Controversy flares over AIDS testing



Wiggsy Sivertsen

Maintaining confidentiality sparks disagreement

Dr. Stanley Wohl, director of student health services, doesn't believe that AIDS testing on campus should even be an issue, much less a contro-versy, despite questions raised about maintaining confidentiality of the re-

SPARTAN

Calling fears about confidentiality ridiculous," Wohl asserts that there is nothing to be concerned

"We have been doing AIDS counseling and support programs for more than a year and there has never been a problem with confidentiality," Wohl said.

Wohl was responding to concerns voiced by Wiggsy Sivertsen, a coun-selor at SJSU, about the problems of having AIDS testing on campus.
Previously Sivertsen said, "Until

we have a system that absolutely guarantees anonymity, we should not have testing on campus."

Sivertsen's comments were sparked by a bill currently going through the state Legislature that would allow state universities to test or provide for the arrangement of acquired immune deficiency syndrome testing.
Wohl asserts that the bill would

"I don't see why it is even an change little about procedure already used in the Health Center."

"We are doing everything but drawing blood and testing for the

virus right now, 'he said.
"We counsel the individual, help arrange for testing and then continue the support program after we receive the results of the tests," he added. The Health Center's procedure for

an individual who believes they might have been exposed to the HIV virus starts with a talk to one of the doctors to determine if testing is

even necessary.

"This the the most confidential part of the procedure," Wohl said.
"We discuss the individual's life-

style to determine if they are in a high-risk group.

No records or charts are kept about this talk and there is virtually no chance of information leaking out," Wohl added. percent of the people we talk to, we feel don't need to be tested."

Sivertsen called the claim that confidentiality was not a problem

'I know that there are too many opportunities for confidentiality to be violated, she said. The stu-dents have not really thought through what it would mean to them to have this kind of a program on campus

Sivertsen claimed that there have been many instances in which an individual's confidentiality was vio-

"I know of an incident in which a person who was an intern, at another agency looked up the record of a friend of hers in a mental health agency off campus." Sivertsen said.

"This is a clear violation of the person's privacy," she added.

All California State Universities presently provide counseling for AIDS. The bill would legally allow them to test for AIDS on campus and charge a maximun of \$25 for the

The cost for multiple testing at a private facility can often run slightly more than \$100.

See AIDS, back page

Setting goals

SJSU's hearing impaired seek improved education

By Suzanne De Long

Daily staff writer
Inspired by the controversy at Gallaudet University in Washington D.C., hearing-impaired students at SJSU have come together to promote changes in deaf education.

Lea Grant, a hearing-impaired senior majoring in occupational the-rapy, explained that the "protest gave us the courage to speak out."

Students from Gallaudet Univer-

a school for the hearing impaired and deaf students from around the world, successfully protested the selection of a hearing president for

Elisabeth Ann Zinser, a hearing woman who does not know sign language, resigned after less than a week in office. She was replaced Friday by I. King Jordan, who was the school's dean of the arts and science college and who is deaf.
At SJSU there are about 23 hear-

ing-impaired students and approxi-mately 11 interpreters. Interpreting is the process of transmitting spoken English into a sign language and/or

Markham Hall's March 14 room

as well as spend some

fire has prompted University Hous-ing to reexamine emergency proce-

"The procedures are certainly worth reviewing," said Willie Brown, director of University Hous-

The Monday night blaze, which filled Markham's second floor with

thick, black smoke, was "the first real fire" in Brown's five years as

"There has never been a fire of this magnitude," Brown said.

Located in Room 232, the fire prompted evacuation of the brick

dormitory by Markham resident adviser (RA) Stacee Wiggins, resident

Low turn-out

\$14,000 on smoke detectors.

the director of Housing.

By Jeff Elder

By Douglas Alger

gestures for communication between deaf and hearing people. Interpreters Ben Houseworth and Jan Fried were present during interviews for this

Disabled Students Association President John Moore has two positive goals for the future in mind. One, teach children American Sign Language (ASL) sooner, and two, involve more deaf instructors, who understand deaf culture, in the education of the hearing impaired.

Moore, a hearing-impaired senior majoring in social science, and Leonard Wyczalek, a hearing-impaired senior majoring in business management, explained the two main types of sign language.

"ASL represents deaf culture and is a language in its own right," Moore said. ASL has its own grammar, syntax and word order.

The majority of deaf adults uses
ASL which Wyczalek described as
"more natural" and "easier" to use
than SEE. Deaf parents of deaf children usually teach their son or daughter ASL, not SEE.

Halls opt for smoke detectors

director (RD) Patrick Choi, and Allen Hall RD Gary Timko.

less than 10 minutes," said Wig-gins, RA on duty the night of the

We had everyone out of there in

"The evacuation went flaw-

Wiggins credited help from resi-

Current emergency procedures in-

clude instructions for resident advis-

ers and resident directors to handle a variety of emergency situations, from bomb threats to nuclear at-

"I think the (evacuation) proce-

dures are very effective on paper," said L.C. Robinson, RD of Moulder

Hall. Robinson added that each emergency is unique, and proce-

dents as the main reason for the

night's ease in clearing out the brick

dormitory

Signing Exact English (SEE) is not a language in itself, rather SEE is the spoken English language coded into visual symbols accompanied by word mouthing. SEE follows the same word order, syntax and grammar rules as written English, they

SEE is taught to children in el-ementary school and then used throughtout their high school educa-

Moore said that 90 percent of deaf children are born to hearing parents The parents prefer SEE over ASL because it is easier for them to learn and easier for them to teach to their children. It's also a language they already know and understand, unlike

Wyczalek compared ASL and SEE. "(ASL) is a visual and ex-pressive language. (SEE) is like a

Moore, Wyczalek, Grant and Lisa Inouye, a hearing-impaired senior majoring in graphic design and a dancer for SpartaGold, didn't learn See DEAF, back page

dures are open to interpretation, as the situation warrants.

SJSU's director of Housing ex-

pressed the "need to get together" to discuss procedures internally with

halls currently contain either smoke

detectors or sprinkler systems due to the age of the buildings, and this fact

has been noted by many residents.
"I would feel a little better if they

at least had smoke alarms in every room," said Markham resident Derek Hiemforth. "(The Monday night) fire could've been a lot less if

Although the smell of smoke had been complained about as early as 3

p.m., it was not until 9 p.m. that the source of the smell was identified See ALARM, back page

they'd had smoke alarms.

None of SJSU's brick residence

Mark Doutt, an SJSU industrial technology major, rides to school on his Suzuki

Walters makes history; elected despite AIDS

On Wednesday and Thurs-

day, 2,146 SJSU students voted in the Associated Students election that brought to power 18 Responsible Alliance candidates and one independent and forced a run-off for the director of personnel position.

With approximately 700 less people voting this year than last year, when there was better competition, current A.S. President Michael McLennan and others have cited lack of student participation as the biggest problem currently facing the

However, a ballot referendum protesting next semester' parking garage fee increase and another calling for a vote of "no confidence" in the hand-ling of Rec Center overruns received about a 90 percent margin of support.

The REAL party swept almost all races by a two-thirds margin, as expected. But Independent Mark Mu-rillo, who this week received

support from A.S. Controller Victoria Johnson, edged See TURN-OUT, back page

By Kara Myers

aily staff writer History was made Thursday when SJSU students elected Jim Walters as Associated Students director of academic affairs

Walters, a freshman majoring in history, is the first person with AIDS to be elected to a student office in California after being diagnosed with the deadly disease, said officials from the two California univer-

walters said. "That's a phrase that's been used too many times about too many people and I hope that we have finally laid it to rest.

"Some well-meaning people on campus urged me not to run, "They were afraid somebody would get hurt or that a person that's gay let alone a person that's gay with AIDS could not win an election. But I put my faith in the students of San Jose State and they came through,"

Terry McCarthy, A.S. president-elect, said Walters is "very compe-tent" and qualified.

'He has been assertive in bringing forth concerns of the students of San Jose State," McCarthy said.

He said that Walters represents the minority constituent on campus and has been "very enthusiastic" about his post.

'We appreciate it," McCarthy

Walters, 31, was diagnosed with AIDS-Related Complex — a pre-cursor to acquired immune deficiency syndrome — in October 1986, one month after he had stopped using drugs.

'Since I moved to San Jose, my health has gotten better and I owe a lot of it to the students here," Wal-

'From the time I was diagnosed with I came to San Jose, I was busy being sick with AIDS. That was my whole life," he said. "I felt so bad for myself and it finally got to the point that I was in braces and crutches because I couldn't walk. Now you see me running down the

Walters is presently an academic senator and campus coordinator of Student Mobilization Against AIDS. He is also chairman of the A.S. ad hoc committee on AIDS testing which has been dealing with the

See WALTERS, back page

Local motorcyclists annoyed with mandatory helmet bill

By Dani Parkin

Daily staff writer
Most SJSU motorcyclists oppose pending state

Most SJSU motorcyclists oppose pending state legislation requiring them to wear helmets.

"I always wear a helmet, but I don't think they should force people to do it," said Arno Granados, a junior majoring in physics. "It's like saying you always have to wear green on Tuesdays."

John Moffitt, University Police Department officer, said State Assemblyman Richard Floyd, the author of the bill, "is misguided at the very least."

"Dr. Harry Hurt investigated hundreds of motorcycle accidents and found no conclusive evidence

cycle accidents and found no conclusive evidence whether wearing a helmet will hurt or help. I rarely wear mine, and when I do, it's for comfort," he said. Tracy Woodward, a senior majorng in math statis-

tics, was the only motorcyclists of a dozen interviewed who favored the legislation. "I think it's a good idea. I've had a helmet save my life a couple of " he said.

State Senator Dan McCorquodale serves on the Senate Transportation Committee that approved the bill, AB36. He voted in favor of the helmet law. The Senate votes on the measure within two weeks. If approved, the law would go into effect on Jan. 1, 1989.

McCorquodale's representative, Terry Leveille, said, "Although the bulk of the letters we received were opposed, support came from doctor's groups, Valley Medical Center, and the highway patrol." Leveille stressed the main reason for McCorquo-

dale's affirmative vote was that "the reduction of the injuries produced by this bill would result in a reduc-

tion of taxes spent on (potentially-injured) people.
"Although the bill does infringe on the rights of people, there is a strong economic argument for it,'

he said. Leveille cited and dismissed a study done by Jon-

athon Goldstein that was presented to the committee. Goldstein said speed and alcohol use were more of a factor in motorcycle injury than the absence of helmets. Goldstein also said helmets actually pro-

moted neck injuries Leveille said this study was not consistent with

CHP observations Ronald Colfer, a junior majoring in meteorology,

said, "A helmet completey destroys a rider's stereo perception. If you hear a siren while wearing a helmet you don't know where it is coming from."

Moffitt, who rides a Harley-Davidson, said,

See HELMETS, back page

FORUM

SPAIRTALN DAILY

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

Prayer still has a place today

You would think the American Civil Liberties

Union had better things to do.
While Native Americans struggle for jobs on the reservation, inner-city blacks battle poverty, and women strive for equal treatment at work, the ACLU takes to task the Gilroy Board of Education.

The offense? It's the practice of saying a short prayer before meetings. Oh, pleeeease.

Such a scandalous practice in the "garlic capital of the world" could bring about a dreadful situation in which some unwitting member of the audience would have to listen

to these atrocious ap-peals. What could be more damaging to society? Next thing you know, this will par alyze the idea of the separation of church and state.



The board, who for years has used these prayers to open Serena Griffith

its sessions, has discontinued the practice because they cannot afford the legal fees that would be necessary to defend themselves if they continued. So today, the board is a group of people who want to say a prayer before their meetings, but cannot.

The separation of church and state is an idea that was intended, among other things, to foster a political structure free from religious control and to discourage the repression of anyone who doesn't have mainstream religious beliefs. Maybe the ACLU believes a small-town school board that opens its meetings with a prayer presents a problem

in this scheme. Not so.

Are the board members influenced by religious beliefs? Perhaps, as all of us are by our own convic-tions. But there was no church hierarchy to which the board reported its decisions, and no priest or pastor was appointed to approve its proceedings. There was merely the voluntary acknowledgement

I don't buy the hollow, whining argument that someone's civil rights are being assaulted as long as the prayers continue because a person may have conflicting religious beliefs and the board is, after all, a governing body.

I realize there are Buddists, Muslims, atheists, agnostics and endless numbers of religions out agnostics and enderson fullnow's Board of Education meetings had continued for a hundred years, would their faith be shaken, their feelings hurt or their image damaged? I doubt it. Would their right to continue in their faith be lessened? No.

What, then, is really at stake here? The fuss is because this is a government body. Yet, why bother with such an attack on a quiet and basically law-abiding group of citizens? Fear? Anger? Is the ACLU overcome with pain or rage at the thought of some government employee praying over his lunch

Perhaps God may send a lighting bolt to the center of the room where the board meets. A booming voice would fill the room: "this is my beloved board, with whom I am well pleased." Now that

would be a problem for the ACLU.

I am aware that the board receives salaries from the state and that its members are essentially public servants of the educational system. But, they are

also people of small-town America who want to pray at their gatherings.

The classes of their school system are not subjected to the same habit and the children of Gilroy

not whipped to their knees and forced to recite the Ten Commandments.

Who is harmed by the goings-on in Gilroy? Is

the ACLU so bored lately that they must stamp out harmless traces of the faith in agricultural towns across America? I refuse to think that members of this organiza-

tion are all so unreasonable. I have applauded past decisions of the ACLU and strongly disagreed with others, but all those cases involved issues of national improtance like pornography and gay rights. Whether I agreed or disagreed with the outcome, I could see the sense in fighting the battle. This case is different. I am discouraged to see an organization with such useful power putting it to such useless

I wish that I could prescribe stress reducing excercizes for ACLU leaders; up-tight is the only word I can find to describe their protests against the Gilroy board's simple habit

Let's not forget religion's significant role in the birth and growth of this nation. Let's not forget that some people have carried those traditions into the modern day. Let's not forget that sometimes the expression of those traditions does no harm.

There are atrocities in every city of the United

States. There is injustice in every neighborhood. There are, ACLU members, better things to do with your time and energy

Forum Policy

Letters to the editor must bear the writer's name, major, phone number and class level.

Deliver letters to the Daily office on the second floor of Dwight Bentel Hall or to the Student Union Information desk



Letters to the Editor

AA a valuable service

Editor,
I wish to respond to a few comments made by Julie Rogers in the March 16 Spartan Daily.

As a person working in the field of substance abuse, I am familiar with Alcoholics Anonymous. Nowehere in its literature have I ever seen the word "evil" nor the implication that everyone who drinks alcohol is doomed, nor the idea that alcohol itself is a bad thing.

AA has no opinions on any issue that does not pertain to its own operations. The only requirement for membership is a desire to stop drinking, and they are not affiliated with any outside enterprise (including Nancy Reagan). They are a self-help group (no money required) made up of people who once had a drinking problem. They have found a way out of a living hell. No more "under the influence" arrests, no more "black-outs." AA is considered the most successful treatment for alcoholism.

The primary reason for writing this letter is that a significant percent of Spartan Daily readers will some day decide that they have a problem with alcohol. I feel it is important to let those individuals know that help is available. Their lives may depend

> Kent Olson **Graduate Student** Social Work

Writer wrong on AA

I have read Julie Rogers' "Artist's Rendering' three times and I'm still in the dark as to what she was trying to get across

Blind rambling is hardly an effective form of communication.

would have ignored the article had it not been for a statement Miss Rogers made about Alcoholics Anonymous. She states that AA teaches its members that alcohol is evil, an onimous liquid that destroys anyone foolish enough to venture

Miss Rogers has no idea what AA all about. AA teaches its members that alcoholism is a disease that some people, not all, are susceptible to. Never do they learn that anyone who drinks is a fool who will soon be destroyed. Rather, they stress fact that some people are alcoholics those who have the disease those people need to avoid alcohol to

Both my father and my brother are alcoholics and both would probably be dead had it not been for the efforts Alcoholics Anonymous

I hope other people do not hold Miss Rogers' sad misconceptions of this life-saving organization.

Mark Clintsman

Electrical Engineering

Suicide selfish, wrong

Sadly again, Dani Parkin has written a misleading and seriously wrong editorial. This time she picks the subject of suicide and euthanasia in her March 15 column titled "Right to death just as crucial." Not surprisingly, it is easy to wonder why she has such retarded ideas which unfortunately show up in print. I do not wish to be critical or attacking, but Dani's beliefs are in direct conflict with our society's conscience and morals.

Dani proposes to legalize suicide for the terminally ill and others in doubt. As touchy as this subject is, Dani states several examples and

adds her erroneous thoughts. She bethe chance to appreciate life." What type of selfish, weak statement is this? I guess I should shoot myself next time I catch a cold and cannot appreciate life.

Dani further notes four examples

where suicide would have been good. These include: cerebral palsy, Alzeimer's Disease, and mental disorder. It's tilted for someone with no experience or authority to assume that all people with these problems fall into the "I want to die" cat-

Further on in her article Dani proposes to set up a death clinic that would require six months advance registration and would provide counseling and a peaceful death. I take it she would throw in the "music, warmth and beauty" she notes for free. What is behind the mind of a

person who believes in sick ideas such as these. To end her article, she states: Those of us who believe in dignity would gain a little more sleep.

Dani's motivation for the legalizaon of suicide is obviously not dignified. True dignity comes from strength and the ability to deal with suffering, not morbid half-thought decisions

Suicide, no matter how you define it, is selfish and wrong

David Frizzell Aeronautics

Sexuality is important

On (March 14) a letter by Anne Trostle was published concerning the relevancy, or irrelevancy, of a candidate's sexual preference. In it she strongly implied that a person's qualifications for student body positions and sexual orientation are completely unrelated. It is on this point

that I must disagree.

Before I go on, I would like to make one thing perfectly clear: I do not hate people who practice homonor do I feel that they should be discriminated against in any way. I simply feel that they are victims of our socities disintegration what is natural, good and right (this is not to say that we are not all victims of this to varying degrees). Alcoholism, drug addiction, pornog-raphy, divorce, child abuse and even

of this disintegration within our so-

I feel this way about homosexuality because it is obvious that this type of sex is biologically unnatural. For this reason we need to take a per son's sexual orientation into consideration prior to electing them to a governing office where they could be making decisions furthering the disintegration of our society

> **Patrick Gandy** Sociology Sociology

Meal system unfair

For two-and-a-half years, I've lived in the on-campus dorms. I don't have any major complaints. It hasn't been too bad or I wouldn't have stayed as long as I have. The infamous Dining Commons is, for the most part, tolerable. If we ever need an escape, there's always the Student Union cafeteria or the Roost where we can purchase good food with our prepaid meal cards. But there is a catch. Since our meals are prepaid, the Housing Department has determined how much money we can spend for each meal. If we're big eaters, then we'll have to pay the difference with our own money

That's okay by me, as long as it doesn't leave my pockets empty. But my point is, what if we don't spend the full amount? We lose out on the difference. Just think about this: if each resident were to underspend on his daily meal allowance by just one dime a day, the sum of this accumu lation for one semester for all the residents would be over \$12,500.
That's over \$25,000 a year! Why don't we get it back in change or have it credited to our meal cards?

Other schools have set up a different system in which a given amount is set for students and they spend it throughout the week according to their appetites. I find this to be a more satisfying method since it would be up to each of us individually to determine how we spend our

The last time I checked. San Jose State University was a public school and as I recall, a non-profit institution. Yet somehow they've managed to squeeze more money out of me

Beverly Jee

Russ Never Sleeps



Russ Baggerly

Gee, just what I wanted

oday, gang, I have reached that magical age. I am now offically a member of the group that Abbie Hoffman said you can't trust. I am

Because of this, I am now allowed to expound on any issue I care to address, and I can be as pendantic as I want. My hide-bound opinions will be excused by anyone who doesn't agree with me as

the senile ravings of a old-timer.

That's OK, too, but on the other hand, my politics and my opinions about certain things aren't ex-

actly in vogue with those of my generation, either.

The one idea I strongly believe in — more than I believe in always having fun, and more than I believe in getting out of San Jose as soon as possible, combined—is that America, despite its many admitted faults, is the best nation on this planet. There is more that is good than there is bad in this land.

We really are the good guys, friends. I've flown along the Czech border and seen the Soviet tanks lined up awaiting instructions to roll. I've flown into Templehof in Berlin and seen their side of the wire. The approach lets you have a good, close-up look at the streets, the cars and the buildings which are not in "approved" sectors of

their half of the city.

My father-in-law was a "guest" of the Soviets from World War II until his eventual release, in 1956. He knows of other Germans who were never

allowed to return to their homes and families.

America has gone farther faster, developed more, had a greater impact on the world, given more help to its neighbors, and just plain been all right, more than any nation or society in the re-

corded history of the earth.

Not that our history is without mistakes; there are criminal tragedies, such as our treatment of eth-nic minorities and the environment. But if you can name any other population as priviledged, whose standard of living is as comfortably high, and yet does so much for others, well say on and I am willing to listen.

So when America sees the need for action to prevent the spread of a political system which al-lows such unfeeling cruelty, I can only say, "Go get 'em

icaragua is a country where such a system is in place today. We hear of the advances they have made. We hear that they have done more to educate their people than any other Central American country. OK, but I've also heard about one of their elementary primers; the little books one of their elementary primers; the little books
they use to teach their children to read. Try, (this is
real) "One grenade plus one grenade equals two
dead capitalists," with pictures, yet.

Can you say, "sick?" Can you say, "indoctrination or propaganda?"

We haven't exactly been unbiased in our treat-

ment of Nicaragua, but then again, we havn't in-

vaded them yet, either.

Not that I really think we are going to. There is a much better case to be made for our going into Panama right now than for Nicaragua. Protecting the Canal is a little more important than defending a bunch of border camps in Honduras. And if Ortega decides to go for it, well, it won't be too tough to bomb his two-bit pest-hole of a country into the stone age. Look how well a few bombs worked against that Lybian loser, Kadaffi. Drop a 500pounder - plug an animal's yap. Remember the decline in terrorist acts after we showed our teeth to

Really, who can stand up and say that sending 3,200 of our troops down there to remind everyone that we're still watching out for our friends is so very significant?

After all, Nicaragua has over 90,000 troops, almost as many tanks and guns, and as much war materials of all kinds, (supplied by the Soviets, natch) than all the other nations of Central Amer ca, combined.

Our armed forces consist of hundreds of thousands of troops. We are not overreacting when we send in less than a half of one percent of what we have. So the Sandinista's have gone into Honduras after the Contras before. We have sent small detachments of the Army and other branches into that country as well. It's also nothing new.

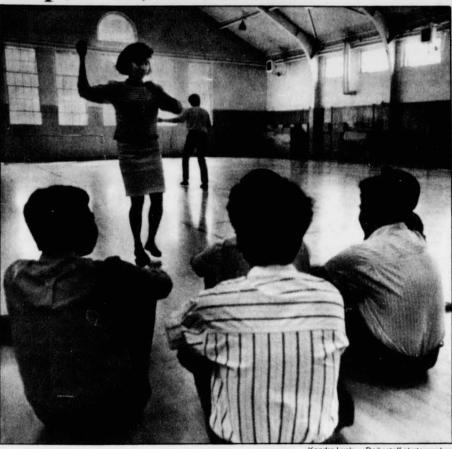
I'm more worried about the problems surfacing in Washington about the Iran-contra scandal than

Well, at least for my birthday I gave myself a present I can really enjoy. See, now I'm a tired, old patriot, and I've said my piece. For my birthday, I gave myself an exercise in the First Amendment. Ah, I'm glad I said that. It's just what I've always

Russ Baggerly is the Assistant Forum page Editor. Today really is his 30th birthday, and he is in the Pub, right now. Y'all come by now, hear? Russ Never Sleeps appears every Monday.



Step, two, three



business of the California State Su-

cases. He said that citizens will con-

executions continue to be allowed.

No deterrent

Rustigan said that there is no solid evidence to prove that the death pen-

alty serves as a general deterrent against murder and in most in-

stances, innocent people have been

executed, according to cases re-

He hopes that capital punishment will eventually be abolished in Cali-

fornia and in the nation. The state

legislature passed the death penalty

law on Nov. 7, 1978.

The new trend is to limit the use of

the death penalty only to murderers, which used to include property of-

fenders, thieves, etc., he observed. The historical trend is to abolish it

ompletely, he predicted, wherein

California can play a major role as

riewed and studies conducted.

Midterms are here, and even the social dance

each student performs the waltz solo in front of

Professor calls death sentence unjust revenge, legal murder

By Joe S. Kappia

Capital punishment cannot be just, said Mike Rustigan, a professor and specialist in criminal violence and homicide in SJSU's administra-

tion of justice department The reason is that "justice does not destroy, revenge destroys, and for the state to take a person's life is legal murder," Rustigan observed.

Rustigan's reaction comes in the ake of Tuesday's electrocution of Willie Jasper Darden in Florida's electric chair for killing James Tru-man in 1973 during a \$15 robbery. He said that an enlightened gov-

ernment should not appear as an example for the people to put into practice revenge and violence, even though it is done legally.

This practice teaches the children of this nation that violence is legitimate," he added.

Rustigan is against capital punishment on grounds that one of the Ten Commandments, "Thou shall not kill," prohibits murder, which he believes applies to everyone, including the state.

Justifying his position, he said that "it is clear that capital punishment is intrinsically wrong, according to religious principles." Secondly, "capital punishment will never be administered fairly, according to constitutional provisions; and practically, capital punishment is impairing the criminal justice sys-

tem," he said.
Silent Constitution

The U.S. Constitution is silent on that even the worst sinner can repent apital punishment, Rustigan and do good," he insisted. capital punishment, Rustigan pointed out, and since there is noth-

constitutional to implement it. According to him, the Constitu- of legal tussle and other expenses. tion is concerned about fairness and equality and that the Eighth Amendhe said, are overloaded with death tion is concerned about fairness and

punishment under the law

Rustigan recalled that a great majority of the executions that have occurred in the last 10 years have been in the southern states. "It is no coincidence that the southern states also have the highest incidents of homicide," he added.

Black victims

Capital punishment, he continued, had been administered in the south with a disproportionate number of blacks being executed, not only for murder, but also for rape. Explaining further, he said, "The issue nationally is that a poor person who cannot afford expert legal defense is much more likely to be executed; and the current reality is that if you got the capital, you don't get the punishment.

Based on these realities, Rustigan prefers life imprisonment without parole or pardon to executions. "If we execute a man who kills," he ob-"we are violating the Juserved.

dean-Christian tradition."
According to him, this tradition teaches that every man has some good in him and obvious cases have shown atonement where murderers repent at old age for crimes they had

Violence with violence

Rustigan said that "if we execute murderers, we are playing God; we are no better than murderers. We are simply matching violence with vio-lence." Consistent with Judean-Christian tradition, "we should not take away life for we must believe

Meanwhile, Rustigan has said that ing in the Constitution that promotes it costs \$2 million for the average ex-or prohibits murder, it is unfair and ecution case to be completed. This includes lawyers' fees, many years

ment prohibits cruel and unusual penalty cases and 80 percent of the

Open University faces possible forced closure

Daily staff writer
The Open University program, which allows members of the community and disqualified students to attend classes at SJSU, is facing its second threat in three years from the state government

The state has demanded Open University return 55 percent of its income, even though the program costs the state virtually nothing, Director Bob Donovan said. Yet, in 1984, the state department

of finance determined by monitoring research classes at the University of California at Berkeley that Open University costs the state money in materials and facilities, Donovan

UC-Berkeley classes are not indicative of Open University costs, Donovan said. The state used outdated numbers in asking for the 55 percent figure, and actually only requested about 23 percent of Open University income statewide, he

Open University has paid that amount, which is about \$2 million statewide and about \$350,000 from SJSU, which has the California State University's largest Open University program

But Gov. George Deukmejian's legislative analyst has recently asked for the correct 55 percent amount of Open University's income, or around \$4.5 million, which will close down the program if the CSU Chancellor and trustees do not defend the program, Donovan said. When the state first asked for

funds from Open University, "some dummy in the Chancellor's Office said, 'We have better things to said, 'We nave do,' "Donovan said.

'Last time the Chancellor's Office did not do anything about this,"
Donovan said. "But this year it looks like they're going to help."

Last year a 19-campus effort to

fight the state's demand of a payback preme Court involves death penalty eliminated the obligation to return the \$2 million to the state, Donovan tinue to pay enormous price in clogged appellate courts as long as

For the Record

Mu Alpha Gamma's Magazine Day will be holds Magazine Day in late April" (March 17).

Jose, CA 95192

'Last time the Chancellor's Office did not do anything about this. But this year it looks like they're going to help.'

program.

Bob Donovan. Open University director

nity, it would also hurt SJSU depart-

ments that receive money from the

Sixty percent of Open Universi-

ty's income goes to departments that admit Open University students.

That money is used for supplies,

Donovan said the math depart-

The 3,000-student program, cre-

ated in 1972, can be saved if the Chancellor's Office commits to pres-

ervation of the program it has ne-

"The whole thing has been handled sloppily by the Chancellor's Office, but I'm optimistic that if they

get involved we can kill the legis

lative analyst's proposal," Donovan

copies

Now they have a chance to re-

ment, which has the largest enroll-ment of Open University students, has used the funds to buy computers

services, equipment and travel.

and software products.

glected in the past.

'But because the Chancellor's Office did nothing, the governor simply took a blue pencil and reduced the budget by \$2 million," Donovan said.

He said Deukmejian effectively took back the \$2 million with a lineitem veto.

"A good significant part of the problem is in the Chancellor's Office," said Wiggsy Sivertsen, an SJSU counselor who is a member of a committee to help Open University stay afloat.

Sivertsen said the Chancellor's Office has acted like "a fiefdom, with tentacles out there as campuses, that they can rule as they wish.
"It would never occur to them to

think there was someone out there who knows more about (Open University) than they do," she said. Sivertsen called Open University

"a nice way for us to pay back the community. But Long Beach has never had that view

Donovan said the \$4.5 million demand by the state would force the closure of the program because no money would remain for advertising or other costs

The closure of Open University would not only deny disqualified students access to the university and close off the school to the commu-

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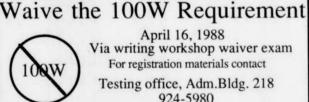
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'It really makes no difference to

council made up of broadcasters and sportswriters. The group decided name recognition was a major problem for

"It hink the wild west would be a great change, said Jason Wisch, an offensive lineman for the Spartans' football team said. "Anything that will make the league a little more exciting."

"I think it's embarrasing," said Brent Ainsworth, assistant sports information director tant for baseball. "It's really not all that wild if you think about it."

There was much discussion about the name change

"Right now it looks like there will be no change,"

during recent PCAA meetings in Inglewood, but no deci-

'I think the Wild West would be a great change,'

- Eric Burley,

me. I just want to play.'



Members of SJSU's Tae Kwon Do Club and Hyun K. Choi's private studio demonstrate forms in

Allen Hall's rec room. The Korean martial art program included sparring and board breaking.

Pile of rubble left in Allen Hall after Tae Kwon Do exhibition

By Douglas Alger

Daily staff writer
The sound of breaking wood could be heard from Allen Hall's recreation room Thursday night. It was not vandalism, but a martial arts presentation which resulted in bro-ken boards and bricks littering the rec room floor.

Janna Munk, a resident adviser at

Allen Hall, presented the 30-minute program to generate student interest and participation in the ancient art of Tae Kwon Do.

Munk, a senior majoring in eco-nomics, hopes to get Tae Kwon Do established and offered as a human performance course on the SJSU campus, rather than as merely a

"All the other major colleges have Tae Kwon Do classes," said the 24-year-old Munk. "Stanford, Berkeley, UC-Davis, Sacramento State. Even De Anza has a more active club."

SPORTS

Supporters of the martial art gathered approximately 800 signatures last semester, which helped them acquire Spartan Complex, Room 202

The Tae Kwon Do Club had previously practiced in a dance room on a wooden floor. Working out on such a hard surface can lead to injuries, especially in a sport such as Tae Kwon Do, which emphasizes kick-ing. Ideal conditions for competition ould include a slightly resilient floor surface.

Originating in Korea over 2,000 years ago, Tae Kwon Do is an officially recognized sport in the Pan American and Asian games, and will time in the 1988 Olympic Games in gathered to watch the event.

Encouraging both mental and physical development, the Korean martial art asserts that both are necessary for a healthy body.

"It is neither winning nor losing that makes a Tae Kwon Do person so special, but the desire to enhance their mental and physical growth through training," said Master Hyun

Choi, a seventh-degree black belt, heads SJSU's Tae Kwon Do Club in addition to six private studios throughout California. Teaching since 1962, Choi will be an official referee in this year's Summer Olym-

Participants in Thursday night's program were all members of either SJSU's Tae Kwon Do Club or Choi's private studios

Approximately 70 students, from be a demonstration sport for the first the seven on-campus residence halls,

> pressed the Royals by making contact. In 33 plate appearances, he had struck out but four times.
> It looks like he has a future in

> Kansas City after all. Without Fisk,

who decided to stay with the Chi-cago White Sox, and Baylor, who chose the Oakland Athletics, the

Royals' lineup without Balboni would have included just three hit-ters with 15 or more home runs.

Suddenly he was in demand again.

although admittedly at a lower level

"I figure the better I do, the in 386 at-bats last year, also has im-

Spartans' tennis team splits: beats Menlo, falls to Kansas

in the league."

A committee was set up to check into ways to better the look of the conference.

The committee also called on the help of a media

The committee also called on the help of a media odifference to me. I just want to play."

SJSU Sports Information Director Lawrence Fan said.

Eric Burley, a member of the SJSU tennis squad, summed up the feeling of most players. "It really makes no difference to me. I just want to play."

sions were made

PCAA considers changing

title to promote conference

SJSU's women's tennis team beat Menlo College Tuesday 6-3, but fell to the University of Kansas Thursday 9-0.

By Sean Montgomery

It's possible that next year the SJSU athletic teams may no longer be members of the Pacific Coast Athletic

It's not that the Spartans are going on to a bigger and better conference and it's not that they're being demoted.

It's because the association is considering changing its name to better promote its image.

Among the leading candidates for the new conference name are the Big West and the Wild West.

"It think it's questionable at this point in time, but it's something we're looking at," said Rod Tueller, head basketball coach and athletic director at Utah State University. "It's our (the PCAA's) 20th year and we're looking for some new ideas and some new direction."

years but maybe we've got a chance here to change it. Sometimes names can make a difference, anything that will help us do a better job marketing," Tueller said. "I'm kind of an avocate of trying to make some changes in the leaves."

PCAA representatives have been working with a marketing firm trying to find ways to better promote the "I think PCAA is a fine name and it's had a fine 20

In the game against Menlo College, the Spartans came away with victories in the No. 1 through No. 4 singles matches. The No. 1 doubles team of Kelly Ryan and Sandra Glass and the No. 2 combination of Pat Vultee and Jamie Schaefer also took their doubles matches.

The No. 3 doubles team of Gina Smith and Flor Cadigal lost

REDWOOD CITY (AP) - Bill

Walsh has signed a two-year con-

tract to remain head coach of the San Francisco 49ers, but will yield the position of president of the team to

owner Edward J. DeBartolo Jr., the 49ers announced on Friday

their match.

Coach Mary Visser said the Ryan and Glass tandem was "one of my best ideas of the year putting those two together."

Visser said the two are playing

better together with each passing

Visser also attributes some of the duo's progress to assistant coach Kelly Simons.

"She's worked well with the girls all year," Visser said. Although the team lost against Kansas 9-0, Visser said it wasn't

DeBartolo will "increase his ac-

tivities throughout the entire realm of the organization," especially the business side, according to a statement released by team officials. DeBartolo will maintain an exec-

utive office at the team's new train-

Walsh signs contract extension

"We didn't play bad. They just beat us in the singles (matches)," she said. "Kansas is a good team.

"Kansas has beat Fresno State University and University of Pacific, both of which are strong teams," Visser said.

The women's next tennis match is Tuesday against the University of Nebraska. Matches begin at 2 p.m. at the South Campus tennis courts.

ing facility in Santa Clara

Walsh, who led the 49ers to Super

Bowl championships in 1981 and 1984, will not discuss further exten-

sion of his contract until the new two-year extension expires, the team

Lisa Walker

Balboni tries for spot on Royals

more playing time I'll get. It's important for me to do all things well."

Balboni, who in the past could

best be described as "lumbering," has even legged out a grounder to

"I'm not going to say he's going to get another one all year." Wathan said, "but you can tell he's running well. The other day he scored on a

double from first base, which is

Balboni, who struck out 97 times of pay

fairly unusual

short in a game earlier this spring.

HAINES CITY, Fla. (AP)—The Kansas City Royals, having failed to land a big hitter from the free-agent market, decided to say hello to the new Steve "Bye-Bye" Balboni this

"He's been just great," Manager John Wathan said of the right-handed hitting Balboni, who figures to share the designated hitter slot with Jim Eisenreich and provide power coming off the bench. 'He's been outstanding. He's moving bet-ter, his back doesn't bother him, and he's running the bases.

Balboni, described by a teammate as the "player who nobody wanted" because of his fruitless experience in the free-agent market this winter, hasn't left much room for im-provement. The new, svelte Balbont, fresh from an off-season train-ing program and an attitude adjustment, is having a dream

He is about 25 pounds lighter of body and he's also dumped a lot of excess mental poundage as well. Consequently, his spring batting average is almost 200 points fatter than season. In exhibition play thus far he has 13 hits in 35 at-bats 406 clip, and is tied for second on

the team with five RBIs.
Those numbers would be good enough to put him in the opening day lineup, Wathan said.

For a player who was nothing more than a safety valve until free agents Carlton Fisk and Don Baylor spurned offers from the Royals a couple of weeks ago, Balboni, who isn't included in the Royals' media guide, has been a pleasant surprise.

"No one made me any promises, and I don't expect any," Balboni

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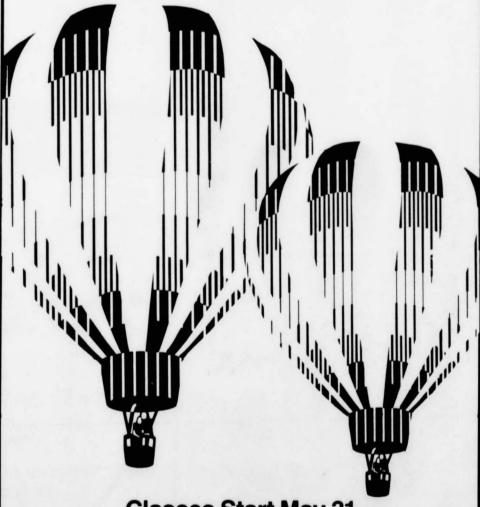
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paper is noon **TODAY**

SJSU Sane/Freeze: Membership meeting at noon in the A.S. Council Chambers, also from 3:30-4:30 p.m. in the S.U. Pacheco Room. For information call 267-1081.

Raza Day Meeting: MEChA-sponsored gathering at 4 p.m. in Wahlquist Library North Room 307. There will be folder-stuffing from 5-9 p.m. For information call 298-2531.

Flying Twenty: General meeting, 7:30 p.m., Aeronautics Building library. For information call (415) brary. Fo 969-8323.

Summer Job Hunting: Tips and techniques on where and how to find summer positions, 2:30 p.m., S.U. Almaden Room. For more informations of the summer of the tion call 924-6033.

Tae Kwon Do Club: Practice, 7:30-9:15 p.m., Spartan Complex Room 202. Call 259-2336 for information.

Alpha Lambda Delta: Meeting for all interested pledges, 3 p.m., A.S. Council Chambers. For information call 262-9172.

Career Planning & Placement Center: Co-op Orientation, 2:30 p.m., S.U. Almaden Room, Call p.m., S.U. Almaden K 924-6033 for information.

SpartaGuide B/PAA & PRSSA: Dan Bellack, president of Tycer-Fultz-Bellack, will speak on public relations and advertising, 6 p.m., Pope John XXIII Senior Center. Call 295-736

Rotaract: Meeting, 7 p.m., Grande's Pizzeria. Call 920-2187 for in-

or 277-8768 for information.

Campus Crusade for Christ: "The challenge of success: when great isn't good enough," 7:15 p.m., Dudley Moorhead Hall Room 150. Call 287-1081 for information.

Film & Video Society: Discussion, 3:30 p.m., Hugh Gillis Hall Room 122. For information call 924-4571.

Hillel & SJSU: Levinson Memorial Lecture, "Jewish Life in Eastern Europe," by ethnographer and musician Yale Strom, 8 p.m., University Room, Old Cafeteria. For information and Coll 294-8311.

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WEDNESDAY

MECHA(Chicano/Latino Student Organization): General meeting, 5 p.m., Chicano Resource Center, Wahquist Library North Room 307. For infomation call 298-2531.

Human Resource Administration Club: Speaker, Jaqueline Bogard of the Santa Clara County Manufacturing Group, on environmental issues in the work place, 5 p.m., S.U. Montalvo Room. For information call 338-9281.

Campus Ministry: Bible study, noon-1 p.m., S.U. Pacheco Room. For information call 298-0204.

MEChA: Students interested in helping, 7:30 p.m., S.U. Ballroom. Call 298-2531 for information.

7978 for information.

Alpha Lambda Delta: Meeting, 5:30-6:30 p.m. S.U. Almaden Room. For information call 262-259-2336.

Protestor survives accidental fall from Golden Gate Bridge

says he'll continue his activism for senior citizens and the handicapped but won't put his life on the line

MARTINEZ (AP) - The protes- night," said Paul Alarab this week ter who survived an unplanned from his bed at Merrithew Memorial plunge from the Golden Gate Bridge Hospital, where he's recuperating with collapsed lungs and three broken ribs.

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Senate candidate roundup

By Hazel Whitman

Dorene Rose may be this year's mystery candidate for Academic Senate.

Despite a lack of publicity, she was able to slide into the role of being the fifth-highest vote getter in a field of nine candidates. Less than 10 percent of the SJSU student body exercised their right to vote and

choose the four new Academic Senators. The four REAL Party members who will

The fifth-placed Rose raked in more votes than any other SOUND party candidate during the Wednesday and Thursday

take office in May are: Julie Coldicott (1,085 votes), Scott Box (891 votes), Jeff

Realini (854 votes) and Don Douglas (834

The March 15 issue of the Daily stated the REAL Party candidates were favored to win. "Party dominance typical for SJSU elections." - this trend held for nearly all levels of the A.S. race.

The only race in which REAL did not emerge victorious was Mark Murillo's successful bid for the controller's seat.

Daily staff members were not able to reach any of the four SOUND candidates for Academic Senate, for a photo session or

Chair of the Academic Senate Louie Barozzi spoke about the elections

"If a person is running for office, they should be available to the press," he said.
"Maybe what they mean by SOUND is sound, opposed to sight," Barozzi said.

He continued, with a tone lighter than he used in the quote above, speaking about the Academic Senate. Barozzi said there may be two additional student positions which become available.

There are two people who haven't been coming (to the Senate meetings).

Helmets: Bill important

"It's better to not wear the helmet and have full use of all your senses than to wear one. I'd rather have help before (being in an accident), than protection after."

Bob Terry, the legislative assistant for Assemblyman Floyd said, "Floyd had previous experience as a motorcycle rider himself and recognized the importance of helmets.

helmet laws will substantially reduce

The legislation for a helmet law has been introduced at least five times in the last 20 years, Terry said. But it never got out of committee be-

California has a specified use law in effect right now. It requires moto-cycle passengers under 15 ½ to wear a helmet. Twenty-six other states have some form of specified use "The enactment of mandatory law. Twenty-one states have full use

Walters: History made

From page 1 issue of AIDS testing on campus.

AIDS education, better overall education and recruitment of high school students are the issues Walters will concentrate on during his

to get the kids in the neighborhood to finish high school and go on to col-lege is worth it," Walters said. "I would like to leave as 'my legacy' that I helped some other kids avoid mistakes that I have made.

"Any support that Associated Students and this university can do awareness on campus."

Housing has ordered 1,000 smoke

"I see problems with (smoke detectors in the hallways)," Robinson said. "If people are smoking in the

Robinson expressed concern that a

Funding for the detectors will come from students' residence hall

Deaf

From page 1 ASL until they had already grad-

uated from high school.
"Deaf children should be exposed to SEE and ASL (as early as elementary school)," Moore said. "(They should) be bilingual (and) aware of both cultures.

"ASL should be their first lan-guage," he said. At SJSU students can take ASL

classes, but the foreign language de-partment doesn't recognize ASL as a foreign language, Moore said. How-ever, other state universities do, he

Wyczalek said that after 10 years of speech therapy he is still frustrated by communication misunderstandings. Lip reading exact English and learning English rules is diffi-cult, he said. ASL is 100 percent

When children learn ASL they feel that they belong because most adults use it and because ASL is

more natural and clear, Grant said.
"I feel I'm part of a family (when using ASL)," she said. "For 20

years of my life I was misunderstood using SEE." Jeri Traub, an assistant professor

in special education and rehabilita-tive services, said, "ASL is cer-tainly a very important part of deaf

But she explained that because 90 percent of deaf children are born to hearing parents, SEE is more practical for the parents and for the chil-dren who will someday have to communicate in written English and sign

language. In order to understand the language (children) have to see it produced," she said.

The problem with children learn-g ASL first, she said, is that English then becomes their second lan-guage. To assimilate into society, to be able to communicate with the hearing, children have to know Eng-

Traub said, however, that "it's not an either-or (situation); they both

are so important."

She pointed out that a majority of the signs used in SEE are ASL signs, so there is already overlapping.

"I think the deaf community will decide what happens to the two languages," she said.

In terms of Moore's second goal — involving more deaf instructors in the education of the deaf — Traub recruitment for qualified hearing-impaired instructors" at SJSU.

"SJSU has advertised nationally

in the Chronicle of Higher Education and appropriate journals related to the field of deafness," she said. Un-fortunately, there were "no qualified candidates for the position."

The position is for an instructor or professor in the department of spe-cial education and rehabilitative services whose expertise is in the area of the hearing impaired, she

Currently, SJSU has just one parttime deaf instructor who teaches one course of ASL.

"It would be wonderful to have more deaf instructors," Traub said. But she explained that a class has to have a certain number of students who want to take it to necessitate hiring another instructor.

"The problem is hearing teachers think they understand (the deaf), but they don't," Inouye said. Only deaf instructors really understand deaf students, she said.

AIDS

From page 1 Jim Walters, head of the A.S committee on AIDS testing, pushed a resolution through the A.S. board of directors calling for voluntary AIDS testing to be made available

Walters feels that the question of confidentiality concerning the testing is "one that needs to be addressed, but on this campus one that has been used in an attempt to sab-otage this bill.

"This bill, if passed, would have to meet the California law concerning the confidentiality of AIDS test results," Walters said.

results," Walters said.
"The law is the strictest in the nation as it is," he added.
Carol Mallie, a registered nurse working in the Health Center, feels there is not a problem with confidentiality.

tiality.
"I don't know of any problems with this in the past," she said.
Mallie also maintains that the bill would change little about the present

procedure. The only thing I can see that is different, is that the lab would be drawing blood specifically for AIDS testing," she said. "That would just add to the things we al-

ready draw blood for."
Wohl explained that when the lab takes a blood sample, they are not informed what the sample is being

Turn-out

REAL's Rick Thomas for the controller seat, taking 58.8 percent of the vote to Thomas' 41.2 percent.

It was widely speculated that the controller race would be tight, but Murille's spectrum over one of

Murillo's victory over one of REAL's strongest candidate was nevertheless a dramatic upset that

surprised many A.S. members.
Thomas said Thursday night that
Johnson's support gave Murillo the

In the election's other tight race, REAL's Paul Katawicz grabbed 46.6 percent of the vote and Inde pendent Kim Scow took 43.1 cent in the race for A.S. director of personnel. The Students Organized and Unified for New Directions' Isabel Coelho and write-in votes completed the tally.

Because neither Scow nor Katawicz received a majority of the votes, a run-off election will take place Wednesday and Thursday for the seat many feel will be crucial in fighting the apathy plaguing A.S.

The next director of personnel will play an integral part in getting students involved in A.S. committees and events. Michelle Bertolone, who was elected to the post last year, resigned

last semester, and Kathryn Nakata

has filled the seat in her absence. Campaigning begins all over again for Scow and Katawicz, who will fight to convince students and the A.S. that they can improve the sagging student involvement in

SJSU's government. In every other A.S. race, REAL candidates prevailed with at least 60 percent of the vote over SOUND candidates, who did far less campaigning and frequently could not be located for Spartan Daily candidate

profiles. Last week, Terry McCarthy, current vice president and president-elect, said REAL would dominate the election because no independent or SOUND candidate had any A.S experience, while almost all REAL party members do.

Alarm

and the San Jose Fire Department

as called.

detectors since the room fire, enough for one unit to be placed in every room and most hallways of the seven residence halls. Cost of the smoke alarms is \$14,000, excluding additional expenses, such as mainte-nance of the units and batteries.

halls, they would go off."

large number of false alarms would occur. 'I can't see (having) sprin-klers in the bricks.''

rental payments, as with all Housing expenses. Shipping is expected to take approximately four weeks, although Housing officials are hoping to accelerate the process. Installation will occur shortly after the detectors

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