



# SPARTAN DAILY

Published for the University and the University Community by the Department of Journalism and Mass Communications

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## EDITORIAL

### A.S.: self-serving candidates?

With the results tallied in the Associated Students election, one aspect of the process has become blatantly clear to the Spartan Daily — many candidates were generally unprepared and unprofessional.

In any election, from the very minor to the most influential, it is the duty of the candidates to conduct themselves in the same manner they would in office.

If the candidates' actions during this election are an accurate representation of how they will act in office, then there is cause for worry.

The Daily used a question-and-answer format to promote fairness and to let the students decide for themselves the relative merit of each candidate.

Many of the candidates were unprepared to the point of not knowing where they stood on the issues. Others had prepared answers in advance and were perplexed when those answers had no correlation to reporters' questions.

More disturbing aspects of this election took place after the interviews were completed.

One candidate came into the newsroom a day after his interview and wanted to add to it, on the grounds that his opponent knew the questions better.

Another candidate was quoted as saying

she didn't agree with her party's platform. After the interview had been printed, she demanded a retraction, claiming she had been misquoted.

The reporter checked the tape used in the interview and found her quotes to be accurate. If she believed strongly in her position, this attempted face-saving gesture would not have been necessary.

Ethics were also brought into question during the election.

Jeff Houston, who was on the A.S. Board as personnel director at the time of his campaign for vice president, nominated himself for the Academic Fairness Committee.

In his interview Sunday, Houston claimed to be a member of the committee; his nomination was not approved until Monday.

In another incident, Diana Garcia, who was a candidate for director of student rights and responsibilities, violated A.S. election rules by soliciting funds three days prior to the time allowed by the Election Board.

The actions of these candidates reflect unprofessionalism and poor judgement.

Seeking a position of leadership brings with it certain responsibilities that must be acknowledged and acted upon.

Their failure to understand those responsibilities leads us to believe they entered the race for themselves, not for the students.

### Prerequisites for becoming a 'true' Californian

After four years in this fair state (I'm a former Minnesotan), I think it's safe to say I'm truly a Californian.

How do I know I've passed over into the acceptance of my fellow Californians? Well it wasn't easy but I believe I've discovered 15 easy steps for classifying yourself as part of the sunshine state clique.



Cheri Barton  
Staff Writer

You know you're truly a Californian when you:

1. Sit down to breakfast with Herb Caen.
2. Have one too many flaky relationships.
3. Tear out your front lawn and decorate it with rocks.
4. Buy an avocado tree for your backyard.
5. Own more than two pairs of O.P. shorts.
6. Drink more than eight ounces of wine daily.
7. Complain about the cold when it's 60 degrees outside.

8. Need to make reservations to spend a week in the wilderness.

9. Go to the beach and realize that half of the people forgot to dress.

10. Refer to any state beyond Nevada as "back east."

11. Forego buying a tree at Christmas and decorate your potted palm with ornaments and lights.

12. Have had the "pleasure" of stepping on those slimy things called snails.

13. Learn to like artichokes.

14. Realize that surfing isn't just a sport — it's a way of life.

15. Drive for hours to see the very thing you moved to California to get away from — the snow.

Well, maybe I don't qualify as a "true Californian" but I'm working on it. I have to confess that I've never been surfing, unless you consider being rolled over by one too many waves surfing.

I do like artichokes after choking down my first one with the help of lots of mayonnaise. I did decorate my potted palm with ornaments, but only because I couldn't afford a real Christmas tree. I still wear my bathing suit at the beach, but, when nobody is around, I sometimes skinny dip in the ocean.

I've never owned O.P. anything, but my boyfriend does own at least 12 pairs of their shorts (he's lived here a lot longer than I have).

### General Education requirements will never end

I think there are too many General Education requirements — period. And it gets worse every year.

I don't know who decides to add on to the requirements, but it seems as if every semester someone "up-

lish, math (unfortunately), history and writing are needed, but there are too many classes in each course.

It's okay if you are an English major or math (ugh!) major or history, etc. . . . but if you're not, why should you spend the rest of your entire life taking a billion classes in those courses?

I am especially sensitive to math; that subject gives me the chills. I hate it. I am a journalism major and I don't see why I have to take a hundred math classes if I don't need it for my major (I will honestly do anything to get out of having to take math classes).

I will admit math is important in everyday life. Without it, one couldn't balance a checkbook, do a budget, etc. . . . but the requirements get ridiculous. I am biased though. I really can't stand math or any part of it.

It's especially difficult for junior college transfer students. It takes an average of two years to complete all of the G.E. requirements to receive your A.A. degree, but it is so discouraging to transfer and find the requirements of your junior college were different from SJSU's. You're told "Oops, sorry, you have to take four more semesters of this G.E. class and that G.E. class to meet our requirements."

I know it's not as if the school is trying to keep you here, but sometimes it sure feels that way.



Wendy Stitt  
Staff Writer

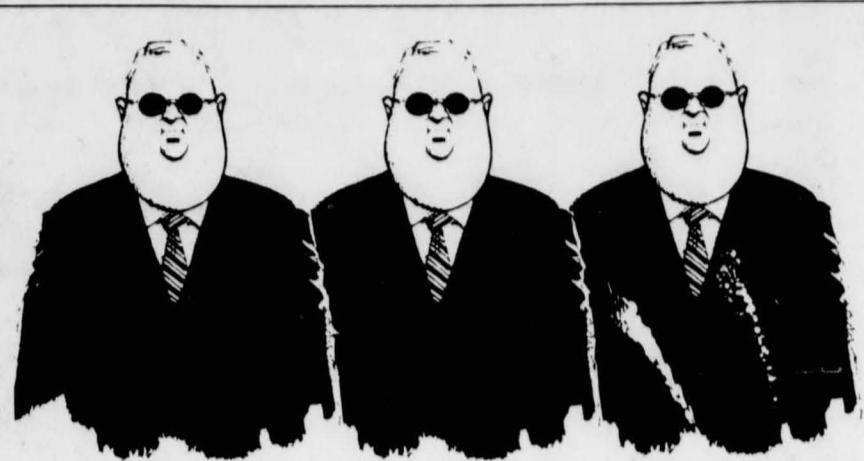
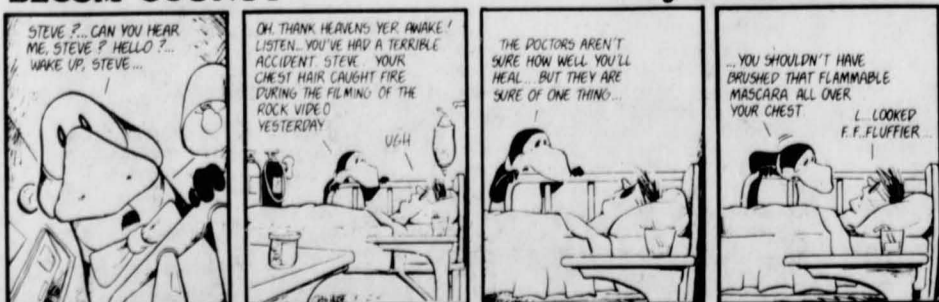
there" sits down during a slow day (there obviously are several slow days) and says, "Ho hum, what new course can we add to the G.E. requirements next semester? I know, how about advanced basket-weaving? Of course, students have to take the prerequisite courses before they qualify for advanced basket weaving."

And sure enough, the next semester, advanced basket-weaving will be on the new and improved list of G.E. requirements. When will it end?

Granted the basic courses required, such as Eng-

#### BLOOM COUNTY

by Berke Breathed



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THREE BLIND MEESE

#### LETTERS TO THE EDITOR

##### Student says REC should die, supports SNAFU campaign

Any A.S. president who supports the Rec Center is not suitable for A.S. president.

Dean Kahl is the Spartan Nearing a Fundamental Utopia (SNAFU) candidate for A.S. president.

SNAFU is the only party that can stop the Rec Center. \$40 per semester? \$80 per year? The Rec Center issue should die and be buried thousands of feet below the surface. The Rec Center sounds great to some students but they are not aware of what is involved.

Instead of the Rec Center, why don't you support expanding Spartan Stadium or support salary increases for professors that would keep and bring more qualified professors to SJSU? I am glad SNAFU is born. YESS and PSP should perish and be gone forever.

Francis Mbugua  
Industrial Technology  
senior

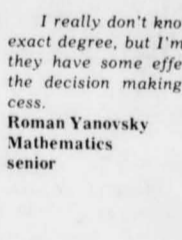
##### Talkman Do you think student government has power in decisions at SJSU?

Asked in front of the Student Union and the Clark Library



We have to have someone to represent the students. Having the Associated Students gives us a chance to speak out. So, yes, they do have power.

Michael O. Donnelly  
Biological Science  
junior



I really don't know the exact degree, but I'm sure they have some effect on the decision making process.

Roman Yanovsky  
Mathematics  
senior



Yes, if enough people get involved. The problem is getting them involved.

Patricia Moreno  
Undeclared  
freshman



Yes, of course they do. I've been on the Board of Directors (A.S.). We have most of the power concerning the budget and the allocation of money. That's why it's important that people vote.

Debra Petkevicius  
Business Marketing  
senior



On certain things they do have a voice, but the real power is in the administration. The administration allows the students to have an autonomy in student affairs.

Dave Navarro  
History  
graduate

The forum page is your page. The Daily encourages readers' comments on any topic. The viewpoints expressed in opinion articles and comics are those of the author. Editorials appearing on this page are the opinion of the Spartan Daily.

#### LETTERS

All letters must bear the writer's name, signature, major, phone number and class standing. The phone number is for verification purposes, and will not be printed.

# Israeli official says recognition key issue



Craig Sailor

David Ramin speaks during Israeli Education Day.

By Karen Salom

The Arab-Israeli conflict is basically caused because of a refusal of the Arab nations to recognize the non-Arab state of Israel, said David Ramin, the consul-general from Israel.

Ramin, visiting SJSU from his embassy in San Francisco, delivered the keynote address to the audience during Wednesday's Israel Education Day. The all-day program featured guest speakers, films and dancers who explored the social, cultural, scientific and political aspects of the Jewish State.

Until the Arab lands are willing to negotiate with Israel, he said, there will be no solution to the problems.

Currently, the only Arab nation recognizing Israel as an independent state is Egypt.

In May 1983, Israel and Lebanon

signed a treaty which Ramin said manifested the double standard toward Israel.

"When we withdrew our troops, we were criticized, when we do not withdraw, we are criticized," he explained.

The treaty, he said, was not a peace treaty as Israel wished it to be, but a treaty to terminate the state of war, bringing forth arrangements to stabilize the situation along the border.

"Israel will take all necessary measures to insure the security at the border of the north of Israel," he added.

"We would like to look beyond the Lebanon situation in order to solve our conflict with our neighbors," Ramin said.

Ramin said sacrifices are needed to attain peace. He cited Israel's returning oil resources and petroleum wells to Egypt as an example of concessions "we are ready to make."

*'We would like to look beyond the Lebanon situation in order to solve our conflict with our neighbors.'*

— David Ramin  
Israeli Consul-general

Ramin said he does not like the media coverage of the Arab-Israeli conflict. Israel and the issues of the Middle East have been dealt with expansively in the media all over the world, particularly in the United States, Ramin said.

"We would prefer to be left out of the media to concentrate on the state of Israel," he said.

"I am not able to say when we shall reach a solution because we are still waiting for the other party to join the process of direct negotiations," he said.

Mike Mermelstein, co-coordinator of the Israel Action Committee and also a senior majoring in advertising, said he felt Israel Education Day was very successful.

Through Israel Education Day "a lot of people learned the truth about Israel, and that it is not the aggressor the press makes it to be," he added.

Israel Education Day was sponsored by Hillel, the Israel Action Committee, and the Associated Students. Sponsors of the program also include the San Jose Jewish Federation, San Jose Jewish Community Center, American Zionist Youth Foundation, Tagar of Northern California, and the Campus Ministry Center.

## Jewish speaker discusses Zionist history

By Melissa Calvo

Zionist is a term Sheizaf Rafaei uses to describe himself.

Rafaei, who is Jewish, spoke about the history of Zionism Wednesday in the Student Union Guadalupe Room, as part of Israel Education Day.

"Zionism is used in a derogatory sense that equals racism, the ideology of expansionism and all the bad things of an imperialist movement," said Rafaei, a Stanford University graduate student.

Rafaei defined Zionism as "the movement of self-termination of the Jewish people."

In the 18th and 19th centuries, he said, virtually all of the modern and non-modern worlds set up nation states.

"Most people had their interests taken care of by banding together to set up a nation," he said.

The main concept of Zionism came from the idea the Jews are a nation, he said, and in order for that nationality to be expressed, it had to find a land for Jews.

"Nations emerged out of colonialism and set up

boundaries," Rafaei said. The Jews came too late, he added, to claim a land for themselves.

*'It (Zionism) is a lot more than existence. There are a whole host of beliefs that we hold.'*

—Sheizaf Rafaei  
Jewish graduate student

"What created a nation elsewhere were three elements — a common language, religion and land," he said.

The Jewish people already had a religion, but they were missing the two other elements, he said. The people then set out to find a land for their people.

"There were several territories considered in the United States, Africa and what is today Latin America," he said.

They finally decided to return to the land of the Jews where "Judaism was created" — Israel, he said.

"In the late 19th century, that piece of land was virtually empty," Rafaei said, but a quarter million Jews immigrated to Israel, he said.

Israel was a "land without a people for a people without a land," he said.

Jews made up one-third of the population in Israel, and Catholics and Moslems made up the other two-thirds, he said.

The rebirth of the Hebrew language was the miracle of Zionism, he said.

"It's amazing how a language that was virtually dead for 2,000 years has all of a sudden become a very living language," he said.

Rafaei raised the question that if the people already have a state, are they Zionists, if Zionism advocates a national identity?

"It (Zionism) is a lot more than existence," Rafaei answered himself. "There are a whole host of beliefs that we hold."

To be Zionist, he said, the first step is to learn to practice and use the Hebrew language. The second step is to frequently visit Israel.

Ideally, he said, it is better for Zionists to settle and live in Israel, but thinking of something and actually doing it are two different things.

"Of all the ideologies that I'm familiar with — Capitalism, Communism — there is a broad generalization that most ideas failed when it came to actions."

## Pipe down



Clay Holden

Danny McGinley plays a number on the Irish bagpipes in his Thursday performance outside the Student Union.

## 'Star Wars' defense questioned

WASHINGTON (AP) — A year after President Reagan outlined his vision of a space-age defense against Soviet nuclear attack, scientists are still arguing whether it is a "Star Wars" pipedream leading the world to disaster or to the end of a 30-year-old atomic stalemate.

A group of distinguished physicists came to the first conclusion in a report issued Wednesday, arguing that the administration should pursue arms control rather than "this illusion." The private group, the Union of Concerned Scientists, has been critical of Reagan in past years.

But Dr. George Keyworth, Reagan's science adviser, said recently, "it's worth pursuing. Our research is at an early stage and may come to nothing. But if we find something, we (the United States and the Soviet Union) could get away from these loaded guns we're pointing at each other."

Officially, the Pentagon calls the project "Strategic Defense Initiative" and Defense Secretary Caspar Weinberger bristles when critics call it "Star Wars" after the popular movie featuring futuristic weapons.

However, official Pentagon budget documents recently submitted to Congress show that one part of the research, dealing with a weapon known as the electromagnetic gun, has been named "Project JEDI." The Jedi Knights, possessors of "the Force," were the good guys in "Star Wars."

Reagan, in a March 23, 1983 speech, called for scientific research into a defensive shield which would change military strategy from offense to defense and could "give us the means of rendering these nuclear weapons obsolete."

The existing concept is "deterrence," the three-decade old doctrine which holds that the nuclear stalemate exists because both know a first strike would not destroy enough weapons to eliminate a devastating counter-attack by the other side.

The Union of Concerned Scientists study, written by a group of eminent physicists which included Nobel laureate Hans Bethe, said none of the current defensive systems being studied, such as various types of lasers, will work to make existing weapons useless and, even if they did, the systems could be easily defeated by steps the So-

viets might take.

The Pentagon has proposed spending about \$3 billion in the next fiscal year and the program will cost at least \$26 billion through 1989 without any assurance that a deployable system can be developed, Pentagon officials have told Congress in recent weeks.

But Keyworth disputed that figure, saying, "I cannot conceive of how anybody can estimate the cost" because "we have no idea yet of what it will look like."

However, backers of a plan known as High Frontier continue to push for their system, which would station 432 killer satellites in orbit, each armed with 40 to 50 rockets capable of knocking down Soviet missiles.

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**OPENS AT THEATERS EVERYWHERE ON MARCH 23.**

# SJSU whips West Valley

By Paul Lloret  
In an effort to tune up for next week's tight schedule, SJSU's men netters will host Canada College today in a 2 p.m. match at the Spartan courts.

The Spartans are preparing themselves for

## Tennis

home matches against Santa Clara, PCAA opponent Fullerton State, and the Air Force Academy next week. On Wednesday, SJSU defeated West Valley College, 9-0 to up its record to 6-7.

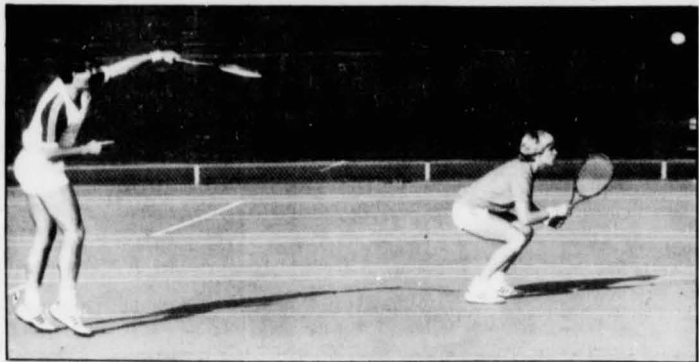
The win gave the Spartans a boost going into next week's competition.

"It's important to get a couple of wins. You can play well against a Stanford and Cal and lose which is good, but it's not the same as a win," Spartan Coach John Hubbell said. "We've had a couple of bad breaks and lost a few close matches; its good to get some momentum back."

Playing in number one-through-three singles, John Saviano, Paul Van Eynde and Scott Brown were straight set victors. Junior Dave Kuhn, who is nursing a pulled stomach muscle, did not play singles. Instead, he teamed with Bob Hepner in number-one doubles for a 6-4, 6-3 victory.

The match gave Hubbell a chance to use some players who haven't seen much action this year.

Senior Casey Swan was a winner in number-six singles. He also teamed up with Steve Burton in number-three doubles, as the duo posted the ninth Spartan win of the day.



Paul Van Eynde and Alex Winslow team up for a doubles win.

As SJSU heads into conference competition (the Spartans are 0-1 in PCAA play and host Fullerton State on Thursday), many of the tennis squad's members are confident about their chances of finishing high in the standings.

"I think the team has a real good chance of doing well," Saviano said. "We're pretty confident. We could be in the top four in our conference, and we're in a tough conference."

Saviano went on to say that after a slow start, the Spartans are playing better although they haven't played to their potential.

"We'll play our strongest tennis in the PCAA," Van Eynde said. "By the time we have our conference tournament I think we'll do well. We definitely have all the players."

SJSU will host Santa Clara on Tuesday for a 2 p.m. match. Following the match against Fullerton, the Spartans host the Air Force Academy on Friday, March 30.

# Former Spartan jumps to NFL

By Nick Gillis

And now for something completely different. Kenny Daniel, an ex-Spartan currently with the Oakland Invaders, has signed a contract with the National Football League's New York Giants.

Daniel, who last played for SJSU in 1981, became the first player to jump from the United States Football League to the NFL. Earning \$22,000 in his rookie season, he signed last week with the Giants after unsuccessfully attempting to renegotiate the option year on his present contract.

With the Giants' training camp opening in July, Daniel would not be expected to play with the team until the 1985 season. Like most USFL contracts, his would expire November 30, leaving him unavailable to the NFL until the following season. Spokesmen for the Giants were aware of the predicament, but expressed no regrets.

"The feeling here is that we wish him well," said Ed Croke, Giants media director. "We hope he has a good season with the Invaders, and stays injury free."

Former Invaders coach John Ralston, now handling player personnel for the club, explained that USFL contracts are written for at least one year, with an option year thereafter so that players aren't able to compete in both leagues at the same time.

Ralston, fired as head coach after the club's third consecutive loss, said, "We don't believe in a 6-month contract, he said. "It wouldn't be meaningful, or physically possible for a young man to compete at that (professional) level year round."

Scouts for the Giants had eyed the former Spartan during the USFL's opening season, and according to

Croke, they "were impressed with what they saw." Aware that he became a free agent December 1, they made him an offer last Thursday, Croke said.

The Giants had been seeking help after trading defensive back Terry Jackson to Seattle during the off-season.

Currently starting at left cornerback, Daniel is in his second year with the Invaders. He was a member of the team's Pacific Division Championship in 1983. This year, however, the club is off to a dismal 0-4 start.

The jump by Daniel could lead other capable USFL players to the more established league, reversing the current trend.

Ralston conceded that the move could have some effect on other players, although he was unaware of any "at this time."

"Heck, somebody had to do it," he said. "I think before long, the leagues will have a free-flowing exchange of personnel."

Daniel, 23, will be getting his second chance with the NFL. After being signed as a free agent with the Washington Redskins in 1982, he failed to make the club.

The Giants won't officially announce his signing until the end of this season. They would not disclose the terms of the contract.

Neither Daniel nor his agent could be reached for comment.

# SJSU streaking into league play

## NCBA Preview

By Joe Roderick

Editor's note: This is the last of a seven part preview on the Northern California Baseball Association teams. Today, a look at the Spartans.

Scott Rettig, Spartan center fielder and comedian at-large, might be struggling at .250, but that hasn't kept him from popping off every now and then.

Rettig, the self-proclaimed inspirational leader, has his theories on the Spartans' recent eight-game winning streak. "Baseball's a game of inches," he said. "Early in the season, balls that we should have caught were dropped. We'd hit balls that should have been fair, but went foul by an inch. Then the other team would hit a ball that should have been foul, but stayed fair."



Don't stop now Scott, you're on a roll. "Baseball's a game of streaks. We're starting to peak just in time for league. It's kind of like North Carolina State's basketball team last year. They peaked at the right time."

But before Rettig could go on, an eavesdropper interrupted. "Yeah, Jimmy Valvano."

Like the mouthy North Carolina State basketball coach, Rettig, it seems, has never met a microphone he didn't like. But that's another story.

Right now, you might be asking what's the story with the Spartans

SJSU stumbled to a 5-13-1 record, hitting rock bottom by losing five straight, four on a Southern California road trip.

Spartan coach Gene Menges then shocked a few by suspending three players while dismissing another, regular left fielder Mark Triplett.

Menges could have inserted Paul Mason into left field, but opted to switch Ken Caminiti from third base to left, while moving Jeff Crace to third.

The Spartans haven't lost since the reshuffling.

"That put a little fire under everybody," said catcher Mark Webb, one of the three suspended. "It's tough to lose a player like Triplett. It takes a lot of guts on the coaches' part to kick a guy off and suspend three other people."

The Triplett dismissal is still a touchy matter with some Spartans. "I don't want to say we're better off without him," Crace said. "Triplett was a good person. It's just something the coach decided to do. I can't say it helped us — but we're playing better since it happened."

But others have their own views on the recent surge. Assistant coach Chad Roseboom: "Nobody was hitting, now everybody's hitting."

Caminiti: "I think we were playing by ourselves. This is a team game. There's nine guys out there, not one."

"The first three guys would make outs and everybody would be down in the dumps. Now, one guy gets a hit and that pumps up the next guy. It's fun to go out and play now."

Crace: "We're hitting, pitching and fielding better. It's not just one thing. Everything's coming together now."

This all seems like a two-part movie. Part One: See Spartans stumble off to a sad start, take one.

The Spartans are spotty in all phases. See Spartans hit .243, commit 31 errors and rack up a 4.88 ERA.

Need any more evidence why the Spartans lost 13 of their first 19 game.

Part Two: See Spartans win eight straight. Film at 11.

During the string, the Spartans allow just 15 runs, raise their average to .255 and make just five errors.

Pitchings seems a major reason why the sequel to this two-parter is better than the original.

The Spartans couldn't find a third starting pitcher early on. Recently, though, the list is overflowing with names. Pick a number and stand in line stiff.

Rooker has developed into the staff pitching and hitting star. He leads the team in hitting (.324), wins (four), ERA (2.28) and innings pitched (51 1/3).

Steve Olson, the No. 2 man, is 3-3 with a 3.45 ERA. Four other pitchers — Terry Adams, Kevin Sullivan, Huck Hibberd and Danny Martinez — are battling for the third and fourth starting spots.

Adams, who shutout Western Oregon Sunday, is 2-1; Sullivan, coming off two good outings, is 1-0 with a 3.00 ERA and Hibberd (1-2) pitched six shutout innings Tuesday, lowering his ERA from 6.35 to 4.15.

"Everybody's pitching right now," Menges said. The hitting has also picked up, but not enough to please some.

"We're still not hitting like we can," Caminiti said. "We're just getting started. But once we do, look out."

Said Rettig: "I should be hitting 50 points higher. I don't have any power so I've got to get the base hits."

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10:00 A.M.-4:00 P.M.  
In Student Union

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## State Assembly Minority Leader ROBERT NAYLOR

- FRIDAY, March 23
- 12:00pm - 1:00pm
- Student Amphitheater
- questions and answers



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# Court rejects rapist's petition

SAN FRANCISCO (AP) — A man's claim that hypnotic-enhanced testimony resulted in his improper conviction for raping a 15-year-old girl and then chopping her arms off was rejected by the California Supreme Court Wednesday.

It denied without comment the habeas corpus petition from Lawrence Singleton, 56, who sought a hearing on grounds that police hypnosis of Mary Vincent may have been unduly suggestive.

He noted that in 1982 the California Supreme Court had ruled that testimony of a witness who has undergone hypnosis to restore memory of events is inadmissi-

ble from the time of the hypnotic session forward.

The San Pablo man was convicted of attempted murder, rape and other offenses in 1979 and is serving a 14-year term.

The plight of Vincent, now 21, gained national attention after she was found dazed and bleeding in September 1978 near Interstate Highway 5 in central California.

She testified the former merchant seaman had given her a ride in his van as she was hitchhiking in San Francisco and that he struck, bound and raped her and

committed other sex offenses. She told the jury he then chopped off her arms one at a time and left her to die in a culvert alongside the highway.

Singleton maintained he was innocent.

His conviction was upheld in 1980.

Last June he filed the habeas corpus writ which a Court of Appeal denied this past January.

That court said the 1982 hypnosis decision upon which he based his challenge was not retroactive and his conviction

was final at the time of the high court ruling.

Singleton's petition claimed the police officer who hypnotized Vincent lacked the background and training to conduct the session and that he had used both pre- and post-hypnotic suggestions in order to solidify the victim's story.

It added that besides being used to give her confidence in her version of what happened, the hypnosis was used to investigate the crime.

The hypnosis, he contended, was so suggestive as to constitute a constitutional violation of his rights.

## Prof disagrees with decision

*continued from page 1*

been drastically revised in the last 20 years, he said. Chaldecott contended he is being deprived of academic freedom in the department's refusal to allow him to continue teaching his classes as he chooses.

"In a way, I feel having given my rationale and being a tenured professor with full academic freedom, there shouldn't be a question of whether I can do it or not," he said, earlier this month.

Other members of the department disagreed that the question was one of academic freedom.

"The department guidelines are general enough, liberal enough to allow any person to teach the course in the proper spirit," Rice said. "If anything, they err on the side of liberality."

Virginia De Araujo, an English lecturer and member of the composition committee, said the most important question of academic fairness was being fair to the students. The students must be taught composition and allowed to advance, she said.

Chaldecott said he was not surprised by the committee's decision.

"I will abide by the decision of the committee," he said, "although I believe it to be mistaken."

# Sex offenders' terms can be lengthened

SAN FRANCISCO (AP) — People committed to mental hospitals under the state's since-repealed mentally disordered sex offender program can be kept in custody under extensions allowed by the old law, the state Supreme Court ruled today.

The unanimous decision by Justice Otto Kaus rejected efforts by Donald Eugene Baker, Peter A. Lampport and Douglas E. Couch to gain freedom after having served original commitments because the Legislature overturned the law as of Jan. 1, 1982.

In 1979 Baker and Lampport were convicted in San Diego Superior Court with sex crimes against a minor and were committed for three years as mentally disordered sex offenders, MDSOs, with commitments to expire April 1982.

In 1977 Couch was also convicted of a crime involving a minor and was committed for five years, to expire in May 1982.

In each case, the San Diego district attorney filed for extensions.

Baker contended repeal of the law barred extension, but a trial court disagreed. After hearings, commitments of the other two were extended two years and they also challenged the extensions.

The three argued that if the Legislature intended to permit extended commitments it would have done so. But the high court said the law was repealed to permit more severe punishment for sexual offenders.

It said it would be unreasonable to allow dangerous offenders to be freed earlier because of the repeal.

The court also quoted a portion of the new law: "Nothing in this act shall be construed to affect any person under commitment as an MDSO ... prior to the effective date of this act."

Under the new law, people convicted of sex crimes are sentenced to prison terms. However, if they are believed to have treatable mental illness, they can be allowed to spend the final two years of their term receiving treatment at a mental hospital.

# Convicted man wins freedom

DALLAS (AP) — A black engineer who spent 16 months in prison on a mistaken armed robbery conviction said yesterday he was "railroaded," and hopes prosecutors will learn from his case to "presume innocence instead of guilt."

"I hope that as a result of my case, the judicial system will become well-oiled," said Lenell Geter, 26.

District Attorney Henry Wade announced Wednesday that another suspect had been arrested in the \$615 holdup of a fast-food restaurant and said his office was expected to formally dismiss aggravated robbery charges against Geter yesterday.

Geter, who was originally sentenced to life in prison in the case and was scheduled to be retried next month, heard the news in a telephone call from The Associated Press.

Prosecutors said Geter's ordeal was the result of mistaken identity.

But Geter and his attorneys say the case resulted from shoddy police work, overzealous prosecutors and racism in the small, predominantly white Texas town of Greenville, where he works for E-Systems Inc., a defense contractor with top security clearance.

Geter said he is considering filing suit against police and prosecutors, although he said he can forgive those who sent him to prison.

"I hope they learn the lesson. There was no reason for me to be a suspect, for me to be convicted and for me to be sentenced to life. Nobody believed I was innocent. There was no presumption of innocence," he said.

"I hope that the system will be more careful to presume innocence instead of guilt."

Geter spent yesterday shuttling in a limousine between appearances on national news shows and accepting the congratulations of well-wishers. At one TV studio, two employees stopped in a hallway and asked to shake his hand.

He said a "shell game" using three similar cars was arranged late Wednesday night on Interstate 30 so that he could elude reporters "tailing me." He said he wanted to get some rest at a downtown Dallas hotel, but managed only 3½ hours.

"I just want to get back to work and get on with my life," he said.

# Farm equipment target for theft

SAN FRANCISCO (AP) — A crackdown begins next month on farm equipment thefts that cost California farmers nearly \$20 million in stolen machinery last year, less than 40 percent of which will be recovered.

In recent years, farmers have become the targets of organized rings of thieves that supply a flourishing international black market in stolen farm equipment, state officials say. The recovery rate for stolen farm equipment in California ranges from 30 percent to 40 percent, compared with 70 percent for stolen cars.

"Since off-road equipment is not registered, once it's stolen, you lose it," said Jack Dugan, director of the Crime Prevention Unit in the state attorney general's office.

The state attorney general's office hopes to convince insurance companies to provide premium discounts to farmers who participate in a voluntary equipment identification program. In the last 30 days, more than 100 equipment identification numbers have been issued in Fresno County alone.

State Attorney General John Van de Kamp announced earlier this year that a three-county crackdown will begin in April in the San Joaquin Valley. Kern County alone reported equipment losses of \$2 million in the last two years, and that figure may be low.

"The low recovery rate discourages farmers from even reporting stolen equipment," said Hector Aponte of the Farm Bureau's Sacramento office.

California Highway Patrol investigator W.E. Rutledge, who will coordinate the three-county effort, said California ranks second only to Texas in thefts of farm equipment.

"It's usually a steal-to-order operation. Ninety-nine percent of the time there is already a buyer for the equipment," he said.

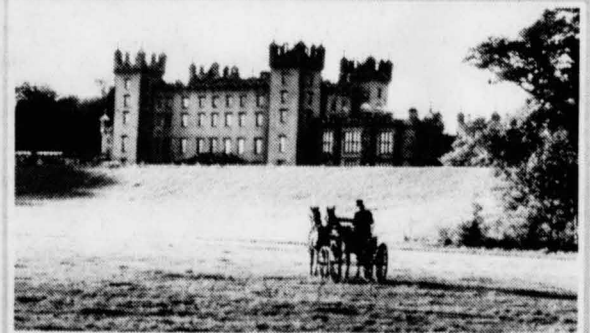
The most common types of stolen equipment are backhoes and front loaders, which are small enough to move, Dugan said. The equipment often is parked unguarded in distant fields with keys in the ignition.

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