A 1999 survey of registered voters by Davis & Hibbits has shown that eight out of ten Eugene voters favor this ordinance; hardly anyone has a problem with the majority of workplaces being smoke-free. But the real controversy lies in whether bars should be included in the act. The Oregon Health Division reports that “nine out of ten Oregonians say they would eat out just as often or more often if all restaurants were smoke-free.” Unfortunately, there is no study to reveal the number of students that would choose to drink at home as opposed to bars in order to smoke. Or perhaps they will simply choose establishments that allow for outside smoking, in which case Max’s on 13th and Patterson is out of luck. Taylors Bar and Grill and Rennie’s Landing already have that outdoor and rooftop seat-

ing, but few bars can boast of areas as nice as theirs, if any at all. And even that is of little consolation during the long months of Eugene’s rain and cold. Many people don’t smoke at all unless they are drinking, but this doesn’t necessarily mean that their alcohol intake will decrease—though their patronage of smoke-free bars may well.

There is also the question of how exactly this ordinance would be enforced. The civil penalties outlined in Eugene’s proposal for violations of the ordinance are minimal, ranging from \$50 to \$100 for the first offense. This is a small price for bar owners, who can likely make ten times that much in one productive night, or at least enough from their smoking customers to more than offset the cost of the fine. That simple economic factor, along with the reticence authorities have shown toward administering the California statute, may cripple its effectiveness in preventing smoking in Eugene drinking establishments. In California, enforcement of the Smoke-Free Workplace law is fairly lenient, and the penalization process is slow and gradually escalated.

Complaints must be made to the local branch of the Tobacco Use Prevention Program; the TUPP accepts the complaint, documents it, and then sends a letter to the accused place of business requesting compliance with the law. In short, that is the whole of the action taken upon a first infraction. While businesses are encouraged to call TUPP to consult someone on how to improve patron cooperation, no fine is charged and no warning is incurred at the time. The second complaint is only slightly more motivating. TUPP informs the local law enforcement agency of the complaint; the designated agency may then decide to send a letter of warning, make a field visit to the business, or issue a citation as necessary. Citations in California are \$100 for the first violation within 12 months. Steeper fines are charged if additional violations occur within 12 months—\$200 for the second, and \$500 for the third. After the third citation, police can refer the business to CAL-OSHA (California Occupational Safety and Health Administration), which can conduct their own investigation on the business. Depending on the findings, they can levy quite a hefty fine—the minimum being \$7,000 per violation. After one year, the graduated system of fines is reset at \$100.

Some restaurants and bars in California have accommodated well to the recently legislated smoke-free environment

by providing outdoor courtyards for their customers or having workers smoke by fire escapes, etc. Some, however, have evaded the law altogether. In some circumstances, bartenders will hand customers an ashtray and tell them they can smoke so long as they pay the fine if they are caught. This would seem to be much more effective enforcement. A one hundred dollar fine to the offending customer—who is already spending money on drinks and perhaps a cover charge—would make it the most expensive cigarette ever smoked, and certainly a discouragement to do it again. But getting bar owners or even local enforcement to pinpoint the smoker and actually cite them is highly improbable. It is interesting to note that the Clean Indoor Air ordinance does not designate any specific organization to the task of exacting compliance; perhaps we are to assume it is yet another task for our local law enforcement. If this ordinance is to pass, it will be one hell of a job for the EPD—or whomever—to keep tabs on all the smoking in our drinking facilities.

Take advantage of discount drinks night at one of the many bars near campus and you'll understand why.



Amber Plaunty, a sophomore majoring in Journalism, is a staff writer for the OREGON COMMENTATOR

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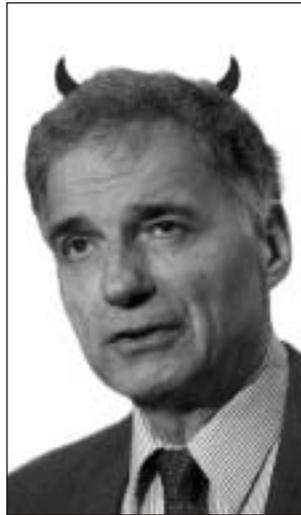


4095 Franklin Boulevard, Eugene
Located next door to Texaco

RAIDING NADER

Just when you thought it was Ralph Nader to the rescue... he turns out to be just as phony as the rest of them.

BY JASON LARIMER



Ralph Nader is an overrated, phony progressive. How could such a mild-mannered, earnest, and well-intentioned man be labeled in such a way? This writer may be a Republican, but I'll try not to let that intrude into this article. Instead, I'll demonstrate how Nader's positions on the issues auger ill for self-described liberals; i.e. those who believe in a need for self-expression, greater economic equality and worldwide humanitarianism.

First, let us examine the worldview of poor Ralph. His creed is simple: corporations are perverting our culture. As he's said at many a campaign rally over the past few months, our present fate is decay: "children are getting fatter" because of commercial culture, "children have become nagging corporate salesmen," and "even beauty is determined by commerce." Yet, in spite of this malaise, a few "active citizens" (probably Nader supporters) still champion a declining civil society and its neglected populace against the might of a "corporate government." Their hope lies in the prospect of reducing corporate influence and creating more Naderites like themselves.

To me, an admittedly biased source, this is not liberalism. A liberal is one who recognizes a plurality in values, much like a conservative, but is determined to hold these values up to merciless critique and debate, unlike the intellectually reticent conservative. While each camp disagrees with the other, at least they are concerned with the way reality works and what makes sense

rationally.

On the other hand, a leftist, or radical, is intoxicated with a vision of the way things ought to be. Note that the self-prescribed mission of Marx was to change the world, not to interpret it. Yet if a cure has been announced it is axiomatic that a disease has been found. It can be argued that Nader is closer to Marx as he claims to have identified both the disease and the cure: corporate power and citizen involvement.

Considering that neither corporate influence nor the merchant mind is tangible, it is problematic that Nader is dogmatically attaching so much importance to their existence. What is the merchant mind? How does it influence politics? More importantly, can it be said that the merchant mind may spring from something else? Nader, just like the typical left-winger he is, ascribes all the ills of the world to a single, poorly understood system: economic law.

Nader would perpetuate his flawed worldviews in the classroom. Given his stump speeches, "using one skills to overcome apathy, ignorance, greed or abuse of power in society," appears to be the gist of Naderite education, and "Bridging the gap between classroom learning and community experience is a way of connecting students to purposeful learning." At least Bush and Gore have concrete ideas, not vague ideals.

It should be noted that Nader would make ethics the aim of education. More notably, his ethics would be highly politicized.

Notice that Nader never says anything about teaching kids logic, philosophy, economics, or other such subjects in order to make informed, rational decisions. Instead, Nader seems to claim that learning is worthwhile only when it is allied with some type of community experience.

Not surprisingly, Nader wishes to rid schools of commercialism. He does so with good reason; if I were exposed to Mountain Dew commercials at school, I might tune out to warnings about the danger of apathy and jump out of a plane.

Another thing that Nader supports is public financing of political campaigns, “just like parks or schools.” His assumption seems to be that campaigns are just another public service necessary to the health of the community, much the same as neutering cats.

No one denies that everyone benefits from honest, ethical political campaigns, yet public financing of political campaigns raises several problematic issues. First, what happens to the individual right of free speech when ones’ tax dollars go to support a candidate or cause they oppose? Whoops, I guess the right of free expression escapes the minds of Naderites on that count.

Secondly, what justification do Naderites give for public financing? Simply put, to put our democracy back in the hands of its citizens. Nader makes the great assumption that given the opportunity, the 50 percent of the country who does not vote will be some great bloc for change. To put it hard-heartedly, think of the “average” student from your high school graduating class. Now think of all the people who dropped out or finished late. I

candidates? Oregon’s Measure 6 would require a party to collect a certain number of five-dollar donations before they can qualify for public financing. I would imagine a national public financing program would rely on a similar scheme in order to control the lunatic fringe. In any case, the government will be forced to decide who gets money and how much. Should the donation threshold be set too low, it is very possible that the government will end up subsidizing parties that have no chance of influencing public policy in any measurable way. Of course, this is money that could be used to help schools.

In other words, why place civil liberties in jeopardy for the sake of a scheme so fantastic that Baron Von Munchausen must have imagined it? If Ralph is not the best champion of civil liberty, then let us turn to his economic schemes to be enacted in a fantasy land of caring and compassion where everyone is stupid and they do not care.

One screed of his that caught my eye was his pronouncement that Social Security is okay. Anyone ever notice that you could refer to it as the “SS system?” I am sure that Hitler, if his ashes did not lay scattered in the Elbe, would love it that everyone in America has been given an SS number. Like the SS, Social Security does have problems. For one, a good deal of its benefits go to wealthy retirees.

Furthermore, the ratio of retirees to workers is rising. In the next few decades, it will be two to one. Therefore, it is a given that more tax dollars will be redistributed from the workers and given to wealthy retirees. Some progressive movement! Yet, why

grace it with such a name? Isn’t social security, at least in its present form, really a way of taking from some and giving to wealthier others? Some seniors do live hand to mouth, but a good deal of those who do receive benefits could provide for their own retirement.

What about free trade? Nader claims that we should have fair trade. He would first start by reforming the

role of the IMF, forbidding it to bail out banks when they mess up. Instead he would make it into a pin-striped Peace Corps, helping with antibiotics distribution and the like. Just a thought, how many banks do you think will be willing to lend to developing nations after the IMF starts digging wells? How will a lack of bank lending help the poor in developing nations?

Then Nader would push something called “trade as if human beings mattered” onto the

American people. This would seem to be a program of encouraging trade with those countries that have a standard of living similar to ours by virtue of erect-

CONTINUED ON PAGE 19

NADER’S IDEAS ARE REGRESSIVE BECAUSE BARRIERS TO TRADE REDISTRIBUTE WEALTH TO INEFFICIENT PRODUCERS BY FORCING CONSUMERS TO PAY HIGHER PRICES. AN ARGUMENT THAT THIS IS SOMEHOW MADE FAIR BY THE FACT THAT JOBS ARE SAVED IGNORES THAT MUCH MORE MONEY IS LOST BY CONSUMERS THAN BY THE CORPORATIONS.

would imagine that all these groups put together comprise at least 50 percent of the population. Get the picture? More than likely, they will throw their half-empty beer-cans at Ralph instead of rising up and overthrowing “corporate control.”

Even if the voter participation rate does go up dramatically, it still does not mean that Republicans and Democrats would lose their grip on power. It seems as though a scheme of public financing would do little more than subsidize the speech of the smaller political parties. Think of it: Libertarians receiving subsidies to decry those very same subsidies.

Finally, how would the public money be apportioned among

Oregon Statewide Ballot Measure Recommendations

The standard complaint goes that “there are no good candidates.” With all due respect to Hulk Hogan, this is pretty much true. Endorsing candidates is a tricky proposition, because it is hard to say what a candidate really is about.

Ballot measures are a little different. No one votes for a measure because they like the sound of the number ‘87,’ though they might just vote for Al Gore based on his Democratic convention make-out session with Tipper. Ballot measures are also, arguably, more important.

Whether or not your vote is swayed by what the OREGON COMMENTATOR prints is immaterial, because if you’re smart, neither will you cast your ballot based on what the Emerald or Register-Guard says.

That said, here are the OC’s recommendations for the twenty-six (!) statewide ballot measures you’ll probably forget to vote on before November 7.

83: NO

Amends Constitution: Authorizes New Standards, Priorities for Veterans’ Loans; Expands Qualified Recipients

The government should not be in business of loaning money — let’s not expand it.

84: NO

Amends Constitution: State Must Continue Paying Local Governments for State-Mandated Programs

State mandates for local government spending translates to higher local taxes for you. No thanks.

85: NR

Amends Constitution: Modifies Population, Minimum Area Requirements for Formation of New Counties

Who cares? If you’re smart, you’ll move out of here soon enough anyway.

86: YES

Amends Constitution: Requires Refunding General Fund Revenues Exceeding Estimates

Is it too much to ask to get our money back when the government collects more than they have budgeted?

87: NO

Amends Constitution: Allows Regulation of Location of Sexually Oriented Businesses Through Zoning

Censorship happens through zoning laws, too.

88: YES

Increases Maximum Deductible in Oregon for Federal Income Taxes Paid

Paying taxes twice on the same money is wrong. Less money for the state means less government. Social services dependent on those funds will have to find other income, become more efficient, and more efficacious in the process. Less government is a good thing.

89: NO

Dedicates Tobacco Settlement Proceeds to Specified Health, Housing, Transportation Programs

The Great Tobacco Extortion should never have happened, but since it has, let’s spend the money on the things that were already agreed upon: tobacco-related expenses for the state.

90: NO

Authorized Rates Giving Utilities Return on Investments in Retired Property

Utility companies, for all practical purposes, are government agencies. They don’t need any more money.

91: YES

Amends Constitution: Makes Federal Income Taxes Fully Deductible on Oregon Tax Returns

Same logic as 88.

92: YES

Amends Constitution: Prohibits Payroll Deductions for Political Purposes Without Specific Written Authorization

The labor unions scream about private political donations to campaigns, but they hate this measure; private donations are wholly voluntary — right now, unions can use your money for political purposes, whether you agree or not.

93: YES

Amends Constitution: Voters Must Approve Most Taxes, Fees; Requires Certain Approval Percentage

Again, it’s *our* hard-earned money they want... the least they can do is ask for it.

94: YES

Repeals Mandatory Minimum Sentences for Certain Felonies, Requires Resentencing

Sentencing is the job of judges, not mathematical formulas.

95: NO

Amends Constitution: Student Learning Determines Teacher Pay; Qualifications, Not Seniority, Determine Retention

Does anyone really think this will produce smarter or more educated students? Or will it just produce easy tests?

96: NR

Amends Constitution: Prohibits Making Initiative Process Harder, Except Through Initiative; Applies Retroactively

Tough call. The initiative process is good, but do you have time to understand dozens of ballot measures every fall?

97: NO

Bans Body-Gripping Animal Traps. Some Poisons; Restricts Fur Commerce

Everybody loves animals, but this is strictly an issue of freedom. You should be able to defend your property however you see fit.

98: YES

Amends Constitution: Prohibits Using Public Resources for Political Purposes ; Limits Payroll reduction.

We'd rather decide for ourselves which issues and candidates to support.

99: NO

Amends Constitution: Creates Commission Ensuring Quality Home Care Services for Elderly, Disabled

The socialists want others to fund "womb to tomb" care via the government. All we want is the freedom to keep what we earn.

01: NO

Amends Constitution: Legislature Must Fund School Quality Goals Adequately; Report; Establish Grants

Public schools should be phased out; let's not spend more on them.

02: YES

Amends Constitution: Creates Process for Requiring Legislature to Review Administrative Rules

Administrative policy should not be in conflict with law.

03: YES

Amends Constitution: Requires Conviction Before Forfeiture; Restricts Proceeds Usage; Requires Reporting; Penalty

Absolutely, positively. When the state uses crime as a cash cow it provides too much incentive for unlawful prosecution and seizure.

04: NO

Dedicates Tobacco-Settlement Proceeds; Earnings Fund-Low income Health Care

Every special interest wants to get their hands into this pile of cash.

05: NO

Expands Circumstances Requiring Background Check Before Transfer of Firearm

Criminals don't often volunteer their names for background checks.

06: NO

Provides Public Funding to Candidates Who Limit Spending; Private Contributions

Another free speech issue. Say no to socialized elections.

07: YES

Amends Constitution: Requires Payment to land Owner if Government Regulation Reduces Property Value

When the government costs you money, shouldn't you be compensated?

08: YES

Amends Constitution: Limits state Appropriations to Percentage of State's Prior Personal Income

Don't let the state tax money that you don't yet have.

09: NO

Prohibits Public School Instruction Encouraging, Promoting, Sanctioning Homosexual, Bisexual Behaviors

Since when has it been one of the legitimate functions of government to address sexuality?

OCTOBER 10, 2000

Emerald Watch

So far, it's been a tough term for everyone's favorite daily journal of record, the Ol' Dirty Emerald.

October 2-4

Emerald rejects responsibility for a series of Yahoo! ads, which some claim "promote rape culture." Editor Jack Clifford issues a limp-wristed pseudo-apology, claiming that 'he just likes to keep his news and advertising department separate.' Women campus wide discuss the defunding of Ol' Dirty.

October 3

Contrary to Clifford's editorial on the Yahoo! controversy, it would appear that he has in fact moved the advertising dept. into the news room as the Emerald runs "Haven't got a clue? Buy an idea on the Web," a journalistic knob-slobbering for ideaexchange.com, who just happened to be on campus that day.

October 12

Emerald runs an above-the-fold, front page op-ed piece, "Minority hirings are a step in the right direction," shattering all conventions and taking journalism in a bold new direction. Don't be surprised if a Pulitzer lands on Clifford's desk.

October 12

Emerald runs a Pulse cover story, "Flush Rush," a 'humorous' critique of on-campus lavatory facilities. A clever idea, yes: stolen from the OREGON COMMENTATOR's Summer 1999 "Toilet Humor." Mason West strikes again. Author Dan Atkinson rages.



October 26

Emerald runs "Vineyard yields taste of class" in Pulse. A review of wine on a budget sounds like a nice idea — that is, if it had not already been covered in the OC's January 18, 1999 article, "Contains Sulfites." Author Dan Atkinson seeks legal counsel.

October 27

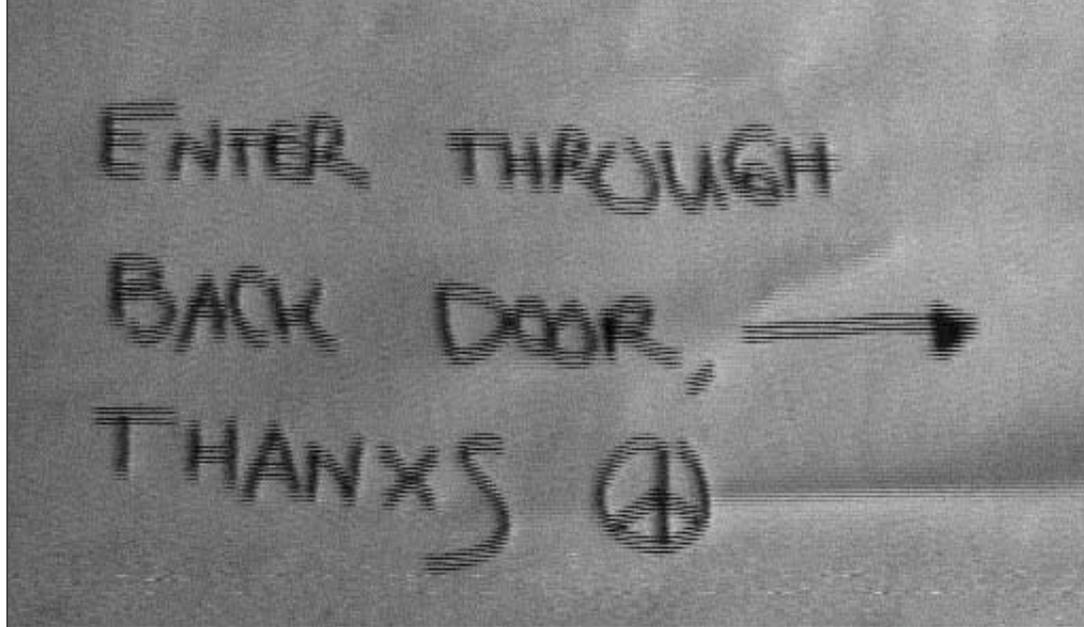
Emerald runs front page story, "KVAL's presence may have violated student's rights." In a bizarre "coincidence," the OC had just finished a similar news story for this issue. OC editors try to flush out the Emerald's mole. All we can say is, do you know what Freemasons do to members who reveal the secret teachings of their society? That's right, you don't.

CONTINUED FROM PAGE 8 segments not as if they are truly news stories, but *pro bono* advertising for the EPD with the intention of gaining popular support for the proposed ordinance, which could further tear down student-police relations. These ride-along segments, when solicited by the EPD, attempt to drive home the point that even though they are accomplishing nothing, at least they're trying.

While there is definitely no shortage of drunken gatherings in the campus neighborhood, the concentration of alcohol-related offenses within the area is a tremendous opportunity for police to increase departmental revenues. When a citation is paid to the Municipal Court of Eugene, all of the money goes straight to the City of Eugene General Fund. The city depends on these funds like they do property taxes—when they can get away with self-imposed taxation and money-generating legislation, where will it stop?

Students need to know that they have the right to deny anyone, except law enforcement officials with a search warrant or probable cause, access to their house. Lock the doors, close the windows, and lay low. What are they really going to do if they cannot penetrate your front door? Break it down? Wait outside for people to start wandering out? Or just leave, hoping to find another party? Sometimes police act on the principal that containing lawlessness within a certain area is the best way to protect the community; other times it is physically safer and generally easier to take immediate action. The Halloween riots of 1997 and 1998 are examples of the former, just as the incident at Shleifer's house is of the latter.

If you do allow the police into your house, you definitely



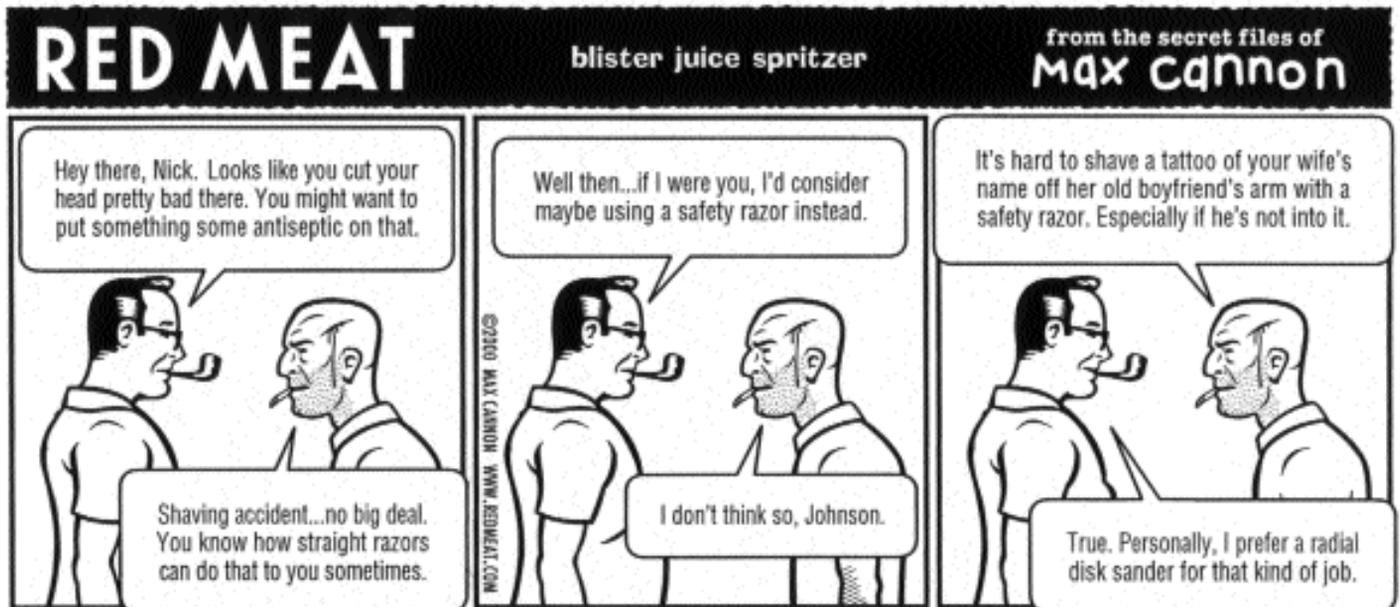
The note on the front door directed the intended partygoers toward the rear of the house, which the residents felt would be less conspicuous. Instead, KVAL and the EPD took the note as an open invitation to enter the house as they pleased.

should not allow the media to accompany them. What occurs inside your house is your business, not that of the people watching the local news. Do not allow your privacy to be violated. Non-objection does not equate to permission. If any other private citizen in this town just came to your house, they would have to ask to come in, right? If so, the media should have to explicitly asked permission to enter entering your house with a camera. If they don't ask to enter, tell them to get out of your house. And if they don't, turn to the closest police officer, tell him to quit wasting taxpayer money making no headway against a futile non-issue, and arrest the cameraman for trespassing instead.

Tell him that you will wait right in that chair for him to return, and once they're out the door, lock it and get back to the real business at hand.



Aaron K. Breniman, a senior majoring in Journalism, is a staff writer for the OREGON COMMENTATOR



CONTINUED FROM PAGE 15 ing protections for anyone who is not a corporation. His motive for doing so seems to be that this country lost jobs to Mexico at the same time Mexican unemployment went up. Yet, this idea of his is downright reactionary, not progressive.

Before I move on, I should note that the WTO strikes down national regulations that inhibit trade. Nader is against this function of the WTO, so I feel justified in asserting he is for barriers to trade.

Nader's ideas are regressive because barriers to trade redistribute wealth to inefficient producers by forcing consumers to pay higher prices. Thus, the big corporations grow rich off the misery of consumers who are most often of modest means. An argument that this is somehow made fair by the fact that jobs are saved ignores that much more money is lost by consumers than by the corporations.

Even if jobs were saved and middle class types of Nader-supporters do benefit from barriers to trade, the protectionists are still wrong. Lets say that because of trade barriers, middle-class Bob buys a car for \$800 more than he would usually spend, so middle-class Jake can keep his job at a car plant. Jake, to forgo the trouble of finding a new job, would get money from others of his own economic class to do this. Undoubtedly, a Nader plan to help the workers through trade restrictions would have this effect. I always thought the liberals were into soaking the rich to help the poor; not soaking the middle class to help the United Auto Workers and their ilk.

If domestic producers are shielded from foreign competitors, the exploitation of market power by firms is made possible. Market power is the ability of firms to dictate prices to the market. This too hurts the consumer by raising prices and lowering the quantities of goods produced, and monopoly or oligopoly operators will pocket above average profits.

I find it ironic that Nader claims he will be the friend of free enterprise by enforcing the anti-trust laws, because he does not seem to realize his own policies will encourage the growth of such counterproductive market power.

Finally, Nader wishes to withdraw our troops from around the globe as far as possible. Yet, liberals should question how much this impinges on the ability of our government to conduct humanitarian relief. In some situations, Rwanda for example, some kind of military force was needed to bring things under control. Considering the relatively great military power of the United States, it may be that these types of extreme situations would become more common given an isolationist government.

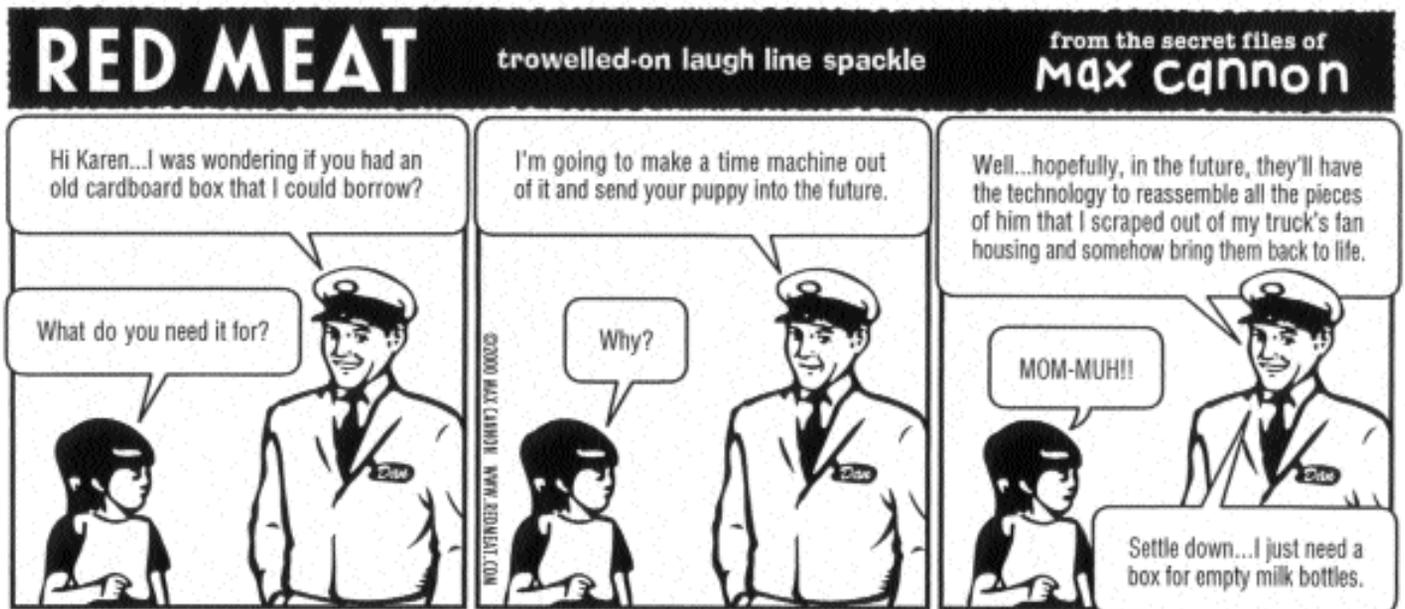
Personally, I think that Nader is probably just seeking publicity. No one else has worked harder over the past 30 years to grab public adulation for highlighting the most inconsequential of problems. Nader made his name with "Unsafe at Any Speed," a book that concerned the tendency of the Chevrolet Corvaire to overturn when driving around sharp curves at a high speed. Will the fat offspring of the Pillsbury Doughboy prove any less inconsequential?

This brings me to one last point. Ralph Nader published "Unsafe at Any Speed" in the year 1965. That was 35 years ago. In his statement for this year's voters' pamphlet, "Wrote best-selling book 'Unsafe at Any Speed'..." is Nader's first and only specific achievement listed under the "Occupational Background" category. Gee, someone who is at least sixty is leading a constituency that consists of many young college students?

I'm beginning to think that perhaps Nader is the symptom of our electoral disease, not the cure.



Jason Larimer, a senior majoring in Political Science, is a staff writer for the OREGON COMMENTATOR



MIN D



BY BRANDON HARTLEY

Six months ago students at universities across the nation could be found rifling through closets in search of their long forgotten North Face tents. The time had come to take a stand, like their activist parents, against an injustice in Southeast Asia. This time the battle wasn't over border lines but fashion lines; credit cards instead of draft cards. Corporations and colleges alike were exploiting employees in factories overseas and something had to be done. A few of these students would enjoy a flash of fame after their photographs appeared in *USA Today*. Others would wander back to their dorm rooms without a moment in the spotlight, content with simply helping a worthwhile cause.

So focused were they on the welfare of employees overseas, they overlooked the plight of employees right here at home. Gap Incorporated has received a great deal of negative publicity for the conditions of its "sweat shops" in Honduras and the Commonwealth of Saipan but little or nothing has been written about what its US sales associates endure on a daily basis. Regardless of what nation they live in, employees of Gap Incorporated are subjected to miserable working conditions, unfair policies and even brainwashing in exchange for meager paychecks.

You need only find a copy of "Doing the Right Thing," the Gap's code of business conduct, to realize that the corporation has more than a few things to hide. Throughout the 12-page booklet are strict policies regarding media requests and the sharing of company information. While similar regulations can be found in the conduct codes of Starbucks and even Fred Meyer, the Gap insists that its employees not only avoid disclosing the details of its "strictly confidential" business practices with outside parties (friends and family included), but to "contact Human Resources immediately if an applicant, customer, or current or former employee threatens to file a complaint against the Company with the Federal Department of Labor." While both of these policies are

technically legal, they narrowly skirt violations listed under Section 7622 (Employee Protection Provisions) of the Clean Air Act.

The Gap's zealous policies regarding company information would certainly cost "Skiv" her job if its management were to read this article. Good thing she no longer works there.

Tired of serving \$5 health drinks to the masses in Lake Oswego, Skiv was delighted when a Gap store in the Portland area called her to set up an interview last June. Despite a 50 cent cut in pay, folding clothing seemed a welcome change from leaving work each day covered in raspberry juice.

At the employee orientation a few days later, Skiv was notified of the Gap's policies, including its stern dress code. The orientation booklet refers to the company's mannequins as "silent sales associates" and insists that their real-life counterparts dress accordingly. Unless employees are working after-hours in the stock room, they're required to wear Gap clothing. While they receive a 30% discount on merchandise, employees are required to wear certain outfits on certain days. In an average week there's one day devoted to capris and another where employees must wear khakis and tank-tops. There are special days, usually every two weeks during store promotions, when employees are required to wear a different outfit. Sunday is always "White Shirt and Jeans Day." The starting wage is \$7.10/hr., raises for sales associates are rare, and the average garment costs \$30. In the seven weeks Skiv was employed, she spent roughly \$350, after the discount, on clothing. That's 29% of her total earnings after taxes.

On one occasion, she spent \$64 on an outfit for a company meeting while having only \$54 in her checking account. On another she was sent home from work for accidentally wearing a pair of Levi jeans.

Sales associates at the Gap are also required to work shifts, often only 4 hours long, at any time of the day. Most Gap stores close at 10 p.m., at which point a graveyard shift arrives to stock shelves. Skiv often found herself working from 10 p.m. to 2 a.m., only to be back for another shift at 7 a.m. In one 27-hour period she worked from 8 p.m. to 12 a.m., from 4 to 10 a.m. and finally from 6 until 11 p.m. While this kind of scheduling may be legal, it doesn't exactly boost morale.

A sales associate may be assigned to any one of four areas: the sales floor, the front entrance, the dressing room or "Cash Wrap" (the checkstand). A "floater" stocks clothing and assists customers on the sales floor. "Folders" and "runners" are stationed in the dressing room where they, as mandated by company policy, pressure customers into sales. For example, if someone attempts to try on a pair of khakis, the folder must suggest that a shirt "would go great with that." If the customer refuses, the folder then encourages him or her to try on a belt or a pair of socks. If the customer gives in, the runner goes to retrieve these items. If after three tries the customer is still uncooperative, he or she is finally allowed to try on the khakis in peace.

The most demeaning of these four areas is the front entrance, where a sales associate serves as a "greeter." It is the greeter's task

The views expressed in this column are those of Brandon Hartley, and do not necessarily represent the opinions of the OREGON COMMENTATOR.

to welcome everyone who enters the store and to inform them of any current store promotions. The greeter must also say goodbye to everyone who leaves.

“When you’re stuck doing that you have to be constantly upbeat; you’ve got to maintain a perkiness meter,” said Skiv. “One time I was stuck on greeting for five hours and only got a ten minute break. Having to say the same long spiel to everyone who walked in, for that long, made me want to start shooting people.”

During store hours a manager sits at the Cash Wrap, clipboard in hand, observing everyone working on the floor. Every sales associate wears a headset that they use to communicate with coworkers in other areas. The headsets are also used by the manager to reprimand employees for the slightest errors. Sales associates are not allowed to leave their assigned areas, lean on anything, sit down, or hold even the shortest of personal conversations with their coworkers. If an employee is caught, the manager scolds them via the headset and jots down a few checkmarks next to the employee’s name on the clipboard. In addition to the manager stationed at Cash Wrap, sales associates must be wary of “Secret Shoppers,” undercover Gap employees who rate their job performance.

After hours, Skiv’s store shut off its air conditioning and forced its graveyard crew to haul boxes of merchandise often weighing more than 70 pounds. The store, shut off from the cool air of the outside mall by a large metal fence, becomes increasingly hot and stuffy as the shift wears on. Employees are not allowed to go into the back room for water, unless they are retrieving boxes, supposedly to prevent theft. The contents of the average box can take hours to fold and place on the shelves, so trips to the back room are few and far between. Skiv was once told by a manager that if she “was going in the back room for [her] needs, then [she] had better bring something back for the Gap’s needs.” To further prevent internal theft, after-hours employees are required to have their bags, purses and other possessions searched prior to leaving the premises.

Despite the miserable working conditions, shifts that seemed to last eons, and the repetitious pop music she was forced to listen to, Skiv claims that her worst memory of the Gap is the “Back 2 School 2000 Convention.”

Every sales quarter, the company sponsors a convention at a local venue, in this case at the Portland Expo Center. Employees at Skiv’s store were notified two weeks in advance that they would be required to attend and dress in a special, one-time-only outfit. Management was unwilling to offer specifics of what would happen at the convention-only that it would “be huge and fantastic.”

“The managers really hyped it,” Skiv recalled. “They made it out to be a huge deal and warned us that we had to, one: Be perky. Two: Be enthusiastic, and three: Have lots of store spirit.”

At 6:15 p.m. on Sunday, July 30th, the 150 or so employees from Skiv’s store loaded onto three school buses. After being handed candy and noisemakers, their managers again told them how to behave. “Our district CEO is going to be there,” a manager warned. “You must be enthusiastic, you will scream, you will

cheer, you will chant the store’s name when we arrive.”

As the buses rolled up to the Expo Center, Skiv found herself in the middle of “a nightmarish pep rally.” The venue was surrounded by thousands of adolescent Gap employees hyped up on cheap candy and yelling the name of their store’s location; each and every one of them clad in identical outfits. Sean Kelly, a former coworker and anti-Gap activist, would later describe the proceedings as “an interesting experiment in mob mentality, kind of like something out of ‘The Lottery.’”

Inside, incredibly loud music and a gigantic movie screen boasting the Gap logo awaited Skiv and Sean. “People were going nuts, dancing on their seats and screaming,” Skiv said. “Britney Spears was thundering out of the speakers.” As the lights dimmed and a group of Gap cheerleaders stormed the stage, five officials seated in the back of the auditorium quietly began taking notes.

As the cheerleaders wandered off, a CEO took the stage and gave “a shout-out” to each store in attendance. When the name of Skiv’s store was mentioned she was “grabbed by [her] shirt by [her] manager and pulled up onto a chair” for not cheering like everyone else. “Get on your fucking chair,” Skiv remembered being told.

After the CEO’s speech, the crowd was broken into small groups and led to a series of 15-minute classes where they were informed of future sales and company promotions. At the end of each class, employees were required to turn in “report cards” that would later be sent to their managers.

The event concluded with another trip to the auditorium where employees were subjected to a lengthy fashion show and the “regional debut” of a new line of Gap television advertisements. “I remember there was this one model,” Skiv said, “a 6 year old who was so scared to be on stage that she had a teddy bear in her arms.” As the ads rolled, the audience was “in a frenzy, like they were at a rock concert.”

Skiv admitted that after the convention she was “fired up to sell as much stuff as possible. After hearing the word ‘Gap’ spewed out a thousand mouths for four hours, I was practically brainwashed.”

A week later, Skiv came to her senses and turned in her resignation at the Gap. Despite this, her managers refused to admit that she had quit, even after missing two shifts. “They kept calling and harassing me,” she said. After finally telling a manager over the phone that the “Gap sucks,” Skiv was finally allowed to put her Gap days behind her.

“It wasn’t any worse than any other corporation, I guess.” Sean said. “But after every shift I felt like I had committed something like murder; that I had done something bad.”

Every day, thousands of Americans like Skiv and Sean head off to work at the Gap, where they are subjected to miserable working conditions, low pay, and indoctrination. One of the goals mentioned in the mission statement of Gap Incorporated is “to change the lives of young people.” Mission accomplished. 

Brandon Hartley, a senior majoring in English, is a featured columnist for the OREGON COMMENTATOR

ON *THEY COULDA BEEN CONTENDERS*

If you really want to show that you care about Everclear, go out and vote!

—Former presidential hopeful and Knicks guard/forward Bill Bradley, at an EMU amphitheater student rally Friday, October 27. Nice of Bill, but if you really want to show your support for Everclear, go out and buy their new CD.

I want to express my joy to watch young America come alive... just a minute — please close that door and keep everyone out.

—The Rev. Jesse Jackson, in an EMU Oak Room pre-rally press conference, Monday, October 30. That's the way to open the doors of American democracy, JJ —slam those doors tight and shut everyone up.

ON *AND THE MEEK SHALL...*

You know all of them security guards up there? I'm just gonna go up to 'em and BOOM! One shot and they all go down!

—Knight Library resident, Hatoon. Poor, sweet, homicidal Hatoon. Come on, won't someone please just give her a hug?



ON *AMERICAN PIE*

My quads are still cramped.

—Female UO student overheard on 13th street. Is she talking about her apartments, or her inner thighs?

I made out with somebody, but I don't know who it was.

—Sorority girl, overheard at a frat party. Oh, those quads. Yeah, that place really needs to be repainted.



ON *ONE GOOD TURN DESERVES ANOTHER*

Guess who's got mono again?!

—Female UO student, overheard on one of her bright days. What STD do you plan on farming next week?

ON *BEATEN TO DEATH*

How much do we need to write?

—Some student, every year, in every class ever taken.

As much as you think is necessary to answer the question.

—The professor's same response to the same question, every year, in every class ever taken. Shouldn't this exchange be covered during the freshmen IntroDUCKtion during the "How not to be a schmuck" discussion?

ON **MDMADNESS!**

Trust me, if I didn't have to be here, I wouldn't be.
—Eugene Police Officer Ed Tsui, overheard before a Campus Community Relations Task Force meeting to discuss partying, raves, and best of all, Ecstasy. Read on.

You put 70,000 people together [at a rave], and there's not one fight. Not one! That's pretty amazing!
—Officer Tsui, supposedly informing the gathered audience of the dangers of Ecstasy. Tsui did seem a little too enthusiastic, but we didn't get a good look at his pupils.

Don't take "Shamrocks," they suck. Take "Calvin Kleins," they're not as jittery.
—Tsui, for the last time, passing on advice. Happy Halloween!



All photos: Sho Ikeda

ON **YOU CAN'T KILL ROCK N' ROLL**

I'm one of those guys, I wake up in the morning and I've got a problem. My problem is, I'm looking for something to kill or blow up. My nerves are shaking. My head is running a riot. I'm insane by midday. It's just the way I am.
—Ozzy Osbourne, in Rolling Stone magazine. It's not a problem, Ozzy, it's just called a hangover. Happens to the best of us.

I'm not wearing codpieces anymore, man. The last time was 1981, I think and it nearly killed me. It was red, and when I'd sweat it'd tighten up on me.
—Ozzy Osbourne in Rolling Stone, continued. Wasn't that the same codpiece Al Gore was wearing on the cover?



ON **BUSHISMS**

I don't understand how people can't be up in arms over this. It could be almost fatal to a lot of us.
—ASUO President Jay Breslow, quoted in the Friday, October 27 Register-Guard, on the upcoming election. Since this was Jay's only quote in the piece, we are led to believe this was the most coherent thing he said during the interview. Don't leave him alone with the white-out.

ON **LATIN LOVERS**

Did you ever notice that 'Oedipus Rex' rhymes with 'incredible sex'?
—Student in Theater Arts 462 Script Analysis, in a brief and embarrassing moment of unpretentiousness.

Your Community Bookstore

Reason enough is the convenience. Across from Taylors and that neat hot dog stand; maybe if you eat there people will think you are from New York and you can pretend to be a badass for the rest of the year.

Interesting people await you. Ask the girl handing out sugarless candy on the top floor about the local Sherpa population, and the real sexual orientation of you-know-who.

People have started buying books online, and we don't like the competition one bit. That's why every year we are challenged to work harder, go further, and charge more. The more you use us, the more our iron grasp will tighten around, so you can be sure you'll pay the highest possible price for your text books.

Oh for heavens sake, just shop with us, please. You need books, right? We got books. Where you gonna go, huh? Smith Family Bookstore?

Frog is usually right outside peddling his cutting-edge 21st century literature. Also use a false name (like Victor Vanderboobin') to get that cool 420 t-shirt from the credit card pusher outside and look forward to the endless tide of junk mail sent directly your home!

Find a pick-me-up at any one of the 43 coffee shops right on 13th. Just a step, stagger, lumber away from our over priced duck gear. Did you know that every fifth-year senior receives a free T-shirt (Ducks logo not included, size small only) to compensate for their own eventual failure?

Dear Patron,

We will not have your packet ready until the second week of class. There are no used books. We will not buy that book back from you. If you want to read that magazine, maybe you should buy it first. No, your film is not ready yet. We have a monopoly on book, computer and UO athletic wear sales in this part of town.

Resistance is futile.

Your corner store since we opened this morning. All books are 10% off EVERYDAY for current UO students, faculty, and staff, but it's still a good 20% over market value. Don't forget to have your parents buy you an overpriced "OREGON" sweatshirt next time they visit town.