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ROADLESS LOGGING RAMPS UP

The sound of chainsaws is a funeral dirge for environmentalists opposed to logging in designated roadless areas in southwest Oregon's Rogue River-Siskiyou National Forest.

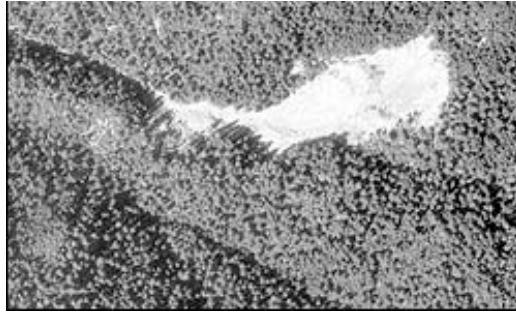
Silver Creek Timber Co. began logging in the Mike's Gulch unit of the South Kalmiopsis roadless area on Aug. 7, and in the Blackberry unit in the North Kalmiopsis roadless area on Aug. 28. The operations mark the first time that the Forest Service has allowed clearcutting in inventoried roadless areas since the enactment of Clinton's 2001 Roadless Area Conservation Rule. The Bush Administration repealed that rule in 2005, replacing it with one that gives the Forest Service discretion to allow logging in previously protected forests.

The Mike's Gulch and Blackberry timber sales particularly infuriate environmentalists, since the Forest Service had pledged to hold off on logging while governors prepare individual state petitions to protect roadless acres. Gov. Ted Kulongoski is working on such a petition for Oregon, due in November.

Samantha Chirillo, a founding member of the Save Our Wild Siskiyou Campaign, feels that "what is going on at both timber sales is atrocious on an



economical and common sense basis, even aside from the fact that these sales are in inventoried roadless areas promised interim protection." She argues that the climate and soil of the Siskiyou makes it extremely difficult for trees to grow back after logging, as evidenced by the lack of trees in an area near Mike's Gulch that was clearcut and replanted 30 years ago. "To use the same failed management techniques again must mean that the Forest Service is incompetent or operating in the interest of industry, not that of the ecosystem or the public," she said.



Landslide near Blackberry Units 23 and 28

Siskiyou Timber Officer Rob Shull disagrees. "We have a number of plantations in that area, all of which are successful based on the post-planting surveys we complete," he said.

Shannon Wilson, a forester with the Sierra Club, contends that several large mudslides on steep slopes in and around the Blackberry unit represent "a very serious violation of environmental standards and guidelines." Clearcutting could potentially exacerbate those slides and clog up North Fork Indigo Creek, a salmonid habitat important for anglers who fish on the Rogue River.

Shull said that the Forest Service shares that concern, and that geologists and soil scientists assessed the Blackberry unit to ensure that mudslide risks will be minimized.

Rolf Skar of the Siskiyou Project worries that the nature of the Blackberry sales, scattered over a large area, could disqualify thousands of nearby acres from future wilderness designations. The Siskiyou Project is working to establish the Siskiyou Wild Rivers National Conservation Area, which was considered as a potential national monument before the 2002 Biscuit Fire.

Those concerns are unfounded, Shull said. "If one were to look at the Blackberry timber sale from a map, the units are essentially located between areas that have been harvested historically," he said. "We chose those areas particularly because they were the least likely to be designated wilderness."

Gov. Kulongoski is accepting comments regarding the state petition to protect Oregon's roadless areas through Sept. 8. The comment form can be filled out online at <http://nrimp.dfw.state.or.us/roadless/comments.aspx> — *Kera Abraham*

EUGENE'S REPUTATION SPREADING

Eugene's reputation for failing to stop bad cops has spread nationwide.

The *Philadelphia Inquirer* focused on Eugene last month as part of an investigation into officers across the country who are "Extorting Sex With a Badge."

The article describes the EPD sex scandal involving officers Roger Magaña and Juan Lara. Two years ago Magaña was sentenced to 94 years for sexual abuse involving a dozen women over seven years. Lara served two years for a lesser sex crime spree.

Eugene Police Chief Robert Lehner tried to explain why the EPD failed to act on years of complaints about Magaña by telling the paper that the victims were drunk or high and "almost impossible to believe."

But a jury and county prosecutors did believe the victims. Some had drug or alcohol addictions, but many others had no serious criminal records, according to court records and testimony. One was a teenage police cadet, another was a college student, one a woman looking for her cat and another a relative of an EPD officer.

Greg Veralrud, an attorney for one victim, blamed the EPD for the abuse. "There was a tolerance that had developed, a kind of boys-will-be-boys, shrug-your-shoulders attitude," he told the *Inquirer*.

Lehner repeated the city's refusal to discipline or even investigate other officers for failing to act on the complaints. The newspaper wrote, "Mistakes were made, Lehner said, but he's not sure that means anyone should be punished: 'Do I go back and end [someone's] career because of it?'"

The *Inquirer* found nearly 400 reports of police sexual misconduct around the country in the past five years. The paper identified a pattern with cities that employ sexually rogue officers: "Once abusers cross the line, they attack again and again before they are caught. ... Most police departments do little to identify the offenders, and even less to stop them."
— Alan Pittman

MASCOTS NO LONGER

Suzan Harjo is a preserver of Native American history, but she has also spent the last 30 years making some of her own. The writer, lecturer, curator and policy advocate brings her knowledge and expertise to the UO as the keynote speaker for the Sept. 14 symposium, *Preserving Our Pasts, Telling Our Stories: Indians, Museums and the Management of History*, sponsored by the Wayne Morse Center for Law and Politics.

Harjo is one of the primary plaintiffs behind the active lawsuit *Harjo et al v. Pro Football, Inc.*, filed in 1992 to discontinue the use of "Redskin," as the mascot for Washington's football team. Harjo gives a wry summary of the 13-year-old case.

"They say they 'We're honoring you.' We say, 'No, you're offending us.' They say 'We're honoring you.' We say, 'No, you're offending us.' They say, 'Shut up,'" she reports from the offices of her Washington, D.C., Native rights organization, *Morning Star*. "It didn't have to take this long, but the other side is dragging their feet, trying to starve us out."



Despite the defendant's stall tactics, Harjo et al have stayed the course, recently partnering with a group of young Native American rights advocates she hopes will infuse the case with new energy. Harjo points out that while lengthy battles can be discouraging, the movement to eliminate Native American references from sports teams has already achieved tremendous success.



Suzan Harjo

"The first reference to Native Americans was eliminated in 1970 at the University of Oklahoma. There used to be over 3,000 references to Native Americans in sports teams. Now there are 900. We are really on the downhill slide with this movement. Soon everyone's going to look around and say 'Look at this racist piece of our history!'"

Harjo and the current Wayne Morse Chair of Law and Politics, Richard West Jr., will discuss representations of Native Americans both as both sports icons and subjects of historic preservation during the Thursday evening address, "Mascots, Museums and Indian Identity: A Conversation." Harjo hopes members of the public will decide to attend out of a desire to understand more about the history of a peaceful movement.

"Where we have been going has been in the direction of a less contentious and more peaceful and creative kind of world. This is one of those small areas of life where a little effort goes a long way. You can do something about something. We're eliminating a whole area of racism."

Harjo will speak at 7 pm Sept. 14 at the Knight Law Center Commons. — *Adrienne van der Valk*

TOWNHALL ON TOXICS

Northwest Eugene residents and workers concerned with the health affects of railroad and industrial pollution have a couple of opportunities coming up to learn about the issues and comment on proposed clean-up plans.

Public comment is invited through Sept. 30 on an Oregon Department of Human Services (DHS) investigation into cancer risks in the northwest Eugene neighborhoods; and the Railroad Pollution Coalition (RPC) and the Oregon Toxics Alliance (OTA) are hosting a public meeting at 7 pm Tuesday, Sept. 12 at the Red Cross building, 861 Bethel Dr.

Last week the DHS released the results of a seven-year state and federal research project that found no evidence of increased cancer rates in the neighborhoods near the J.H. Baxter creosote plant. But members of the RPC say that more than just cancer rates need to be considered.

For the past three years, OTA and neighborhood leaders have been meeting with the Oregon Department of Environmental Quality to "watchdog the investigation, provide whistleblower information, identify additional testing needs, and push for action to protect nearby residents," according to an OTA flier.

"Public involvement in this decision-making process is critical at this time," says Lisa Arkin of the OTA.

Mayor Kitty Piercy and Councilor Andrea Ortiz plan to attend the Tuesday community gathering. For more information, call OTA at 465-8860. To read and/or comment on the DHS cancer study, visit <http://oregon.gov/DHS/ph/shine/bxsite.shtml> and to get on the DEQ email subscription list on Eugene railyard cleanup, send a note to aitken.greg@deq.state.or.us — *TJT*

BAT-WIELDING BUS DRIVER

A man's gotta be able to protect himself, thought Lane Transit District bus driver Syd Jacobson. Riders would clamber onto his bus with all sorts of intimidating household objects, like umbrellas and hammers, yet he wasn't even allowed to carry pepper spray on his shift in case things got out of hand.

So he decided to make a point. On Sept. 24, 2004, Jacobson brought two baseball bats to an LTD training session. One he propped by fellow driver Jim Stinson's table; the other he leaned near his own seat. When instructor Kay Christopher asked him what was up with the bats, Jacobson picked one up and walked slowly toward Christopher. He asked her if she was uncomfortable. She said yes.

That's the point, Jacobson said, explaining that he had brought the bats to show then-General Manager Ken Hamm how vulnerable he felt during his night shift without pepper spray. He then handed Christopher the bat and returned to his seat.

Jacobson's supervisor, Mark Johnson, accused him of gross willful misconduct and suspended him for five days without pay, requiring him to attend counseling sessions. Jacobson's union filed a grievance, challenging the suspension on the grounds that Jacobson didn't get a written warning before his suspension, as his labor contract required. The matter went to arbitration.

On July 10 arbitrator Mark Downing sided with the union, ruling that Johnson didn't conduct a fair and objective investigation before suspending Jacobson. Seven drivers who had been at the training said that Johnson did not interview them about the bat incident. One of the witnesses, Tony Zacchino, testified that Jacobson had held the bat at waist level and not in a threatening manner, in contrast to Christopher's account that Jacobson had approached her red-faced, slapping the end of the bat into the palm of his hand.

Downing decided that LTD should have given Jacobson a written warning rather than a suspension. He ordered the district to compensate Jacobson for lost wages and counseling expenses. Arbitration costs totaled about \$36,000, according to LTD spokesman Andy Vobora.

The district maintains that it was right to suspend Jacobson. "[T]he imposition of discipline

was certainly warranted," Vobora wrote in a letter to *EW*.

Jacobson, for his part, was appalled that his bat-wielding stunt caused so much drama. "Our training sessions have a history of using props to make points," he wrote in a statement. "In our class there was a fake bomb up on the southeast corner that looked real. ... I am deeply saddened and disappointed that anyone could think that I would go 'postal' at my workplace and hurt another co-worker." — *Kera Abraham*

Lane County Herbicide Spray Schedule

- **Near Mohawk High School:** Weyerhaeuser Company (741-5211) aerially spraying a test formulation of Garlon and LV-6 (2,4-D) on 25 acres in Section 13 of Township 16S, Range 2W between Sept. 25 and Oct. 15 (#771-55799).
- **Weyerhaeuser** aerially spraying on 266 acres near Little Fall Creek, McKenzie, Taylor, Sturdy, and Gale Creek tributaries (#771-55762).
- **Near Twin Oaks Elementary School:** Oregon Forest Management Services (896-3757) ground spraying Garlon 4 with Herbimax and/or Moract adjuvants for Seneca Jones Timber (689-1231) on 47 acres near Spencer Creek Tributary; 100 acres near Hawley Creek; and 91 acres near Pheasant Creek (#781-51056).
- **Strata Industries** (726-0845) ground spraying 10 acres with Arsenal near Fish Creek for Seneca Jones (#781-51055).

Compiled by Jan Wroncy, *Forestland Dwellers* 342-8332, www.forestlanddwellers.org

CORRECTIONS/CLARIFICATIONS

Regarding last week's cover story on local and state unions, an EWEB spokesman tells us EWEB's meter readers are not represented by the IBEW. "The guys who work in the meter shop (repair and installation) are in the union, but the folks who read meters are not," says Lance Robertson. Robertson, a former *R-G* reporter, noted the story left out one of his favorite unions, the Newspaper Guild, representing reporters, photographers and copy editors.

SLANT

Let's get giddy. The Eugene Celebration comes early this year and the forecast is sunny, sort of. Fewer college students will be in the crowd, but most UO, LCC and NCC faculty and staff will be in town, and needing a break from preparing for academic onslaught. It might be tempting to flee to the mountains or beach, but we say stay home this weekend and join the merry-making. Hey, this when Eugene celebrates itself and all its diversity. The EC is full of surprises. The parade and art shows are unpredictable and memorable. The music will get you moving. You never know who you will bump into downtown. Unlike big city crowds, people milling around in Eugene actually make eye contact. Giddy on down to the EC!

A seven-year state and federal study on cancer rates near the Baxter plant in northwest Eugene was released last week with some good news: Residents downwind from the plant do not have a higher-than-normal incidence of several types of cancer. But should we breathe any easier? The air might not be as toxic as it smells, but northwest Eugene has serious soil and groundwater contamination that both environmentalists and state agencies agree poses long-term health hazards that need to be addressed. Let's not let lack of public input become an excuse for the state to put off funding the cleanup of our own version of Love Canal. See our news brief this week on how to get involved.

The debate over eco-sabotage (or eco-terrorism, as the media and administration like to call it) has been going on for decades, and it's a fascinating study in human psychology. What makes people respond to violence in defense of the environment, and how do the rest of us respond to it? The case of The Unabomber, Theodore Kaczynski, made big in the headlines in the late 1990s. In 17 years of mail bombings, the hermit anarchist Kaczynski killed three and wounded 22. Some fascinating reading on the case can be found at www.thesmokinggun.com, including a collection of often pandering letters written to Kaczynski by reporters seeking interviews. One odd letter was from *Oregonian* reporter Bryan Denson, name-dropping Eugene anarchist John Zerzan and waxing poetic about Walden, solitude and "longing to talk to you since I sat behind you in Helena." Another reporter mentioned that his uncle lived in a remote, one-room cabin. Curious stuff.

Politicians like them because they use them to flex their tough-on-education credentials. The media likes them because they're simplistic ways to cover a complex topic. They're standardized school tests, and if they were tested themselves, they'd often prove meaningless wastes of time and money. For years politicians and the media have been wringing their hands about how Oregon standardized test scores seemingly plummet when students enter middle school. It turns out that's more a reflection of the harder tests than the performance of students and teachers. In a similar way, many studies have shown standardized test scores are often more a reflection of parent affluence and education level than teacher performance. But such issues of class and segregation in society test the intellect of politicians and the media too much. It's much easier to hit with the testing ruler and go marching on.

SLANT includes short opinion pieces, observations and rumor-chasing notes compiled by the EW staff. Heard any good rumors lately? Contact Ted Taylor at 484-0519, editor@eugeneweekly.com

Happening person

MERRY BRADLEY



Grassroots Garden coordinator Merry Bradley takes a shade break on a recent 90-degree afternoon, along with seasoned volunteer gardeners Diego Chaves, Levi Baker, and Lucy Baker. As the fourth of 12 children growing up on the outskirts of Omaha, Bradley had her own little garden as soon as she could walk. "My earliest remembrance is walking behind my dad's rototiller," she says, "and the soft earth beneath my feet." A 25-year resident of Eugene, Bradley went through the Master Gardener Program in 1999 and put in 800 hours at the Grassroots Garden that year. She was hired as the garden's only paid employee in 2000 and has since increased the its output tenfold. "What once was rock-hard clay is now fluffy rich loam," she notes. Last year, a total of 2,600 people volunteered 16,000 hours and grew 40,000 pounds of produce for distribution by Food for Lane County. "We have a huge diversity of people," says Bradley. "Master gardeners are our teaching force. Beautiful things happen when people come together. There's a nice sense of connection and belonging."



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