

# SPARTAN DAILY

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## Tai chi for two ...



Photo by Carien Veldpape / Daily Staff

Hamsa Rasheed Karrien, background, and Madras Karrien practice tai chi on Friday afternoon on top of the Event Center. Rasheed is a martial arts instructor at San Jose State University.

## Touch-screen security confirmed for March 2

By Dan King  
Daily Staff Writer

Next month's California primary election will be the first time in almost four decades that Santa Clara County unveils a brand-new voting technique, according to state and county officials.

The county's registrar of voters Web site states the March 2 primary will be the first time the county will rely exclusively on touch-screen voting.

Previously the secretary of state listed Santa Clara as being one of nine counties still using the punch card ballot method made infamous by the 2000 presidential election.

Elma Rosas, election division coordinator for the county's registrar of voters, said in a phone interview the county had used punch card voting since the mid-1960s.

David Dill, a Stanford University computer science professor, said in a phone interview, "we need to move more cautiously" toward touch-screen — or electronic — voting because of potential fraud and hacking issues.

Dill said he was concerned

enough about the potential dangers of electronic voting that in 2002 he formed an organization called Verified Voting.

"Verified Voting is not opposed to using technology," Dill said. "We are against relying exclusively on high-tech answers."

According to his organization's Web site, it "champions transparent, reliable, and publicly verifiable elections in the United States."

Dill said his group has helped to turn concerns about unverifiable electronic ballots into a national issue.

The move toward replacing low-tech punch cards came about when the U.S. Congress passed the "Help America Vote Act" in 2002 to supply funds for new voting machines.

In addition, California voters approved a proposition for a \$200 million bond in 2003 to further fund the replacement of punch card systems.

Both measures aimed to replace punch card ballots by this year.

Many California counties decided on touch-screen machines as a high-tech alternative to punch card ballots.

Touch-screen machines have the advantage of easy programming for multiple languages and easy tabulation

of results, according to the registrar of voters.

But recent news reports have shown touch-screen machines have their own set of reliability issues.

The Associated Press reported on Feb. 5 that a consulting firm hired by the Maryland legislature, Raba Technology, successfully hacked the state's Diebold Election Systems software.

According to Raba Technology's report to the legislature, the firm was able to "change vote tallies and seize control of the central vote-counting computer."

"The team was able to demonstrate the ability to switch two candidates," the report said. "Consequently, the voter appeared to vote for the candidate of his choice but he actually voted for another candidate."

Diebold President Bob Urosevich responded in a press release, "While election technology and procedures will continue to improve, touch-screen election systems have been proven to revolutionize the accessibility and accuracy of the voting process. We are enormously proud to be at the forefront of election technology and

see VOTING, page 5

## SJSU election board hosts first candidate orientation

By Mari Sapina-Kerkhove  
Daily Staff Writer

The student government election board held its first candidate orientation Tuesday with nine potential candidates attending.

Alberto Gutierrez, chief election officer, walked students through the candidate application packet, covering issues such as application procedures and eligibility for the March 23-24 student government elections.

Gutierrez, a business administration major, said running for student government gives students a great opportunity to become involved in campus life at San Jose State University.

"I think involvement is a very important aspect of a college career," said the junior. "If you have the opportunity to make a difference, why not take it."

For Sarah Stillman, a junior philosophy major, the desire for change was one of the driving forces behind her decision to become involved in campus politics.

"I want to make a change on campus running for (director of) faculty affairs," she said. "I want to make faculty members more accessible to students."

Stillman, who used to be a resident adviser in her dorms, said she has recently heard a lot of complaints about the inaccessibility of faculty members.

Stillman also said she wanted students to know more about Associated Students, which seems to be a distant part of campus life for many.

Alice Lee, current vice president said, Associated Students plays a crucial role.

"The first and foremost is that they bring positive change for students," she said. "They are a positive voice

see Associated Students, page 5

## Herbal remedy benefits, dangers addressed in campus seminar

By Elizabeth Nguyen  
Daily Staff Writer

Medical professionals need to know how to use herbal remedies, said an herbal specialist in a seminar for herbal remedies on Tuesday.

Marilyn Barrett, who specializes in herbs and pharmaceuticals, gave advice to student and medical professionals at the Dr. Martin Luther King Jr. Joint Library.

Topics in the seminar included how safety and efficacy of herbs are determined, and how the products are regulated.

Caroline Fee, associate director in the division of health professions, said Barrett was the best person to speak at the seminar.

"I met Marilyn last year and we hit it off right away," Fee said.

Barrett is the founder of Pharmacognosy Consulting Services and is a member of the American Botanical Council Advisory Board, Fee said.

Providing students and professionals with a seminar on herbal remedies was something that resulted from a lack of classes on the subject, Fee said.

"I teach a class in comparative alternative health services," Fee said, but no classes are available to give students information about herbal remedies.

"We really need to have this kind of information taught to students," Fee said.

A seminar such as the herbal remedies seminar "gives a start to this incredibly important area," Fee said.

Laura Telavera, program manager for the municipal health service program, said the city of San Jose helps provide seniors with health clinics and advisory groups.

The city has many diverse cultures that have different exposures to herbal remedies, Telavera said.

"Herbal remedies was an interest (among citizens in San Jose)," Telavera said.

The seminar helps "give a meeting of the

minds" between health professionals and consumers, Telavera said.

Many consumers of herbal remedies don't always use the products correctly, Barrett said.

"It's a jungle out there," she said, and many people don't get diagnosed before they take the remedies.

"People are taking their health into their own hands," Barrett said.

Using herbal remedies "was a trend a couple of years ago," Barrett said. "The lack of quality assurance has made it go away."

More and more doctors and professionals are willing to study herbal remedies and alternative medicines, Barrett said.

"Don't do it ignorantly," she said.

Barrett warns professionals of reactions that can occur when taking herbal remedies and other drugs.

"Not all botanicals are safe," Barrett said.

"When you start standardizing your product,

see REMEDIES, page 5

## The neigh-neighborhood cop ...



Daniel A. Miranda/Daily Staff

Outside the Student Union, Brian Helmuth and Katherine Tan pet Rocky, a horse with the San Jose Police department, while his rider Officer Campbell watches. Helmuth is a senior in aviation operation and Tan is a sophomore theatre major. Behind the horse is Bina Mistry, a junior nursing major.

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Opposing Views

Should death  
penalty be made  
illegal in  
California?

# Opposing Views: *Should the death penalty be illegal in California?*

**YES** *Death penalty advocates are more interested in vengeance than protection.*

Why does the state of California kill people and call it execution?

Execution does not deter criminals and costs the state more money than life in prison. It is arguably applied along racial lines and often only when an African-American kills a Caucasian victim. Yet death's head is being revisited.

Last Monday, Kevin Cooper had his execution stayed pending an eleven-judge panel review of the case. Although the ramifications of the news is not clear, KCBS radio is reporting that the delay could be for several days if the attorney general's office decides not to appeal. But the bigger issue concerns what victims and advocates for justice really want.

Complicating matters is that many argue he never committed the murders. Assuming Cooper is guilty, he has given 20 years of his youth and freedom for the crime. He will not marry and have children again, much like his alleged victims. Why is it that some members of society want more?

The source of the disagreement can be boiled down to two competing theories on the administration of law. One theory is retribution and the other is utilitarian.



**MICHAEL LERMA**

Retribution theory states in society, an individual must follow the rule of law. When the rule of law is broken, that individual must be punished. This is likely a position that most pro-death penalty advocates would agree with.

Utilitarian theory agrees with the part about following the rule of law. But it deviates when it comes to punishment. Punishment is secondary and the main reason for incarceration, and all sanctions against individuals that break the law, is to protect society. This is the view death penalty

abolitionists would likely agree with. It raises the question of how Cooper's death protects society.

Unless pro-death penalty advocates are concerned for the well-being of other convicted felons, Cooper's death protects very few individuals.

Life in prison protects society in a number of ways. The cost of life imprisonment is considerably cheaper than lengthy appeals processes, attorney's fees, and time the courts must use to hear cases. Prisoners even earn revenue for the state by working for pennies on the dollar.

But it appears in California that death penalty advocates are more interested in vengeance than in the protection of society. Others are concerned with both vengeance and safety, making them adopters of a utilitarian/retribution hybrid theory.

Some would say that anti-death penalty arguments fail to see the victim and sympathize with the loss of life to various friends and family members. Sometimes it is so unclear about what victims really want. Do they want a dead body — and any scary-looking black man will suffice — or do they want the killer? Society is not protected at all if you kill the wrong person. One would think only the true murderer's death would be good enough. Any question about Cooper's guilt should be greatly scrutinized.

In some Native American societies, outlaws were banished from the tribe. The punishment was harsh since indigenous people believe without a tribe the individual is nothing. Perhaps America and its fear of death are the basis for execution.

But law should not be levied based on fear. Fear is an emotion that clouds the mind's ability to think rationally.

When you remove emotions and fears, it makes sense to abolish the death penalty on a cost basis and on the basis of safety. Cooper's youth is gone. And even if the courts decide he was innocent all along, while freedom can be returned, time and memories cannot.

*Michael Lerma is a Spartan Daily staff writer.*



ILLUSTRATION BY KONSTANTIN ABADJIEV

**NO** *Protecting the innocent should be a top priority, not the other way around.*

Before you grab your stick and poster to picket for the demise of the death penalty, there are some important issues to consider.

Statistically, a majority of Americans are still in favor of the death penalty for those convicted of murder. According to a 1999 Gallup Poll provided by the Department of Justice, 66 percent of Americans support the idea. The same poll showed that for the last 25 years, public support for the death penalty has always been greater than 50 percent.

To disregard public opinion and eliminate the death penalty in California would be premature. There are reasons why people support it.

Deterrence is one factor in keeping the public's support for the death penalty. This is the idea that criminals would fear the death penalty and would be less likely to commit violent crimes.

If criminals are sent to prison with the possibility of parole, that means a murderer could be roaming the streets to kill again. If there's no consequence of death, it could be argued the worst a criminal has to fear is life in prison — three meals a day and free rent.

Even if it's only a theory, deterrence has its merits. If lives are saved because criminals are afraid of the death penalty, that's reason enough to keep the death penalty legal.

There's also the issue of retribution. Is it just to let murderers live after killing others? What about closure for victims' families?

At times, it seems like more consideration is given to criminals' rights than concern for what they have done.

Outlawing the death penalty displaces justice in favor of forced legislation with no regard to the details of the case. Protecting the innocent should be a top priority, not the other way around.

Opponents argue that the death penalty is enforced almost at random, with disproportionate numbers regarding race and gender. However, this does not mean the death penalty is the problem.

Adjusting the system doesn't mean the death penalty needs to be eliminated.

The death penalty is often scrutinized because people can be sent to death even if there's evidence to suggest that they could be innocent.

Kevin Cooper is scheduled to be executed in California for the murder of four people in 1983. He says he's innocent.

However, each case is unique. The death penalty shouldn't be outlawed because there is still debate whether or not Kevin Cooper is a murderer.

Few people argue that it's wrong to imprison anyone falsely convicted of a crime. That doesn't mean no one should go to jail simply because sometimes innocent people do.

It is unconstitutional to apply the death penalty for everyone convicted of first-degree murder because no two crimes are the same. As such, banning the death penalty in general because another case was handled improperly would be wrong.

The system isn't perfect.

There is plenty of room for change, but until society finds a method of punishment that satisfies both sides of the debate, the death penalty should remain legal in California rather than just tossing it out because some people think it is inhumane.

The death penalty is in place in California to save the lives of innocent people and to punish criminals, not just to show how powerful the law is.



**COLIN KUTCH**

*Colin Kutch is a Spartan Daily staff writer.*

## campusvoices

COMPILED BY ELIZABETH NGUYEN; PHOTOS BY CARIEN VELDPAPE



*"Yes, because nothing justifies taking someone's life."*

**Melody Idillier**  
senior,  
advertising



*"No. If they get the death penalty they deserve it. If they killed, they should die too."*

**Mario Alabi**  
freshman,  
undeclared



*"Yes. If we allow the death penalty to go on, it makes us no better than murderers."*

**Nayoung Kim**  
sophomore,  
interior design



*"No, because I think if someone kills someone, one hand washes the other, an eye for an eye."*

**Courteney Hearn**  
junior,  
nursing



*"Yes. If we can't murder, then why should the government be allowed to?"*

**Brian Smith**  
senior,  
comparative  
religious studies



*"No. The death penalty does its job. Dead people do not kill."*

**Kamila McLean**  
junior,  
communications and  
sociology

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ARTISTS | Paul Dybdahl, Cartoonist; Aidan Casserly, Cartoonist; Konstantin Abadjiev, Illustrator

THE SPARTAN DAILY | ONE WASHINGTON SQUARE | SAN JOSE, CA 95192

(408) 924-3281 | SPARTANDAILY@CASA.SJSU.EDU, SPARTANDAILYADS@CASA.SJSU.EDU

NEWS ROOM 408.924.3281

FAX 408.924.3282

ADVERTISING 408.924.3270

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A viewpoint is the same as a letter to the editor, except it is a 400-word response to an issue or point of view that has appeared in the Spartan Daily.

Submissions become property of the Spartan Daily and may be edited for clarity, grammar, libel and length. Submissions must contain the author's name, address, phone number, signature and major.

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Editorials are written by and are the consensus of the Spartan Daily editors, not the staff.

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## Calendar

## Music

## Evanescence

Performing Feb. 13 at the Event Center at SJSU. Tickets are \$28.50 and are available at Ticketmaster. This is the rescheduled date; Nov. 23 tickets honored at the door.

## Keb Mo'

Feb. 20, 8 p.m. at the Luther Burbank Center in Santa Rosa. Advance ticket price is \$35. Available at tickets.com.

## Enrique Iglesias

Feb. 24 at the Paramount Theater in Oakland. Advance ticket prices are \$35 to \$65. Available at Ticketmaster.

## Britney Spears and Kelis

coming to the Oakland Arena March 9, 8 p.m. Advance tickets range from \$40.50 to \$76. Tickets available at tickets.com.

## Soulful Melodies

featuring local San Jose musicians Tiffany Joy and Iari from 7 p.m. to 11 p.m. Feb. 13. This all-ages, alcohol-and-drug free event at the Oasis Club downtown is \$6 to \$10.

## Bob Marley Days

headlining Sly & Robbie & The Taxi Connection, costs \$30. This all-ages event at The Warfield on Feb. 20 starts at 8 p.m. Call (415) 371-5500 for more information.

## Misc.

**San Jose Planned Parenthood** is hosting a dance party fundraiser Feb. 27 at Waves Smokehouse, 9 p.m. to 2 a.m. \$10 per person.

**Steinbeck Center** in the Dr. Martin Luther King Jr. Joint Library will show "East of Eden" at 4 p.m. Feb. 18 and 19.

**University Scholar Series** presents Alice Carter and Courtney Granner to discuss their development of their award winning SJSU animation program Feb. 11 at 12:30 p.m. in the Spartan Bookstore. For more information, call (408) 924-5105.

**San Francisco Zoo's 15th Annual Valentine's Day Sex Tour** starts on Feb. 14. Tour times are at 10 a.m. and 2 p.m. Tickets are \$55 and is limited to guests 21 years or older. For more information, call (415) 753-7165 or check out [www.sfzoo.org](http://www.sfzoo.org).

## Performing Arts

**V-Day 2004:** Celebrating Vagina Warriors. A benefit performance of "The Vagina Monologues" held at the Morris Dailey Auditorium Feb. 12 and 13, 7 p.m. Students \$7 presale, \$10 at the door.

**Multi-Ethnic Theater** in San Francisco playing "Dutchman," an award-winning portrayal of conflict leading to violence. 8 p.m. Feb. 1 to 21. Call (415) 333-6389.

**What is This Thing Called Love?** Donald Pippin's Pocket Opera presents English translations of operas. This Valentine special will be at the Ralston Ballroom at Notre Dame de Namur University, Belmont on Feb. 15 at 2 p.m. To order tickets call (415) 972-8934.

**A Midsummer Night's Dream** by William Shakespeare will be performed at the San Jose Repertory Theatre through Feb. 22. Tickets are \$18 to \$52. For more information, call (408) 367-7255.

## Smoke away in Giza's alternative hookah lounge

By Elizabeth Nguyen  
Daily Staff Writer

As soon as anyone walks into the Giza Hookah Lounge on 18 N. First St., the world music playing in the background seems to merge the past with the future.

The lounge features the Hookah, a water pipe for smoking flavored tobacco.

After going to school in southern California where there is an abundance of hookah lounges, Long Tran, a co-owner of Giza, thought to open a lounge in San Jose, said Hanh Luong, a co-owner of the lounge.

"It was something new and different (in San Jose)," said Luong.

Giza employee Travis Perkins, a sophomore majoring in aviation science operations at San Jose State University, said Giza is different because of its art and indoor smoking.

The "organic mechanical art" called Koncius Art by DEE JAE Pa'este, gives Giza its Egyptian feel, Perkins said.

"The artist makes these organic things look robotic," Perkins said.

To the right of the entrance is a huge painting of King Tut, on the other side is a painting of an elephant.

In the center the lobby is a huge golden hookah that stretches close to six-feet high.

"It's probably the tallest (hookah) there is," Perkins said. It's a lamp that lights up blue and green and is also a functional hookah, Perkins said. "We'll sell it for \$600."

According to a hookah Web site, the hookah can be found in the Middle East as well as in Asia.

"All of our hookahs come from Egypt," Luong

said. "And so does some of the tobacco."

A smaller hookah can be purchased for \$30 to \$40, while the larger ones are on average \$100, Perkins said.

Giza offers two types of tobacco — premium tobacco, which is juicier and more flavorful for \$19.95, and standard tobacco for \$14.99, Perkins said.

The shishah, tobacco flavored with fruit and molasses, can be smoked on one hookah by up to five people, Perkins said.

Giza offers flavors like blackberry, cantaloupe, licorice, coconut, lemon, strawberry, grape, peach, mango, pineapple, fruit, raspberry, orange, caramel, sweet molasses, pistachio, jasmine, cola, cappuccino, honey, apricot, banana, double apple and sweet melon, Perkins said.

"We also have a non flavored tobacco," he said.

Peak hours are between 10 p.m. and midnight on Friday and Saturday, Perkins said, and the lounge can get very crowded.

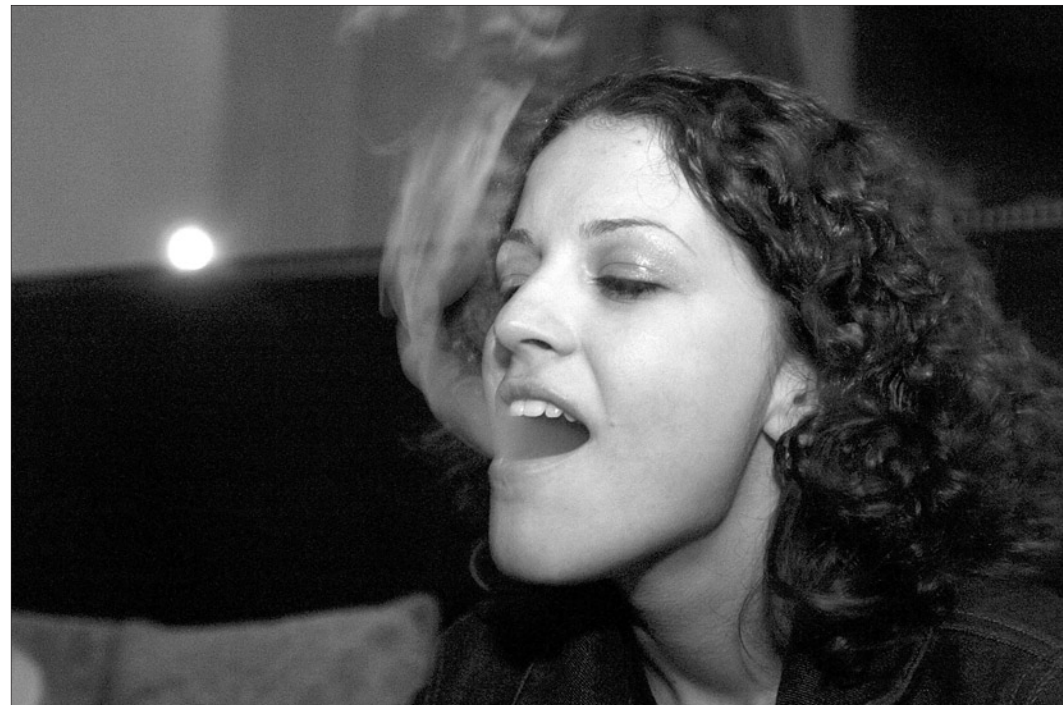
On Sunday night, Giza had about 20 people from between the ages of 18 to 25 lounging around.

The lounge area, toward the back of Giza, has long back couches and booths, while pictures of robotic girls encircle the room, making it look like something out of the movie "Stargate."

Red lighting, hanging paper stars and carpeted ceilings makes it hard for people not to want to lie down and look up.

Tim Shewey, a student from De Anza College, said he had never heard of a hookah lounge before Giza opened.

"When I first heard about the hookah lounge, I thought, 'Hookah lounge, what is that?'" said



Andrew Hendershot/Daily Staff

**Fruit flavored hookah smoke drifts from Lauran Brown's mouth at Giza on Monday night. Brown, a biology student at West Valley College, was celebrating her 19th birthday at Giza, a bar that rents hookah pipes used to smoke fruit flavored tobacco. Giza is located at 18 North First St. and is open at 8 p.m. nightly**

Shewey. "I came here and I just kept on coming back."

Chris Belz, a student from West Valley College, had heard about Giza from friends and introduced Shewey to the lounge, Belz said.

"When there's a line outside, you'll only wait 10 minutes before coming in," Belz said. "They don't usually let you in unless there's a good enough spot open."

Even though both Belz and Shewey are non-cigarette smokers, once they find a spot to sit, they

can sit and smoke for hours on end, he said.

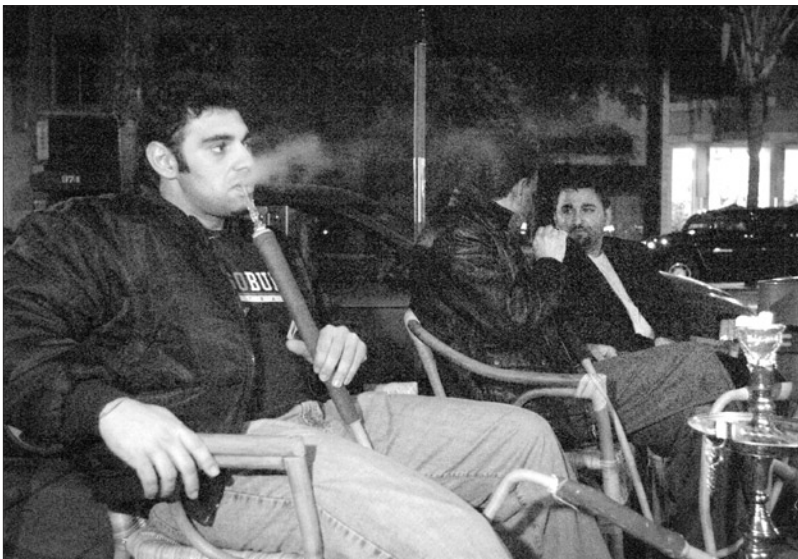
"Hookahs can last about an hour," said Belz.

"The hookah is probably the best way to smoke nowadays," Perkins said.

For those who need to quench their thirst, the lounge offers non-alcoholic beverages for \$2.

The Giza Hookah Lounge is open from 8 p.m. to midnight on weekdays and from 8:00 p.m. to around 1 a.m. or 2 a.m. on Friday and Saturday, depending on how many people are in Giza, Perkins said.

## Hookah Nites Café moves in with ethnic flair



Andrew Hendershot/Daily Staff

**Marco Attisha, a senior computer engineering major at San Jose State University, blows smoke from his hookah at the Hookah Nites Café on Monday night. The café is located at 371 South First St.**

By Carly Roden  
Daily Staff Writer

Absent the persistent hip-hop beats and the ever-growing lines that spill from nearby bars and clubs, Sunday nights are an oasis of calm in the otherwise rowdy weekend culture of downtown San Jose's SoFA District.

Buzzing chatter and sweet smelling smoke mingle together before disappearing into the night sky outside Hookah Nites Café,

a cozy new spot to kick up your feet, sip a latte and smoke a bowl.

Before anyone gets too excited, it's important to clear up any potential misconceptions with a crash course in hookah history.

Also called narghile, hookahs are Turkish water pipes that have been enjoyed throughout the Middle East for nearly 500 years. The pipes are used to smoke shishah, a blend of tobacco leaves, fruit pulp, honey and molasses — nothing wacky in this tobacky.

Located at 371 S. First St., in the building that used to house Café Matisse, Hookah Nites Café offers an array of flavored tobaccos, espresso, soft drinks, sandwiches and desserts to the multicultural, 18-and-over crowd. While the café is open seven days a week, hours vary to accommodate the flow of business.

An equal amount of men and women can be found here reading, playing backgammon or just people-watching, all the while releasing dense clouds of aromatic smoke from their lips.

Owner Paul Zumot combines his ethnic roots with a touch of personal flair to create a décor that is truly unique.

A painting of the Jordanian monument Petra dominates one of the tangerine-colored walls, while a textile rendering of King Tut and earth-toned Arabic rugs maintain the ancient cultural vibe.

In contrast, Los Angeles Lakers posters, including an autographed photo of Gary Payton, adorn the shelves behind the counter, providing a modern twist. Patrons may also catch a glimpse of one of Zumot's motorcycles, a polished American IronHorse Slammer that is sometimes parked in the store window.

Everything from techno beats to classical melodies can be heard

pumping from the speakers. The six televisions show a variety of sports and concerts on DVD.

The first step to hookah heaven is selecting a tobacco. In addition to traditional fruit flavors like strawberry, mango and double-apple, the Hookah Nites Café menu offers exotic choices like rose, licorice, cognac and margarita.

For \$10 customers can get a bowl of tobacco, which lasts about 40 minutes, use of a hookah and as many disposable mouthpieces as a group requires. Smokers can mix two flavors together for an extra \$2, and add ice to the water chamber to produce a smoother, lighter taste for \$1.

To further enhance the experience, the smoke can be filtered through a whole, fresh fruit like coconut or pineapple that is drilled through the center and placed below the bowl. These specialty hookahs range from \$15 to \$25, depending on the fruit.

While guests settle down at one of the wooden tables outside, an employee prepares the pipe, filling the bowl with the chosen tobacco and covering it with perforated aluminum foil.

The hookah is then delivered to the table, topped with glowing hot mesquite charcoal and is ready to enjoy.

Shishah smoke is smooth and light, and unlike the cheap flavored tobacco found in liquor stores, will not leave you nauseous or with a splitting headache. The silky, sweet taste lingers in the mouth for a few minutes and can be complimented by a cup of bold Turkish coffee or spiced chai.

For those interested in at-home use, hookahs can be purchased for \$25 to \$100, and jars of shishah (8.8 oz.) are available between \$5 and \$14 depending on the flavor and brand. Handblown glass mouthpieces can be custom-made for \$100.

The knowledgeable staff and laid-back atmosphere make Hookah Nites Café a comfortable place for everyone from the narghile novice to the professional puffer to come and exhale the stresses of life.

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