

Boxer beats Fong in close race

See story page 6

Wednesday

SPARTAN DAILY

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Serving San Jose State University Since 1934

November 4, 1998

ELECTION RESULTS

U. S. SENATOR

Barbara Boxer (D)
51%, 1,805,788
Matt Fong (R)
45%, 1,569,390
Ted Brown (L)
1%, 38,187
Timothy R. Erich (REF)
1%, 34,375
H. Joseph Perrin Sr. (I)
1%, 23,580
Brian M. Rees (NL)
1%, 19,741
Ophie C. Beltran (P&F)
0%, 19,528

Percentage of precincts reporting: 47

U. S. REPRESENTATIVES

District 16
Zoe Lofgren (D)
71%, 46,934
Horace Eugene Thayne (R)
25%, 16,337
John H. Black (NL)
4%, 2,480

Percentage of precincts reporting: 71

GOVERNOR

Gray Davis (D)
56%, 2,003,194
Dan Lungren (R)
40%, 1,426,753
Dan Hamburg (G)
1%, 40,088
Steve W. Kubby (L)
1%, 30,435
Gloria Estela La Riva (P&F)
1%, 24,904
Nathan E. Johnson (I)
1%, 16,839
Harold H. Bloomfield (NL)
0%, 13,168

Percentage of precincts reporting: 47

LIEUTENANT GOVERNOR

Cruz M. Bustamante (D)
52%, 1,908,982
Tim Leslie (R)
40%, 1,484,142
Sara Amir (G)
3%, 102,174
Thomas M. Tryon (L)
2%, 76,086
Jaime Luis Gomez (P&F)
1%, 48,167
George M. McCoy (I)
1%, 43,264
James J. Mangia (REF)
1%, 33,080

Percentage of precincts reporting: 51

SECRETARY OF STATE

Bill Jones (R)
49%, 1,651,606
Michela Alioto (D)
44%, 1,508,771
Gail K. Lightfoot (L)
3%, 90,039
Carolyn Rae Short (AI)
1%, 43,049
Jane Ann Bialosky (NL)
1%, 41,665
Israel Feuer (P&F)
1%, 30,984
Valli Sharpe-Geisler (REF)
1%, 29,560

Percentage of precincts reporting: 47

KEY:
(AI) — American Independent (D) — Democrat
(G) — Green Party (I) — Independent
(L) — Libertarian (NL) — Natural Law Party
(P&F) — Peace and Freedom (R) — Republican
(REF) — Reform

Results as of 11:30 p.m. Tuesday Continues on page 10

Gonzales claims win by a hair

By Julia B. Wright
Staff Writer

Despite leading by a 1 percent margin, San Jose mayoral candidate Ron Gonzales declared victory over Councilwoman Pat Dando.

As of 11:30 p.m. Tuesday, Gonzales had 50.2 percent of the vote. If Gonzales wins, he will be the 63rd mayor of San Jose and will take the city into the 21st century.

He addressed the crowd of over 200 supporters at the San Jose Hyatt hotel with a message to the young people.

"If you work hard and make the right choices, stay away from drugs and gangs — you can be whatever you want to be," he said.

If elected, Gonzales will be the first Latino mayor in San Jose since it was first incorporated in 1850.

Mayor Susan Hammer, who cannot run again because of term limits, will be replaced by either Dando or Gonzales. Hammer was first elected in November 1990 and won re-election in June 1994.

The victor who takes office in January will govern about 5,300 employees and manage an annual budget of slightly under \$1 billion, according to Cynthia Waddell, employee of the city manager department in San Jose, who attended the party.

Gonzales served on the Santa Clara County Board of Supervisors from 1989-1997 and previously served eight years on the Sunnyvale city council before moving to San Jose.

At first, Dando came out strong with a 10 percent lead after the first batch of absentee ballots was counted and the



Kevin Sullivan/Spartan Daily

Mayoral candidate Ron Gonzales celebrates his self-proclaimed victory over Pat Dando Tuesday night at the Airport Hyatt. San Jose Mayor Susan Hammer introduced him to the crowd of 200 as the new mayor-elect. Gonzales led Dando by only .4 percent as of 11:30 Tuesday night.

See Gonzales, page 6

Chavez leads West in city council race

By Hugo Rivera
Staff Writer

Cindy Chavez, the candidate for the 3rd district of the San Jose City Council, received a standing ovation and chants of "Si se puede" or "It can be done," as she entered a room full of union members Tuesday night.

As of 11:30 p.m. Tuesday, with 12 of 39 precincts reporting, Chavez was ahead with 1,407 votes, or 51.3 percent, over her opponent, Tony West, who had 1,338 votes, or 48.7 percent.

"I want to thank the labor movement and the Democratic Party," she said at the campaign party.

The council seat is for District 3, which covers the downtown area, including San Jose State University.

See Chavez, page 6



Cindy Chavez

Campbell garners 61 percent of vote

By Lisa Marie F. Arellano
Staff Writer

As of 11:30 p.m. Tuesday, with 25 percent of precincts reporting, Republican candidate Tom Campbell was ahead of Democrat Dick Lane in the race for the House of Representatives in the 15th Congressional District.

As of press time, Campbell had 61 percent of the vote at 23,274. San Jose State University professor Lane was trailing with 37 percent of the vote at 14,304.

It was the second time the two had faced each other in a race for the Congressional seat.

The 15th Congressional District covers half of San Jose and the cities of Los Gatos, Santa Clara and Campbell.

See Campbell, page 7



Tom Campbell

Dando thanks supporters, trails by 171

By JoAnn Peach
Staff Writer

As the polls closed at 8 p.m. Tuesday, a crowd had already formed at Republican mayoral candidate Patricia Dando's reception in the Palermo restaurant in downtown San Jose.

As of 11:30 p.m., Dando was behind at 49.8 percent, with 22,716 votes. Opponent Ron Gonzales held 50.2 percent with 22,887 votes.

In the Garden Room at the back of the restaurant, Dando thanked her family and friends and especially the support she has received from the Latin, African, Asian and Indo-American communities. Although she was the Republican candidate, she pinpointed members of the African-American Democratic Club as a "tremendous support" in her campaign.

"What a crowd," Dando said as she began to address approximately 300 supporters who crowded the room. "If you can't win with this crowd, you just can't win."

See Dando, page 7



Ryan Oleiv/Spartan Daily

Cindy Chavez and Assemblyman Mike Honda, (D-San Jose), celebrate Chavez's narrow lead in the San Jose City Council race Tuesday night at the AFL-CIO Labor Council Building. Chavez led 51.3 to 48 percent as of 11:30 p.m.

West calm despite close council race

By Cecilia Afzelius-Aim
Staff Writer

About 50 people, including former Mayor Tom McEnery and Councilman David Pandori, came to wish Tony West good luck during his race for the 3rd district city council seat.

At 9:30 p.m. on Tuesday, West walked through the door to his campaign headquarters on South Second Street in downtown San Jose. The race for city council between candidates Cindy Chavez and West was close. Only 2.6 percent or 69 votes differed the two at 11:30 p.m., with Chavez in the lead. West had received 1,338 votes and Chavez 1,407.

Despite the close race, West was calmer than many of his campaign volunteers and family.

"I'm not nervous," West said. "We've worked as hard as we can, and we've done the best we can."

The city council seat will be open because Pandori is leaving because of term limits.

See West, page 6

COUNTERPOINT POINT

The murder of Matthew Shepard has forced a discussion about hate crimes. Should crimes against gays be placed in this category?

Hate crime laws should be abolished; gay life no more important than straight life



Lisa Marie F. Arellano

People should stop using Matthew Shepard's death as a vehicle to include gays and lesbians in hate crime laws. Gays and lesbians, as well as other minority groups, have always been a target of crimes, sadly, because of things they cannot control. It's a cold reality, but offenses against gays and lesbians should not be placed in a special category such as hate crimes. Including gays and lesbians in hate crime laws would only place greater emphasis on the victims' sexual orientation and less emphasis on the actual crime committed. Murder is murder, and assault is assault, regardless of the victim's sexual orientation. People must understand that these are not crimes against a particular group. These are crimes against human beings. Making a separate crime category for offenses against gays and lesbians would also jeopardize the prosecution of perpetrators. Prosecuting murderers under a gay hate crime law would undermine the severity of the crime in some jurors' minds. Gay bashing is still out there, and many people are still homophobic. Motives such as hatred against gays could be easily rejected by homophobic jurors and could result in hung juries, less severe penalties, or worst of all, acquittals. Imagine how horrible it would be to see the guilty walk away just because of a questionable motive. Imagine the injustice that will be done if perpetrators get away with crimes just because some jurors are homophobic. Most importantly, the life of a gay man or a lesbian woman is not worth more than the life of a straight man or woman, just as the lives of whites and blacks are equal. Shepard's case should not get any special treatment just because he was gay. The beating and murder of a straight man is not a lesser crime. Shepard was beaten to death in Wyoming last month, allegedly because of his sexual orientation. Wyoming is one of the nine states which do not have hate crime laws, let alone hate crime legislation that includes gays and lesbians as targets of hate crimes. Forty-one states have laws against hate crimes, which provide more severe penalties and longer prison terms for those convicted under these laws. Out of the 41 states, only 21 include crimes against gays and lesbians. Hate crime legislation should be abolished altogether. Prosecutors shouldn't be any tougher in going after those who commit crimes against minority groups. The murder of a straight man and a gay man should be treated in the same manner. The same aggressive prosecution should also apply to killers of blacks, whites, Asians, Latinos, Christians, Muslims, the rich and the poor. The law should give the same stiff penalties regardless of the victim's sexual orientation, race or religious beliefs. The lives of straight people and gays are equal.

Lisa Marie F. Arellano is a Spartan Daily staff writer.



Illustration by Zack Luchetti

Gays need protection; must be included in federal, state hate crime legislation



Terri Thorp

The senseless murder of Matthew Shepard has put a much-needed spotlight on the discussion of federal hate crime laws. Neither federal law nor most states include gays and lesbians among those who can be victims of a hate crime. Of the 41 states that have hate crime laws, only 21 specifically cover offenses motivated by sexual discrimination. Wyoming — where Shepard, a gay college student was brutally beaten, tied to a fence and left to die — has no hate crime law of any kind. Granted, the two high-school dropouts who are accused of Shepard's murder would probably not have been influenced by a law if it had been on the books, but that doesn't mean the laws shouldn't be there. Protection is needed for homosexuals who live in fear of being violently attacked or killed. Some people feel it is socially acceptable to harass and beat up gays. The much-needed Hate Crime Prevention Act would amend current federal law to include real or perceived sexual orientation, gender and disability as criteria for a hate crime. Current laws already allow investigation and prosecution on the basis of race, religion, natural origin and color, but not sexual orientation. While education is the most important venue to increase tolerance for different sexual orientations and change dangerous bigotry, we still need to prosecute criminals who substitute violence for words. Passing the Hate Crime Prevention Act would be a step in the right direction. It is also important to hold people liable for creating a hostile, hateful atmosphere that might encourage simple-minded people to act out. America in general needs protection from people like the Rev. Fred Phelps from a Topeka, Kan. church, who stood outside Shepard's funeral picketing with anti-homosexual slogans. Phelps claims to be a man of God, but apparently feels someone who is homosexual is less than human. This is a man who takes it upon himself to tell people that God hates homosexuals, knowing the climate he is creating. Perhaps Phelps himself is guilty of hate crimes. Is there any question that an amendment is needed to say that a person can be a target of a hate crime because of his or her sexual orientation? While hate crimes are not a recent phenomenon in America's history, federal legislation has been trying to handle these crimes only dating back to 1990 with the Hate Crime Statistics Act. It was followed by the Violent Crime Control and Law Enforcement Act of 1994 that increased sentencing by about one-third when a crime is proven to have been a hate crime. If congress passes the Hate Crime Prevention Act, the FBI will be able to investigate and prosecute violent hate crimes against gays, lesbians and bisexuals. Violence based on prejudice is a matter of such obvious concern that federal prosecutors should be empowered to punish, if the states are unable or unwilling to do so. It's absurd not to include sexual orientation as a possible reason for a hate crime. I am not saying that legislation alone will solve the problem that causes hate crime violence in the first place. Ignorance causes hate crime violence. Legislation can be one step closer to a solution.

Terri Thorp is a Spartan Daily staff writer.

Talking Heads

Should crimes against homosexuals be considered hate crimes?



"They should definitely be considered hate crimes. They're based on something I consider to be biology, hence homophobia is the same as racism and sexism."

Aldona Kraszewski
sophomore
sociology



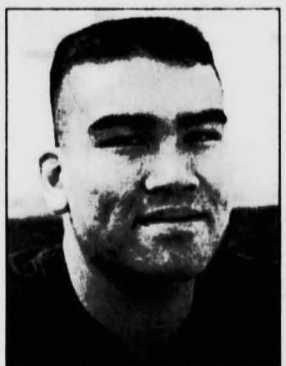
"I think if you commit a crime against someone for being different, it's still a hate crime."

James Coberly
senior
political science



"I think it would have to be on a case-by-case basis."

James Schmidt
junior
computer engineering



"Yes, they should, because if they are being targeted because of their sexual orientation, then I would consider it a hate crime."

Gabriel Roussere
graduate student
biology



"Yes. It's wrong to do something to someone based on their sexual orientation."

Crystal Wilson
senior
liberal studies



"It depends on the evidence at stake because each crime is different. It weighs on the evidence."

Teri Hanks
junior
management information systems

Compiled by Adam Pavlacka and photos by Rosalinda Garza

Voting matters; death to the non-believers

For everyone who didn't vote on Tuesday, I have one thing to say to you.

Shut the hell up. It's been said before, and I hate saying it again. If you don't vote, you don't have a voice.

According to opinion poller Mervin Field, only 9 million of the 20.8 million eligible voters in California were expected to vote Tuesday.

That is less than 50 percent, which is unrepresentative of what the public wants.

This stat proves one thing. A select group of people who actually care about the future of their city and country make all the decisions for the stupid and apathetic idiots who use such excuses as, "My vote will not make a difference" and "I want to vote, but I have to work, drive home, make dinner, take a shower, put on socks, open a door and scratch my head."

If calling you an idiot doesn't get you angry enough for you to vote — which it won't because you are a lazy moron anyway — listen to this.

I voted on Tuesday. Do you see the sheepish grin on my face? A person like myself who only cares about professional wrestling, getting laid and being drunk has decided on who and what will run the country.

My one voice will represent millions of people in California.

Your voice will not even be heard. That is because you are too busy crying about how the government doesn't represent you, the unfairness of affirmative action, Prop. 187 and Prop. 227.

Well, there is a simple solution. Get a gun. I'll



Jon Perez
Voices in My Head

even help you do it, because people who don't believe in the power of one voice should end their miserable existence.

A couple of days ago, I received an e-mail from an unnamed person who thought my columns were crap.

The person was quick to point out how my literary work never had a point, how I wasn't funny and how my picture made me look full of it.

It was the only letter I have received this semester.

So, guess what? This anonymous individual is the only person who took enough time to express his/her/its dissatisfaction with my work.

The e-mail is representative of campus opinion on my columns.

Everyone thinks my columns suck. Everyone thinks I cannot even begin to satisfy women sexually.

Everyone thinks this column in front of your eyes is a waste of ink.

This person can say anything he/she/it wants because he/she/it took the time out to do something about his/her/its criticism.

Voting gives voters the same power.

The only thing non-voters have is a lack of credibility when discussing the political climate today.

The next time non-voters have an urge to discuss politics, they need to remember three things. Shut the hell up.

Get a gun.

And you let a guy like me — who cannot satisfy women sexually — decide who and what will run this country.

Jon Perez is the Spartan Daily managing editor. His column appears every Wednesday.

LETTERS TO THE EDITOR

Carl's Jr. decision was pathetically handled

How the Carl's Jr. decision was handled is pathetic. There's no excuse for this.

Just because of an unproven accusation that a former owner, founder and stockholder of Carl's Jr. may have contributed towards a politician who made a proposition against homosexuals, is no reason to end the deal.

Whatever happened to innocent until proven guilty? Was the issue about discrimination? Well, kicking Carl's Jr. out is

doing exactly what Carl Karcher is accused of.

Do we discriminate or even shut down businesses just because a stockholder is an African-American, Asian, Neo-Nazi, or Jewish? I think not.

Especially a group that's promoting equal human rights and anti-discrimination. It would be hypocritical if they did discriminate. And also, since when does a minority group make the choices? Minority compared to the

whole student body, that is. The students of SJSU should be the ones who decide whether Carl's Jr. is in or out.

Plus, from what I've heard, there's a policy about not discriminating. If something isn't done about this, I expect some resignations and some new faces in the administration.

Gene Hardesty
electrical engineering
computer science

Charles B. Reed
Chancellor
California State University

CSU promises efforts to increase faculty salary

The California State University and the California Faculty Association are continuing the collective bargaining process. As this process goes forward, I want to make sure that our students realize the CSU is doing everything we can to compensate our faculty fairly.

With the action taken by the CSU Board of Trustees last week, we have a real opportunity to begin to close the CSU faculty salary gap. The board is recommending to the governor

that next year's budget include a 6 percent average pay raise for all faculty. Combined with the 5 percent average raise offered this year, that will provide an average of 11 percent over the next two-year period. For both years, the proposed performance pay plan has been expanded dramatically to include significantly more faculty than in the previous plan. In fact, two to three times the number of faculty will receive performance pay under the new plan, which is faculty-directed,

and thus allows for ample campus flexibility.

The faculty salary gap refers to a CPEC study that has been accepted by the CFA. It showed that our faculty are paid 11 percent less than faculty at 20 peer institutions, all of which have performance pay. With the board's action, we are confident that we can close that gap.

U.S. should apply foreign standards to self

Moving closer to an honorable standard by which a society may judge itself. Can we not make a distinction between individual and social violations of decency? Does one barbaric act justify another? How can this nation stand by while thousands of innocent people are killed in Iraq or Serbia by outlaw regimes, yet get aroused enough to participate in a murderous ritual that has no real benefit? Cannot society hold itself to higher standards than those used to judge the act of a single person? In an evolutionary perspective, it seems clear that societies that uphold the highest standards and practices will prosper and provide guidance to others.

Norton Deutsch says that "justice cannot be random." Justice is a process whereby

society ensures equity for all members — it is not criminals who "give up" their equity, it is society that forfeits its sanctity when participating in presumptive atrocities. Justice is not simply a procedure by which we establish blame and exact retribution.

If the criteria by which we consider ourselves to be civilized have merit, they must be applied uniformly. If mankind is to rise above the barbaric, it must do as the best among us would do, not as the worst. We cannot say something is good and then do the opposite. We cannot say murder is wrong and then turn around and do it. And we cannot govern in absolutes if our practices and beliefs are less than absolutely valid. A ship does not stay afloat indefinitely when there's "only a little

hole." Sooner or later that ship will sink.

It is my belief that the concept of justice subsumes all other considerations as an impelling, cohering force in our society; it is possibly the most unifying concept any society possesses. And, as shown by David Kaczynski, who recognized the horror of his brother's crimes and turned him in, and expressed sorrow at the immense pain suffered by the victims and their families, a sentence of life imprisonment is "appropriate, just and civilized." This is a precept to which our society must adhere if it is to continue its improvement as the most just society in history.

Larry Hourany, Ph.D.
psychology

Sparta Guide

Today

Episcopal Canterbury Community
Free dinner and discussion from 5:30 - 7 p.m. in the Campus Ministry Center, located at the corner of 10th and San Carlos streets. For more information, call Katherine at 275-1346.

SJSU Ballroom Dance Club
Advanced beginning waltz from 7 - 9 p.m. in Spartan Complex East Room 89. For more information, call Carmen at 924-SPIN.

School of Art and Design
Student galleries art exhibits from 10 a.m. - 4 p.m. in the Art and Industrial Studies buildings. For more information, call Scott or Jenny at 924-4330.

Theatre Department
"Die, Die, Diana" at 7 p.m. in Hal Todd Theatre, located in Hugh Gillis Hall. For more information, call 924-4555.

Library Donations and Sales Unit
Ongoing book sales from 10 a.m. - 3 p.m. in Clark lobby and Wahlquist Library North Room 408. For more information, call 924-2705.

Re-Entry Advisory Program (REAP)
Brown bag lunch: Juggling Roles from noon - 1:30 p.m. in the Student Union's Pacheco Room. For more information, call Jane Boyd at 924-5950.

Psi Chi and Career Center
Career options for psychology majors at 12:30 p.m. in the Student Union's Guadalupe Room. For more information, call Georgia Brier-Bauder at 223-8520.

CATHOLIC CAMPUS MINISTRY
Daily mass from 12:10 - 12:35 p.m. and discussion: Catholic and Contraception from 5 - 6:30 p.m. in the Campus Ministry Center, located at the corner of 10th and San Carlos streets. For more information, call Ginny or Father Bob at 938-1610.

Career Center
Careers for psychology majors from 12:30 - 2:30 p.m. in the Student Union's Guadalupe Room, Learn While You Earn at 2 p.m. in the Costanoan Room and Co-op Workshop at 5:30 p.m. in the Almaden Room. For more information, call 924-6033.

Church of Scientology
Free film "Orientation" at 7:30 at 80 E. Rosemary in San Jose. For more information, call Ilene at 441-6661.

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Thursday

Theatre Department
"Die, Die, Diana" at 7 p.m. in Hal Todd Theatre, located in Hugh Gillis Hall. For more information, call 924-4555.

African American Studies Department
Amiri Baraka poetry and jazz presentation at 7:30 p.m. and workshop at 4:30 p.m. in the Music Building Room 150. For more information, call Dr. Harris at 924-5861.

SJSU Tsunami Anime
Weekly meeting with video showing from 7 - 9:30 p.m. in Washington Square Hall Room 109. For more information, call Ian at 873-2534.

Gay, Lesbian and Bisexual Alliance (GALA)
Guest speaker from University Health Services on safer sex at 3:30 p.m. in the Student Union's Guadalupe Room. For more information, call Juan Ramos at 456-5058.

International Relations Association
Presenting Dr. Rebecca Rangel from the Women's International League for Peace and Freedom at 3 p.m. in the Student Union's Council Chambers. For more information, call Karim at 379-4950.

Campus Crusade for Christ
"Nightlife" Christian Fellowship and Worship at 8 p.m. in the Art Building Room 133. For more information, call Travis or Eddie at 294-4249.

Pre-Med Club
Weekly meeting at 1:30 p.m. in Duncan Hall Room 345. Dr. Fee will be speaking on cardiac surgery. For more information, call Pedram Hajarian at 569-5490.

CATHOLIC CAMPUS MINISTRY
Daily mass from 12:10 - 12:35 p.m. and Bible study Chapters 19 and 20 of Luke from 7 - 9 p.m. in the Campus Ministry Center, located at the corner of 10th and San Carlos streets. For more information, call Ginny or Father Bob at 938-1610.

School of Art and Design
Student galleries art exhibits from 10 a.m. - 4 p.m. in the Art and Industrial Studies buildings. For more information, call Scott or Jenny at 924-4330.

Career Center
Internships for Business Students, learn while you earn at 12:30 p.m. in the Student Union's Almaden Room. For more information, call 924-6033.

Nutrition and Food Science Department
Measure your body fat using bio-electrical impedance from 10 a.m. - noon in Central Classroom Building Room 103. \$5 for students, faculty and staff and \$10 for all others. For more information, call Jill Christensen at 924-3110.

The Listening Hour
Student highlights — Jennifer Meola, playing the music of Classical and Romantic periods from 12:30 - 1:15 p.m. in the Music Building's Concert Hall. For more information, call Joan Stubbe at 924-4631.

Human Resource Management Association
Advantages and disadvantages of contingent workforce from 4:15 - 6 p.m. in the Student Union's Almaden Room. For more information, call 937-4714.

Sparta Guide is provided free of charge to students, faculty and staff. The deadline for entries is noon, three days before desired publication date. Entry forms are available in the Spartan Daily Office. Space restrictions may require editing of submissions.

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Hockey coverage lopsided

Glancing through the Spartan Daily on Nov. 2, something on your sports page caught my attention. Why is it that the San Jose Sharks get a half-page article, complete with a large photograph, while your own Spartan hockey team gets an article about half the size on the opposite page, with no photograph? While I understand

that the Spartan hockey team suffered a tough loss to Palmer College, it makes me wonder where your loyalties really lie. I thought this was the "Spartan" Daily, not the San Jose Mercury News.

Laura Buckingham
magazine journalism

Spartan football notes

Brewer and Hodgins to stay on defense:

Pleased with their play on the defensive side of the ball, Spartan head coach Dave Baldwin said Sean Brewer and James Hodgins will continue to play on the defensive line.

Hodgins started at defensive end against the University of Utah and was in on a first-half sack. He was one of the few players Baldwin thought played well.

"He's done a nice job," Baldwin said of Hodgins, who normally plays running back. Brewer also rushed the quarterback and was used on passing downs, but did not start.

"I just wanted to play," said Brewer, a defensive lineman in high school who has played tight end ever since. "We stopped using the wingback and fullback sets on offense and if getting on the field meant playing (defensive) tackle, I was fine with that."

Brewer played Saturday's game with a rubber cast on his left index finger. He broke his knuckle in practice earlier in the week.

Open competition for front seven:

For the fifth time this season, the Spartan defense surrendered over 200 yards on the ground when the Utes gained 316 yards on Saturday.

The "turnstile-like" defense prompted Baldwin to declare "open competition" on all of the front seven positions — which includes the linebackers and defensive line. The secondary will remain the same against the University of Hawaii.

"We want to see more enthusiasm out there," Baldwin said. "In the first half, we were missing tackles. We weren't tackling, we were arm tackling. In the second half, I think we just got tired."

Problems with the kicking game:

As bad as the kick coverage for the Spartans was, Baldwin said the Secret Society of Assassins — the name given to those on coverage teams — didn't deserve all the blame. The Utes returned three kicks for 165 yards, including a 90-yard touchdown following a

first-quarter Spartan field goal.

"David (Silberstein, the kicker) hurt us with some of his kicks," said Baldwin, adding Silberstein was filling in for the injured Tim Morgan. "He was supposed to kick to the sideline but he kicked it up the middle."

Morgan could not kick off because he injured his ankle. It didn't affect his punting though. He had arguably his best day this year, averaging 40.7 yards a punt.

One streak continues, another stops:

Running back Deonce Whitaker scored a rushing touchdown for the fourth straight game. The nine-yard touchdown was his fifth of the season, which is tops on the Spartans.

Wide receiver Oliver Newell failed to reach paydirt for the first time in six games. He had caught a touchdown pass in the last five games and was one away from tying the record. He has already tied the career receiving touchdown record with 16 such grabs.

Whitaker a busy man:

If Whitaker keeps up his current pace, he will break the record for most kickoff returns and most yardage in a single season. He is currently ranked 29th in the NCAA with a 24.2-yard average on kickoff returns.

Whitaker added 165 more return yards to his season total of 945. He also had his fifth game of 200 or more all-purpose yards.

"He's done a nice job returning kicks for us," Baldwin said.

Kasteler gets nod:

Despite completing less than half of his passes on Saturday, quarterback Chris Kasteler will start against Hawaii.

Kasteler completed 20 of 45 passes for 215 yards, much of which came after the game had been decided.

"I did not play good enough," Kasteler said after the game. "That is very frustrating."

— Jeremiah Oshan

Spartan hoops get 'new look'

Johnson transfers up-tempo style to SJSU squad

By Jeremiah Oshan
Assistant Sports Editor

Regardless of how many games the Spartan men's basketball team wins this season, new coach Phil Johnson promises at least one change: the team should be more exciting.

Johnson brought the "run-and-gun" style of offense played at the University of Arizona where he was an assistant coach for the last five years.

"We should be a higher-scoring team this year," Johnson said. "We are going to play a more attack-oriented, entertaining style."

In his five years with Arizona, Johnson went to two Final Fours and won the NCAA championship in 1997.

His teams featured such offensive threats as Mike Bibby, Miles Simon and Mike Dickerson.

While this year's San Jose State University squad does not appear to have anyone of that caliber, improvement is inevitable.

Last year, SJSU was the lowest-scoring team in the Western Athletic Conference, scoring an average of 59.7 points per game while giving up an average of 76.7. The national scoring average among the 308 Division I basketball programs, to which SJSU belongs, was 71.4 points per game.

"Last year, we were more inclined to slow it up," said forward Will Trawick, a returning starter. "Now we'll get out and run."

The decision to change the Spartans' style was not simply one of aesthetics, Johnson said it was a decision based more on necessity.

"Our style fits our personnel," Johnson said. "The biggest goal is to win games and we will play with the style that gives us the best chance to do that."

Mike Mertens is the only Spartan over 7 feet tall — he is 7-foot-1 — and the next tallest player is the 6-foot-9 Shaun Murray. It is safe to say SJSU will not be pounding the ball inside too often.

"We lack in size a bit, but we have good speed and quickness," Johnson said. "We should be better defensively, too."

The Spartans will also employ a more aggressive defense, which means more full-court pressure. At the very least this should mean higher-scoring games.

The players charged with making the system work should bear a striking resemblance to last year's team. Four starters will return along with two others.

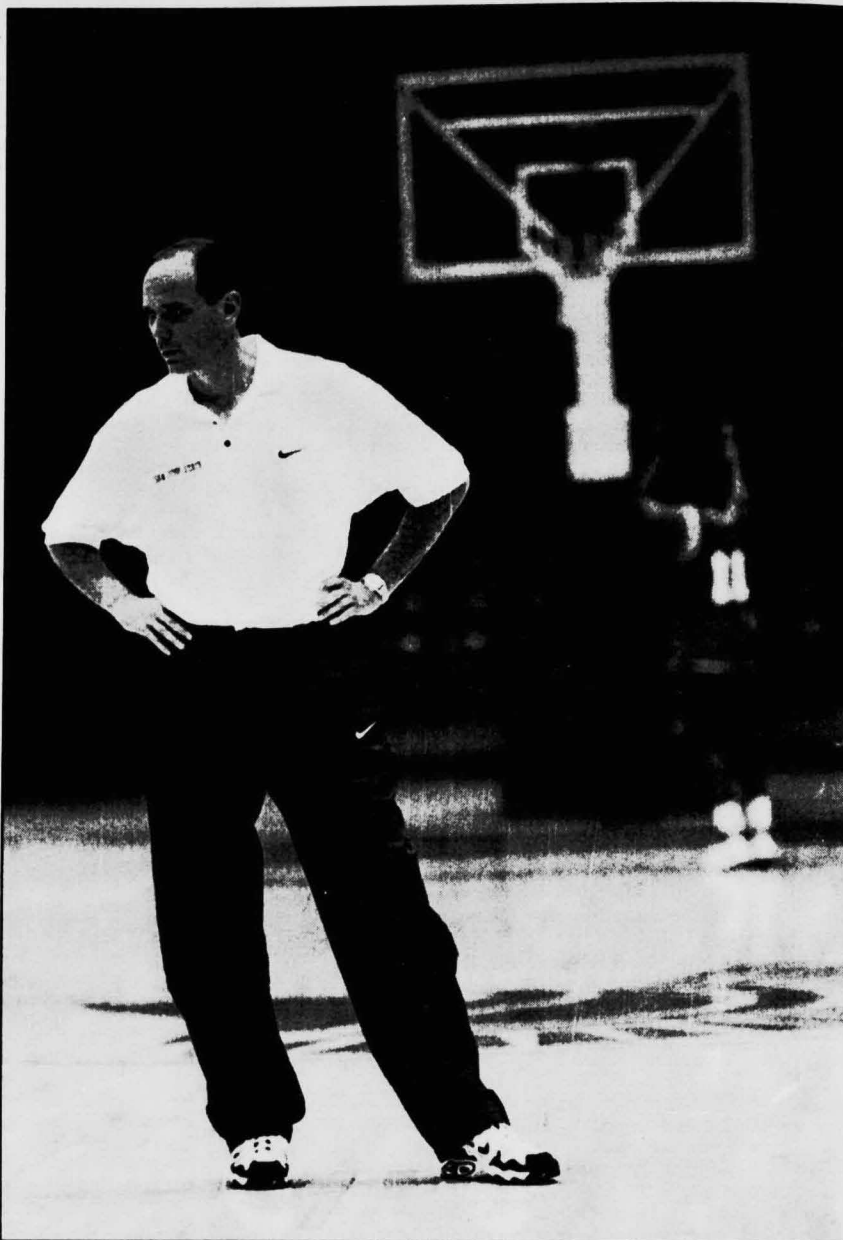
Murray, Shawn McCullough, Michael Quinney and Trawick are returning starters from last year's 2-21 squad. The only starter who left was Marmet Williams, the team's captain and leader in virtually every category.

Just because the makeup of the team may not be all that different, it doesn't mean the attitude or the play will be the same.

"We are more confident this year," McCullough said. "Coach Johnson has shown he knows how to win and you can see that in practice. It seems like the program is going in the right direction."

Even more important, the players think Johnson is here for the long haul.

"(Johnson) wants to turn this into a big-



Ryan Olein/Spartan Daily

Phil Johnson, the San Jose State University Spartans basketball teams' new head coach, watches as his team practices. Picked to finish last in the Western Athletic Conference this season, the Spartans first game will be Thursday night at Spartan Event Center. They will be playing the Taiwanese National Team.

time program," said Jeff Jacoway, a junior college transfer from Mesa, Ariz. "You can tell he's here to build the program."

Gary Patterson, the one returning coach, has also seen a change.

"(Johnson) is very, very aggressive in every aspect of coaching," Patterson said. "You can see it in independent workouts and practice. This year we want to dictate the tempo instead of the other way around."

He also said no one is guaranteed a starting position.

"Jobs will be won and lost in practice," Patterson said.

Despite Johnson's lack of recruiting time — he was hired March 25, which is well after most high school seniors have signed a letter of intent — he was able to assemble a relatively impressive bunch.

Among the new players are four junior college transfers: Ben Sanders, who in 1996 was the Los Angeles high school player of the

year; Jacoway, who as a freshman was named to the all-tournament team at the junior college equivalent of March Madness; Reggie Wilcox; and Terrance Richmond.

Other new faces include: redshirt-freshman Junior Preston; and Pepperdine University transfers RJ Powell, a senior, and redshirt freshman Eric Griffin.

The imminent changes did little to impress fellow WAC coaches, who picked SJSU to repeat as the conference doormat.

If anything, the obvious lack of respect has made the Spartans job as little easier.

"It takes all the pressure off," Trawick said of being picked last. "There is nowhere else to go but up. We'll surprise a lot of people."

Johnson will not predict a miracle season for SJSU, but he has set a lofty goal.

"We want to win the WAC title in the next four or five years," Johnson said. "This year our goal is to gain credibility. There is definitely hope here."

Nike recalls defective shoes

BEAVERTON, Ore. (AP) — Nike said Tuesday it is recalling 350,000 pairs of its "Air Face Up" basketball shoes because of a metal decoration that has caused dozens of cuts.

The shoe, which went on sale in June, has a small metal rivet on the outside of the shoe, which can be bent to form a sharp edge.

Nike said it has received about 35 reports of high school and college-age basketball players being cut while wearing the shoes. Two players required stitches.

Nike first made the connection between the design flaw and the injuries in mid-October and notified the U.S. Consumer Product Safety Commission.

"We want to move fast," Nike spokesman Roy Agostino said. "We want to get it out of the marketplace and eliminate any need for concern."

The "Air Face Up" shoes being

recalled have model numbers 830080, 139358 and 630327. The model number is located on the label on the inside tongue of the shoe, above the UPC code.

The shoe, which sells for about \$85, is a mid-cut with a 2-inch-long window in the heel. The words "Nike Air" are on the outside tongue of the shoe, and the word "Team" appears on the back.

Shoes may be returned to the place where they were purchased to receive a replacement pair of different shoes or in-store credit, Agostino said.

For more information about the recall, call Nike at 1-800-344-6453 or visit the company's Web site at www.nike.com.



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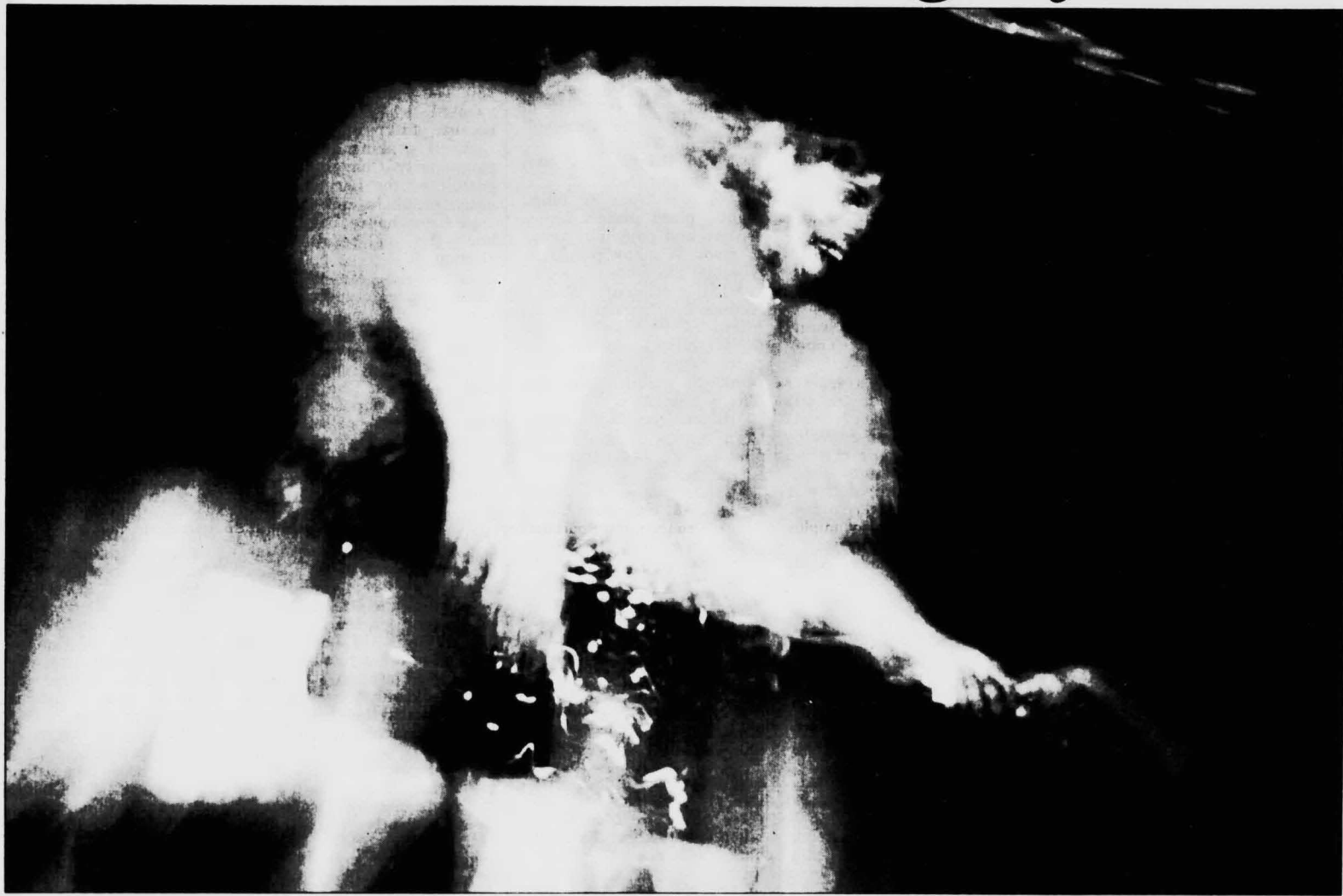


Theo Richard puts on fake breasts before a night out on the town in San Francisco. Richard, a 22-year-old from San Jose, has a dream to some day win a beauty pageant.



Whenever Richard shops for shoes, he's bound to get odd looks from other shoppers. He said he could get his shoes at second-hand stores, but the big department stores have a better selection.

It's a drag life!



When Richard dresses up as a woman, he calls himself "Idalias Houston". One day he hopes to have enough money for a sex change operation so he can be a "full woman." For now, he is comfortable being mentally female and physically male. Richard performs at local gay and lesbian clubs where he lip syncs to his favorite songs. Fans show their appreciation by giving money to the performer on stage. Richard's big dream is to some day win Miss Gay America.



Richard applies a layer of makeup before a Miss Gay California pageant in Los Angeles. Richard went home with a disappointing 3rd-place finish. Next year he says he'll definitely take home 1st place.



At one of the local gay clubs in San Jose, the bathroom has no doors. Here, Richard tries to get a better look at the mans "package." Not only does he get a good look, but he gets a nice kiss from the stranger as well. Richard said he is very promiscuous and very sexual. He is comfortable with his sexuality and thinks more people should be open to the gay community.



While driving back to San Jose from a night on the town in San Francisco, Richard notices a car with a personalized license plate that reads "U TRY ME." Richard gets the driver's attention and gets him to pull off the next exit. Richard, dressed as a woman jumps out of his car and into the stranger's car. Five minutes later he got back into his car. "That was the quickest hand job I've ever done", Richard said.

Photos by
Brandon Garcia

Boxer's win caps close Senate race

LOS ANGELES (AP) — Barbara Boxer defeated GOP challenger Matt Fong for the U.S. Senate Tuesday, capping a roller-coaster re-election campaign in which the liberal Democrat successfully painted Fong as too conservative for California's mainstream.

Boxer, an outspoken feminist and California's ranking liberal, decisively outpolled Fong among moderates, according to exit polls. She was strongly supported by women, organized labor and blacks and Latinos. Boxer and Fong were splitting the Asian American vote.

Fong, the state treasurer, edged her in the suburbs of Southern California and in the farm-rich Central Valley, but Boxer easily carried the state's two population centers — Los

Angeles city and county and the San Francisco Bay Area.

"They said we couldn't do it, that I was a fluke of history," Boxer told supporters at San Francisco's Fairmont Hotel, gesturing "time-out" to quiet the rounds of applause that interrupted her characteristically exuberant and animated acceptance speech.

"They said that I was too progressive. They said that I was too supportive of the president. They said I was too feisty... They all missed something. They missed the deep support that I have in every part of this beautiful state because we stand together on the issues."

She did not mention the two critical factors in the \$22 million campaign — her series of attack TV ads that dominated the air-

waves the month before the election, and the newspaper disclosure that Fong contributed \$50,000 to a conservative, anti-gay, anti-abortion religious lobby in Orange County.

One Boxer supporter said the \$50,000 donation was "icing on the cake" in his opposition to Fong.

"I think people have underestimated the power of the gay vote across the country. She's consistently supported people in our community, she's consistently been there for gays, lesbians and transgenders," said Gary Virginia, a gay man with AIDS at Boxer's victory party.

Fong, ensconced with Republicans at a Newport Beach hotel, did not comment on Boxer's declaration.

An exit poll based on inter-

views with voters as they left precincts across the state said Boxer picked up more than enough support to win. With 43 percent of precincts reporting, Boxer had 1,254,857, or 50 percent, to Fong's 1,113,840, or 46 percent. The exit poll was conducted by Voter News Service for The Associated Press and five national television networks.

Californians voted after four weeks of Boxer's saturation TV ads that portrayed Fong as opposed to health care reform, gun control, environmental regulation and improvements in public education. At one point, she was spending \$300,000 a day for TV time, campaign sources said. Fong, strapped for money, did not respond until days before the election. But by then, it was too late.

Leaving the polling place at San Diego's Pacific Beach Middle School on his bike, Jeff Huey said he voted for Boxer even though he normally chooses Republicans.

"I like Barbara Boxer better than Matt Fong," said Huey, 32, whose shop on the nearby beach rents bikes and inline skates. "She's better for California on issues like abortion and assault rifles."

Boxer, who had done poorly in the June primary, was viewed as politically vulnerable by national GOP strategists. She had high negatives, including a combative and partisan image. She is related by marriage to President Clinton — her daughter Nicole is married to Hillary Rodham Clinton's brother, Tony — and was criticized for being relative-

ly silent on the Clinton-Lewinsky scandal. The scandal dominated the early stages of the campaign but appeared to have little impact on the outcome, according to the exit polls.

Boxer, 57, favors abortion rights, tougher controls to enforce environmental regulations, handgun and assault weapon control and campaign finance reform.

Fong, 44, is the son of March Fong Eu, a Democrat who was California's top elections officer for 19 years. He favors abolishing the Internal Revenue Service and instituting a flat tax on income over \$36,000, no new controls on assault weapons and privatizing Social Security. He also considers many existing environmental regulations to be excessive.

West: Volunteers walked neighborhoods

Continued from page 1



Brian Prince/Spartan Daily

Tony West, San Jose City Council candidate for District 3, and his wife Maya talk to some of his supporters. West is running against Cindy Chavez.

Pandori has supported West's campaign for a year. "(West) is the best qualified candidate," Pandori said. "He's got a great mind and good experience."

"He has also been involved in the city."

West works for the government as a federal prosecutor in San Jose.

He earned his bachelor's degree at Harvard University and his law degree at Stanford University.

"Not many people would choose what he's done," Pandori said.

"He is a federal prosecutor but wants to be on the city council," he said.

Margaret Tamisiea, West's campaign manager and a San Jose State University alumna, said the campaign was going great.

"We have had a lot of volunteers," she said.

"The neighborhoods in our district have helped a lot," she said.

According to Michelle McGurk, field director of the campaign, about 300 volunteers supported West.

During the weekend, volunteers had gone to every neighborhood in the downtown district three times.

"Tony walked every district himself, also," McGurk said. "Our campaign was started from the grass roots."

Five houses in the neighborhood opened up as (cam-

paign) bases with a team at every house."

Tom Saggau, community coordinator for the City of San Jose, was one of the volunteers for West.

"I did this on my own time," Saggau said.

"We took Tony to bingo nights, pizza places, senior centers and doughnut shops to meet as many people as possible," she said.

SJSU student Megan Anderson, currently an intern at President Robert Caret's office, said she supports West because she thinks he would be the best for city council.

"He has lived in the downtown area significantly longer than his opponent," Anderson said.

"He is concerned about students at San Jose State and does an extraordinary job to show that students matter," she said.

One of West's major concerns is improving the safety in the downtown area.

He plans to accomplish this by increasing lighting on the streets and creating police substations in key areas throughout the district.

"I want more officers in the neighborhoods," West said.

"Now we don't see them in neighborhoods unless there is a problem. They (the officers) would walk or ride a bike to get to know the neighborhoods," he said.

Chavez:

Continued from page 1

The area is bounded by highways 101, 87 and Interstate 280. The council seat is being vacated by David Pandori because of term limits.

After speaking at the campaign party, Chavez was congratulated for her efforts by union members and campaign volunteers hours before they knew the final results of the election.

San Jose Mayor Susan Hammer gave a speech at the party.

"I think you are standing among candidates who will be declared winners," Hammer said speaking of Chavez.

Chavez's opponent, Tony West, is a 33-year-old federal prosecutor in San Jose.

The contest between Chavez and West seemed like a dispute between labor and business because Chavez is backed by labor organizations and West is backed by some business and developer groups.

Thirty-four-year-old Chavez resigned as the director of education and outreach for the South Bay AFL-CIO Labor Council in order to run for the city council position.

She said she is familiar with the political system because she has been involved with labor politics for five years.

"She comes from the labor movement. At no time did she try to disguise that," said Amy Dean, executive officer of the AFL-CIO. "She always wore that banner."

Another position Chavez held was policy aide and ana-

lyst for Santa Clara County Supervisor and San Jose mayoral candidate Ron Gonzales.

Chavez is the daughter of a carpenter and a teacher's aide. She is also an SJSU alumna from the Class of '87.

Chavez first decided to run for city council in October 1997. She said she chose to run because she found aspects of District 3, in which she resides, that needed improvement.

"We have to find out what is not working and we need to figure out how to change it," she said.

Chavez's campaign included improving neighborhoods in the downtown area and making them safer.

She also said she wanted to represent all the different areas of her district because certain areas complained they do not get as much funding for improvements as others.

Her campaign's focus was on the lower-income neighborhoods.

"I want to extend the voice of working families," she said.

According to Chavez, she planned on having neighborhoods in her district unite in order for them to benefit from each other's ideas.

"We wrote a plan and hope to use it as a working plan to get neighborhoods together to come up with a priority," Chavez said.

Chavez also opposes moving San Jose City Hall downtown from its current location on North First Street near Hedding.

Governor's seat belongs to Democrat Davis

LOS ANGELES (AP) — Gray Davis was elected California governor Tuesday, driving Republicans from the office they have held since Davis' former boss, Democratic Gov. Jerry Brown, left nearly 16 years ago.

Davis, considered the long-shot Democrat earlier this year, beamed during a victory speech in downtown Los Angeles and told ecstatic supporters: "This has been a long journey, and let me tell you, it doesn't get any better than this."

He pledged to make education his No. 1 priority by "challenging orthodoxy" and promised racial harmony in this diverse state, declaring: "The era of divisive wedge issues is over once and for all."

Of GOP opponent Dan Lungren he said, "We disagreed on many issues, but you are a worthy opponent, and a decent person, and I know you wished the best for this state."

Lungren, the state attorney general, didn't immediately concede or comment.

An exit poll based on interviews with voters as they left precincts across the state said Davis picked up more than enough support to beat Lungren.

The poll was conducted by Voter News Service for The Associated Press and five TV networks.

With 24 percent of precincts reporting, Davis had 1,056,527 votes, or 54 percent, to Lungren's 818,690, or 42 percent.

The exit poll found the Democratic lieutenant governor drew majorities of women, moderates, Hispanics, Asian Americans, blacks and young and middle-aged voters. He led in most regions of the state and ran even with Lungren among conservative swing voters Los Angeles suburbs and Central Valley.

Antonio Palada, who works for the U.S. Postal Service, said he voted for Davis because he believed the GOP had turned against Hispanics, supporting previous ballot measures meant to end state affirmative action, aid to illegal immigrants and bilingual education.

Lungren had aggressively courted this group, but the exit poll indicated he had drawn just 25 percent.

"Republicans, they tend to go against the Latino community," Palada said.

John Kaysing, 42, of West Hollywood, said he had "lukewarm" feelings about Davis but voted for him nonetheless.

"But I hate Lungren," Kaysing said.

"He's way too conservative and I don't like the way he summed up liberal causes as 'special interest groups.' He calls anything left of what he believes 'special interest.'"

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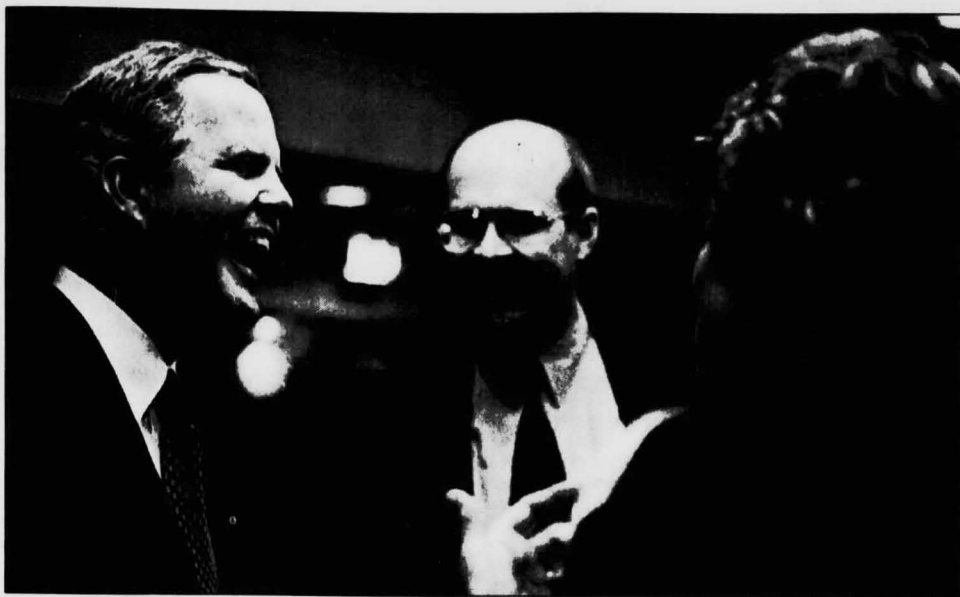
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Rep. Tom Campbell enjoys a moment with election supporters Dr. Jeffrey Coe of Los Gatos and Suzanne Jackson, mayor of Monte Sereno, at his victory party at the Tollhouse Hotel in Los Gatos Tuesday night.

Campbell: second win over Lane

Continued from page 1

"I am very honored that San Jose and Santa Clara want me to represent them again in Congress and I will work hard to make them proud of their decision tonight," Campbell said. "The people have sent their message out, that they are for moderation and against the extremes."

Campbell had spent three years in the California Senate before being elected to the U.S. House of Representatives in a special election in 1995, when Democrat Norm Mineta resigned. Campbell was re-elected in 1996, defeating Lane with 65 percent of the vote.

With three years in Congress, Campbell has earned a reputation as one of the most unpredictable Republicans in the House of Representatives.

Campbell supports abortion rights and opposes affirmative action.

"I've always opposed the use of race by government to separate people," Campbell said. "Creating discrimination to end discrimination is not an acceptable solution."

Campbell, along with Rep. Zoe Lofgren (D-San Jose), was a strong supporter of the H1B visa program, which allows high-tech companies to bring skilled immigrants into the United States as

temporary workers. Campbell stirred some controversy in March after co-signing a House bill that called for the Judiciary Committee to investigate President Clinton's impeachment.

"I called for Congress to stop Kenneth Starr's investigation and turn everything over to the Judiciary Committee," Campbell said. "This whole thing about impeachment would've already had an answer by May if they had only taken my advice. We would've all been better off."

Democratic opponent Lane criticized Campbell's actions.

"He has been calling for an impeachment inquiry since March, long before the Starr report even came out," Lane said during an earlier interview. "Talk about a rush to judgment. He knows better than this."

Campbell cautioned that the results of Tuesday's elections should not be used as the basis for whether Congress should go on with impeachment proceedings.

"No one who is going to the House of Representatives should view the results of the election as the way they should vote on this matter," Campbell said. "This is a very serious matter. We must all await the recommendation of the Judiciary

Committee before we make any judgments."

Despite the apparent defeat, Lane said he is not discouraged about his second loss to Campbell. "I am satisfied just knowing that more people have listened to my message and saw how conservative my opponent is."

Lane said money was also a big factor in the race.

According to the Federal Election Commission's report on the financial activity of House campaigns, Campbell spent \$732,221, while Lane spent \$13,931. Campbell had raised \$784,309 in individual contributions, compared to Lane's \$6,881.

Democrat Mike Honda, who had endorsed Lane, said Campbell's victory was expected.

"No one expects him (Lane) to win," Honda said. "But that's not a loss because he's fought the battle."

Honda added that he sees Lane as a "warrior."

"He did not just turn over the seat to Campbell just because he is the incumbent," Honda said. "Just because Campbell got more votes doesn't make them (people who voted for Lane) losers. They voted for Lane because they had a choice, and that's what democracy is all about."

Student apathy apparent as residents head to the polls

By Laurie Phillips
Staff Writer

As middle-aged and elderly adults headed to the polls in large numbers Tuesday, most students headed to class.

At Saint Paul's United Methodist Church, on the corner of 10th and San Salvador streets, volunteer Sal Ssison said only 26 people had come by to vote by 12:30 p.m.

The church is located across the street from Allen, Markham and Moulder residence halls.

In an informal poll of 30 students, only eight said they had taken time to vote or planned to. Many students cited a lack of time and interest as reasons why they did not vote.

Physics student Rasik Desai visited the polls. Pointing to the "I Voted" sticker on his sleeve, Desai said he voted for Proposition 1A and all of the Republican candidates.

Sociology student Daniel Castillo said he voted in Sunnyvale before he came to campus.

At the Olinder Neighborhood Center at 18th and William

streets, adults lined up and waited patiently to vote. Most came alone, but some, like Carol Winn, brought their children along.

"I just think one person can make a difference," Winn said, clutching her daughter Chloe's hand. She said she read about all the issues, but only voted on a few of them.

"This was a mediocre year," Winn said. "I didn't feel really passionate about anything." She did not disclose any information as to how she voted.

Election officer Audrey Wehrman has worked at the polls for five years. She said 101 people — which she considers a decent turnout — had voted at the center by Tuesday afternoon.

San Jose resident John Girard said he read about and voted on all the issues on the ballot with the exception of two, which he declined to mention.

"The trends right now in government are for controlling people's rights," Girard said. He said people should take time to educate themselves to avoid being swayed by other opinions.

A few blocks away, in the Naglee Park neighborhood, pick-

et signs endorsing candidates dotted the rows of manicured front lawns.

Ellen and John Pinto were among 115 voters who stopped in to vote at one of the homes, which was used as a polling place. They left together, with "I Voted" stickers displayed prominently on their chests.

"We had our little political meeting over breakfast," Ellen said, chuckling. She said she spent two hours this year reading the ballot and browsing political websites.

John, who owns his own real estate business, said the nature of his work — which is highly regulated by government — makes it imperative that he vote.

"The stakes are always higher," he said. "The business environment is a culmination of all the issues at hand. You've got to live with the decisions other people make."

He added that voting is a privilege.

"Someone who doesn't know how to read, and someone who knows how to read, but doesn't — it's the same thing," he said.

Californians deny horsemeat to foreign markets

SACRAMENTO (AP) — California voters Tuesday made it a felony to sell or export horses that will be slaughtered for people to eat.

With 45 percent of precincts reporting, Proposition 6 was approved 59 percent to 41 percent or 1,882,881 votes in favor to 1,283,455 against.

Violators of Proposition 6 could get up to three years in prison.

Horse advocacy groups acknowledged that there are no slaughterhouses in California. But the activists, whose ranks included "Horse Whisperer" star Robert Redford, said they sponsored the initiative to protect horses against foreign markets.

Opponents — including ranchers, livestock auctioneers, the slaughterhouse industry and the Libertarian Party — said selling horses for their meat is a logical and profitable use for unneeded animals.

California is home to about 750,000 horses, or about a fifth of all the horses in the country.

While horsemeat isn't served in U.S. restaurants, the low-fat, high-protein meat goes for as much as \$15 a pound in other countries, such as France, Belgium, Switzerland and Japan.

It's unclear how dependent those restaurants are on California horsemeat. Federal agriculture officials say 87,200

horses were slaughtered in the United States in 1997 for all purposes — including human consumption. That year, 3,112 California horses were shipped out of state, mostly for people to eat, according to the state Agriculture Department.

Advocates say that each year, an estimated 10,000 California horses wind up as gourmet steaks in other countries.

The initiative's approval increases one worry of measure foes and supporters alike: Big animals are more expensive to kill by euthanasia and the small number of horse sanctuaries can't handle an influx of older and possibly crippled horses.

Dando: candidate will stay involved

Continued from page 1

Dando went on to thank her mother, who fought back tears.

"The older I get," Dando said, "the more I know how wise my mom is. I'm still waiting for my kids to get to that age."

She also addressed the hundreds of volunteers that "stuffed, licked and stuck" over 150,000 letters to the San Jose community from the campaign headquarters.

"You looked at my qualifications and what I stand for and decided to help with my campaign," Dando said. "I wish I had a fancier word than 'thank you,' but thank you from the bottom of my heart."

Dando has been a San Jose City Council member since 1995, but has provided 24 years of service, according to Campaign Director Eric Schoenauer. She was executive director of the San Jose Redevelopment Agency and served as a senior adviser to former San Jose Mayor Tom McEnery, whom she also thanked during her address Tuesday night.

According to Schoenauer, the support Dando has received from the Asian-American com-

munity stems from the fact that Gonzales had "repeatedly refused to meet with grass-roots community groups," including those consisting of the Vietnamese community.

Dando said that she was very



Pat Dando

proud of having such support and will continue to reach out to neighborhoods to accomplish good things.

If elected mayor, Dando said she would first meet with the

new and returning members of the city council and create a team to address issues in the various neighborhoods in San Jose.

"People have the same concerns everywhere in the city, regardless of whether they're living in Almaden Valley or Berryessa," Dando said. "They are concerned with safety in schools, knowing that their kids are safe from gangs or guns. They are also concerned with the city's economy. As mayor of this city, I will be totally committed to addressing these concerns."

Dando said that if she didn't win the election, she would be involved "one way or another."

"I plan to be involved no matter what position I am," Dando said. "But at this point in time, I plan that position to be mayor."

Dando is endorsed by several city council members and the San Jose Police Officers Association.

"If she wins it will be a great gain for San Jose," said Peter DeLuca, a former San Jose police officer and San Jose State University alumnus. "If she loses it will be a really great loss."

Ethical violations hurt Diaz in campaign

SANTA CLARA. (AP) — Laurie Smith took an early lead over Ruben Diaz Tuesday in the race for Santa Clara County sheriff, a day after Diaz lost critical support when an ethics committee said Diaz claimed endorsements he didn't have.

With 217 of 1,317 precincts reporting, Ms. Smith was leading Diaz, 14,778 to 10,100.

The Campaign Ethics Foundation last week said Diaz committed four violations of a

pledge to run a clean campaign in the nonpartisan race.

On Monday, the finding cost Diaz the support of the county Democratic Central Committee. Last week, the San Jose Silicon Valley Chamber of Commerce and the Tri-County Apartment Owners Association pulled their endorsements.

Both Diaz and Ms. Smith signed the ethics group's pledge to abide by a 10-point code to run an honest campaign free of dirty

tricks.

In addition to claiming support he didn't have, the foundation also alleged Diaz tried to hide contributions from gambling interests by labeling the donors as flea market owners; falsely claimed Ms. Smith lives in Lake Tahoe; and falsely claimed only 60 deputies voted to endorse Smith, when 137 actually did.

Diaz denied the allegations.

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Super bowl



Rosalinda Garza/Spartan Daily

Working on a project for the 1998 National Housewares Manufacturers Association contest, Brent Mosby uses a compass to measure the exact circumference of the model for the portable cooking station he is creating. Mosby, a senior industrial design major, uses a respirator while working on the project in the Art Building because the polyurethane foam used to create the models can be toxic if inhaled over a long period of time.

Indian tribes get broad voter approval for casinos

LOS ANGELES (AP) — California's Indian tribes, who poured record amounts of money into a battle with Nevada casinos over gambling on reservations, won broad voter approval Tuesday to continue running their casinos unfettered by state control.

Campaign spending for and against the measure was reaching \$100 million, breaking all records as the Nevada gambling interests put their dollars against the profits of a handful of prosperous Indian casinos.

Proposition 5 won by a comfortable margin, with the vast majority of black, Hispanic and elderly voters supporting it, according to an exit poll of voters conducted by Voter News Service for The Associated Press and five national television outlets. Early returns showed 59 percent of voters approving the measure, and 41 percent casting ballots against it. The vote was with 18 percent of precincts reporting.

Proposition 5 is "the first time that wealthy business interests have not been allowed to sacrifice the lives of Indians and future Indians to satisfy their greed," said Anthony Pico, chairman of the Viejas tribe in San Diego County. He was surrounded by 300 tribal members, customers, employees and campaign workers at an election night party at the tribe's thriving casino.

Opponents decried the Viejas and other tribes for spending so much to get the proposition passed and vowed to quickly file a lawsuit to halt implementation of the measure. The total raised between the two sides was nearly twice the previous record amount ever raised for a single initiative — \$57.5 million for a 1996 securities fraud measure.

The No on 5 group — funded primarily by Nevada casino interests worried about new, out-of-state competition — raised about \$30 million to fight the measure.

Cathy Christian, attorney for the No on 5 campaign, declined to disclose precise details about the lawsuit, but said it would try to prove the measure is unconstitutional. It was not immediately known who would be listed as plaintiffs in the lawsuit, which might be filed as early as Wednesday.

Waltona Manion, a spokeswoman for the Yes on 5 campaign, said, "The tribes have full confidence in defending any constitutional challenge to Proposition 5."

With the passage of Proposition 5, other gambling interests like racetrack and card club owners in California vowed to seek expanded gambling authority through the legislature or a ballot initiative.

Opponents had warned that the measure would lead to the spread of unregulated, untaxed gambling statewide and they saturated the airwaves with TV ads with that message. The tribes denied the charges in their own ads, which painted a picture of impoverished Indians whose lives were turning around thanks to gambling.

Comments from voters outside the polls on Tuesday showed people, especially minorities, were motivated in part by sympathy for the tribes.

"I think there's a lot of misinformation going around about Proposition 5. We have screwed the Indians enough," said Jim Collins, a black and liberal Democrat voting at a Los Angeles area precinct. "Let's keep the money in state. I think

they provide a lot of money and jobs to our community."

Proposition 5 was designed to allow the state's 107 tribes to operate as many slot machines as they wanted and to enter into gambling compacts with the governor on the tribes' terms. The compacts will go into effect 30 days after being presented to the governor, so the opposition coalition must act quickly if it is to halt the measure's implementation. Propositions go into effect the day after passage. The tribes were expected to present their compacts to the governor.

Proposition 5 was introduced to counter Wilson's push to get tribes to join a compromise compact he reached with the Pala Band of Mission Indians earlier this year.

The Pala agreement allowed slot-like electronic devices that are actually high-speed versions of the California Lottery, and also required tribes to abide by other guidelines set by Wilson.

The Palas have yet to open a casino, but 10 other tribes — some with and some without casinos — have since signed similar versions of the same compact.

Wilson said the tribes needed to sign compacts with him, as required under the Indian Gaming Regulatory Act, if they wanted to continue running casinos. Yet many of the tribes contended he hadn't negotiated in good faith with them.

A coalition of 86 of the state's tribes vociferously opposed the Pala compact and launched their own measure as a way to keep casinos operating on some 40 reservations.

Without Proposition 5, the gambling tribes faced possible forfeiture of their video slot machines to federal authorities.

Early returns reject cigarette tax

LOS ANGELES (AP) — Tobacco industry millions spent trying to defeat Rob Reiner's initiative raising cigarette taxes for children's programs appeared to be paying off Tuesday, with voters rejecting the measure in early returns.

With 7 percent of precincts reporting in unofficial returns, Proposition 10 was losing by 536,507 to 478,953 votes, or 53 percent to 47 percent.

The vote on Proposition 10, which would raise state taxes from 37 cents to 87 cents a pack, came after a last-minute infusion of millions in tobacco money for TV ads blasting the measure as a well-meaning but poorly defined law that would have created a huge bureaucracy.

A poll last week showed opposition growing as the tobacco companies inundated the airwaves with negative ads.

The measure was favored by a margin of 50 percent to 41 percent, compared to 48 percent to 33 percent in early October.

Late in the campaign, some black and Hispanic leaders denounced the measure as hitting hard at minority low-income smokers, sending out a poster that declared the mea-

sure to be "the brainchild of a bunch of social engineers who do not share our culture or our heritage."

Among those voting No was 21-year-old Angel Garcia, who said it was the only proposition he felt strongly about.

Although he doesn't smoke, Garcia said he didn't want his smoking friends and parents to be stuck with higher prices.

"I don't think they should be penalized," he said.

Proposition 10 was expected to generate an estimated \$700 million annually for social services aimed at families with children under 5, including prenatal care, stop-smoking programs, immunizations and domestic violence prevention.

The tax would bring California to third-highest in the nation and with the federal tax of 24 cents would bring cigarettes to about \$3 a pack.

Critics said the measure would create a new bureaucracy to disburse the money, didn't put money in schools and could take away from programs now funded by current cigarette taxes by cutting cigarette sales.

Supporters responded that the "bureaucracy" consisted

mainly of unpaid volunteers appointed by county supervisors, the law specifically is aimed at preschoolers and it contains provisions to transfer funds over to existing programs if they experience declines.

All told, tobacco companies had contributed about \$28.5 million to oppose Proposition 10 as of late October.

About \$20 million of that came from the Phillip Morris Inc., makers of Marlboro cigarettes.

On the other side, a celebrity studded roster of endorsers had raised \$7.8 million, with about \$2 million of that spent on qualifying the measure.

Supporters were splashed across the political spectrum, from conservative stalwart Charlton Heston to Hillary Rodham Clinton.

Proposition 10 grew out of Reiner's conviction that society was neglecting the crucial years of birth to age 3, when 90 percent of brain growth occurs.

Concerned by the lack of programs aimed at the early years, Reiner, best known as Meathead from TV's "All in the Family," became an ambassador for the growing field.

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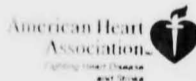


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SCHOOL

State Superintendent of Public Instruction
 Delaine Eastin
 53%, 1,609,318
 Gloria Matta Tuchman
 47%, 1,420,318
 Percentage of precincts reporting: 48

CONTROLLER

Kathleen Connell (D)
 60%, 2,151,390
 Ruben Barrales (R)
 34%, 1,241,175
 Pamela J. Pescosolido (L)
 2%, 63,447
 Alfred L. Burgess (I)
 1%, 50,372
 Denise L. Jackson (R)
 1%, 44,891
 C. T. Weber (P&F)
 1%, 29,773
 Iris Adam (NL)
 1%, 22,868
 Percentage of precincts reporting: 50

TREASURER

Phil Angelides (D)
 52%, 1,835,584
 Curt Pringle (R)
 41%, 1,471,745
 Jon Petersen (L)
 2%, 79,181
 Carlos Aguirre (NL)
 2%, 75,192
 Jan B. Tucker (P&F)
 2%, 64,836
 Edmon V. Kaiser (I)
 1%, 41,697
 Percentage of precincts reporting: 50

ATTORNEY GENERAL

Bill Lockyer (D)
 50%, 1,890,437
 Dave Stirling (R)
 44%, 1,646,154
 Diane Beall Templin (I)
 2%, 91,439
 Joseph S. Farina (L)
 2%, 68,613
 Robert J. Evans (P&F)
 2%, 66,519
 Percentage of precincts reporting: 53

INSURANCE COMMISSIONER

Chuck Quackenbush (R)
 51%, 1,921,447
 Diane Martinez (D)
 49%, 1,626,381
 Dale F. Ogden (L)
 2%, 79,266
 Barbara Bourdette (NL)
 2%, 61,296
 Gary R. Ramos (P&F)
 2%, 51,875
 Percentage of precincts reporting: 53

MEMBER, STATE BOARD OF EQUALIZATION, DISTRICT 1

Johan Klehs (D)
 78%, 1,256,150
 Kennita Watson (L)
 22%, 360,748
 Percentage of precincts reporting: 99

MEMBER OF STATE ASSEMBLY DISTRICT 23

Mike Honda (D)
 77%, 9,492
 Patrick Du Long (R)
 23%, 2,659
 Percentage of precincts reporting: 25

JUDICIAL

For Chief Justice of the Supreme Court
 Ronald M. George (Y/N)
 75%, 3,984,138 — 25%, 1,308,195
For Associate Justice of the Supreme Court
 Ming William Chin (Y/N)
 69%, 3,593,062 — 31%, 1,610,698
 Janice R. Brown (Y/N)
 76%, 3,746,606 — 24%, 1,211,694
 Stanley Mosk (Y/N)
 70%, 3,571,076 — 30%, 1,500,695

COUNTY

Sheriff
 Laurie R. Smith
 59%, 50,512
 Ruben Diaz
 41%, 35,090
 Percentage of precincts reporting: 25

CITY OF SAN JOSE

Mayor
 Ron Gonzales
 51%, 81,529
 Pat Dando
 49%, 77,014
 Percentage of precincts reporting: 100

Member, City Council, District 3
 Tony West
 48.7%, 1,338
 Cindy Chavez
 51.3%, 1,407
 Percentage of precincts reporting: 33

Backing candidates



Ryan Olein/ Spartan Daily

An anxious voter waits in the front row to hear candidates speak Tuesday night at the Labor Council. Many Democrat voters and candidates showed up to support their party during elections.

Proposition Results

Proposition 1A-School Bond
 58 percent of precincts reporting
 x-Yes, 2,500,853 - 62 percent
 No, 1,554,774 - 38 percent

Proposition 1-Property Taxes
 49 percent of precincts reporting
 x-Yes, 2,330,654 - 70 percent
 No, 981,120 - 30 percent

Proposition 2-Transportation Funding
 49 percent of precincts reporting
 x-Yes, 2,413,191 - 75 percent
 No, 803,770 - 25 percent

Proposition 3-Partisan Presidential Primary
 58 percent of precincts reporting
 Yes, 1,747,061 - 45 percent
 x-No, 2,113,154 - 55 percent

Proposition 4-Trapping
 50 percent of precincts reporting
 x-Yes, 1,903,358 - 56 percent
 No, 1,517,879 - 44 percent

Proposition 5-Tribal Casinos
 55 percent of precincts reporting
 x-Yes, 2,474,950 - 61 percent
 No, 1,549,908 - 39 percent

Proposition 6-Horsemeat
 58 percent of precincts reporting
 x-Yes, 2,426,874 - 59 percent
 No, 1,662,723 - 41 percent

Proposition 7-Air Quality
 58 percent of precincts reporting
 Yes, 1,684,585 - 43 percent
 x-No, 2,263,911 - 57 percent

Proposition 8-Class Size
 47 percent of precincts reporting
 Yes, 1,268,575 - 38 percent
 x-No, 2,038,112 - 62 percent

Proposition 9-Electric Utilities
 47 percent of precincts reporting
 Yes, 877,049 - 27 percent
 x-No, 2,368,668 - 73 percent

Proposition 10-Tobacco Surtax
 58 percent of precincts reporting
 Yes, 2,044,055 - 49 percent
 No, 2,113,032 - 51 percent

Proposition 11-Sales Tax Sharing
 58 percent of precincts reporting
 x-Yes, 2,004,455 - 53 percent
 No, 1,795,963 - 47 percent

Gonzales: confident of win

Continued from page 1

results announced at 9 p.m. One hour later, the crowd of Gonzales supporters cheered as he jumped ahead by one percent getting him 50.5 percent of the votes.

Gonzales party-goers Tuesday night were confident of a win. "We never thought we would lose from the start. This is a winning campaign and everyone involved in helping my brother get elected have been very positive," said Deanna Gonzales, one of Ron Gonzales' five siblings who worked on his campaign. "This is the proudest moment for our family."

She said Gonzales will not continue working at Hewlett-Packard Co. headquarters in Palo Alto if he's elected mayor because it's a full-time job.

Another supporter, Cathy Egan, chairperson for the commission of the status of women for Santa Clara County, worked with Gonzales when he was a county supervisor two and a half

years ago. "If elected, Gonzales will be a great mayor because he really cares about people and the community," Egan said.



Ron Gonzales

She said they worked together on getting the Role Model

Program off the ground, which helps youths stay off drugs and stay in school.

"He walks the talk. I've seen him do it," Egan said.

A volunteer for the Gonzales campaign, SJSU student Leo Cortez, said Gonzales will focus heavily on transportation and education if elected.

"He will fight to have the BART services extended to San Jose," Cortez said.

In an interview with the San Jose Mercury News this month, Gonzales said he was also instrumental in getting the Altamont Commuter Express program started.

The Altamont Express Train run from Stockton with stops along the way to San Jose.

Well-known endorsers of Gonzales, such as Mayor Susan Hammer, Congresswoman Zoe Lofgren and San Jose City Council member George Shirakawa joined the celebration.

Clinton celebrates victories by Democrats in elections

WASHINGTON (AP) — Staging a strategy huddle on Social Security reform, President Clinton was putting meat into his morning-after celebration of the election as a victory for issues over investigations.

"The president is encouraged that the Democrats went out with a positive message on the issues, offered the voters a clear choice and the early returns indicate that the voters are responding positively to that," White House press secretary Joe Lockhart said.

To lend his own emphasis to this message, Clinton was inviting reporters today to the start of an afternoon meeting with his top economic advisers.

He wanted "to get back to work on developing a long-term solution for the viability of Social Security ... and the president wanted to get on this immediately," Lockhart said Tuesday.

Clinton spent much of election night in White House chief of staff John Podesta's office, where he peered over his political director's shoulder, tracking returns on the Internet. He made dozens of congratulatory telephone calls to victorious Democrats.

White House aides gleefully pointed out that historically, a sixth-year incumbent in the White House could expect to see his party lose an average of 48

House seats and eight Senate seats.

"If you look at history — the historical precedent — and you also look at the amount by which Democrats were outspent, I think the early returns are encouraging, and encouraging because it shows how positively

The president is encouraged that the Democrats went out with a positive message on the issues ... (and) offered the voters a clear choice.

— Joe Lockhart
 White House press secretary

voters do respond to a positive, issue-oriented agenda," Lockhart told reporters.

Clinton was especially encouraged by the South Carolina and Alabama governors' races, where the winning Democrats' campaigns centered on increasing investment in education, the spokesman said.

Pressed to say whether other key victories — particularly the ouster of two chief Clinton nemeses, GOP Sens. Alfonse D'Amato of New York and Lauch Faircloth of North Carolina — took the steam out of the Republican-led impeachment charge in the Monica Lewinsky affair, Lockhart said: "That's a question to ask the Republicans."

Interviews with voters leaving the polls Tuesday offered a mixed message for Clinton. Six in 10 said Congress should drop the whole Lewinsky matter without even holding hearings, and about one-third thought Clinton should be impeached and removed from office.

Overall, a solid majority approved of the job he was doing. At the same time, just over half said Clinton's ability to lead the nation had been hurt by the Lewinsky matter, according to exit polls conducted by Voter News Service for The Associated Press and five television networks.

But Clinton, his wife, Hillary, and Vice President Al Gore, whose campaign-trail mantra was "We say legislate; they say investigate," found some personal vindication for the huge chunk of personal capital invested in this election.

All told, the three made 409 campaign appearances for Democrats around the whole country.

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