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# Judge Rules Against Climate Change Lawsuit: Young Plaintiffs Plan Appeal

BY OUR CHILDREN'S TRUST, EDITED AND CONDENSED BY VICKIE NELSON

In early April in front of a packed courtroom and national news media, Judge Karsten Rasmussen heard oral argument in a precedent-setting climate change case, *Chernaik v. Brown*, brought by two young women from Eugene. More than 400 students and adults from across the state flooded the courtroom and took part in a silent vigil and theatrical tribunal outside the courtroom in support of the legal fight by Kelsey Juliana and Olivia Chernaik for their constitutional rights and meaningful state action on climate change.

"I'm very proud and grateful to my attorneys who represented us exceptionally well today," said Juliana. "I'm disappointed and confused why my State is continuing to battle and resist our efforts to ensure our rights are being upheld, by protecting vital resources needed for current and future generations. However, I remain optimistic and look forward to the judge's decision."

Juliana and Chernaik brought their case against both the Governor and the state of Oregon because the state, by its own admis-

sion, is failing to meet its carbon emission reduction goals and is not acting to protect Oregon's public trust resources and the futures of these young Oregonians. The youth plaintiffs asked the court for a declaration of law that the state has a fiduciary obligation to manage the atmosphere, water resources, coastal areas, wildlife and fish as public trust assets that must be protected from substantial impairment. The state's attorneys renounced any obligation to protect these public resources, arguing that the public trust doctrine does not apply to the atmosphere and only prevents the state from selling off submerged lands to private interests.

Outside the courtroom, "Two hundred young people, from babes in arms to college students showed up, eager for solutions and to stand behind Kelsey and Olivia," said Mary DeMocker, co-founder of 350 Eugene, which helped organized support for the case. "We were blown away by their creative energy and positive motivation."

"In the face of unprecedented and irreversible harm to our natural resources, this case give Oregon the chance to lead our nation in protecting our atmosphere and all natural resources so our children and grandchildren enjoy a viable life on Earth," said Chris Winter, co-executive

director at Portland's Crag Law Center, who argued the case for the plaintiffs. "Our government holds our shared natural resources in trust, including our atmosphere, for present and future generations."

"The Oregon Court of Appeals asked Judge Rasmussen to declare whether the State owes to the people this fiduciary obligation to safeguard our natural resources. This duty is the public trust, and we are optimistic that the court will so declare, placing Oregon on the path to science-based systemic climate recovery."

Julia Olson, executive director and chief legal counsel at Our  
**See Lawsuit, p. 7**



PHOTO COURTESY OF OUR CHILDREN'S TRUST  
Children hold signs in support of the case outside the courtroom

# Ecology of a Police State

BY JACK DRESSER

Reporting on a 5-member panel discussion at the 2015 Public Interest Environmental Law Conference (PIELC) at the UO, I'll use the panel's title. The panel was sponsored by the Prison Ecology Project under development by the Human Rights Defense Center (HRDC) in Florida.

Over 1,500 U.S. prisons have been built during the last quarter century, many on landfills, exhausted coal and uranium mines, EPA superfund sites, and other toxic waste sites. As described by Paul Wright, editor/executive director of Prison Legal News and the HRDC, these prisons have been "engines for economic development" after extractive industries leave. Wright views these as "discarded spaces for discarded persons." They expose prisoners, staff and visitors to serious health risks. In one example, multiple cancer cases stemmed from toxic contamination under the prison on Rikers Island, NY. Other

prisons use contaminated water supplies for the prisoners, such as the Kern County, California prison where dangerous levels of arsenic have been documented in the water. Since 2000, eight of California's 33 state prisons have been cited for serious water pollution problems. The problem is nationwide, found in rich and poor states alike including (northwest) Washington, (southeast) Virginia, Alabama, Georgia, and Kentucky, (midwest) Indiana, Michigan and Ohio, (northeast) Massachusetts, Maryland, New York, Pennsylvania and New Jersey, and (southwest) Texas and New Mexico.

Not only are prisoners endangered but so also are communities and natural areas nearby. Hundreds of prisons around the country discharge raw sewage and toxic pollutants into the waterways surrounding them. Often built on ecologically sensitive areas, the prisons are known to violate Environmental Protection Agency regulations and the Endangered Species Act while greenwashing mass incarceration with "absurd claims about the ecological benefits of energy efficient solitary confinement units which subject prisoners to years of sensory deprivation." The HRDC states in response that "torture cannot be offset by solar panels." These violations

clearly present human rights and social justice as well as environmental challenges. With the highest incarceration rate in the world, American blacks outnumber whites by a six-fold margin. Panel participant Max Rameau, Director of the Center for Pan-African Development, stated that "Blacks are a domestic colony" and police are an "occupying force." Prisons provide testing grounds for police tactics. The solution, he believes, would be community-controlled rather than rule-controlled police. The Crown Heights neighborhood in Brooklyn was suggested as an example.

Panel participant Ben Rosenfeld, a board member and attorney with the Civil Liberties Defense Center, discussed the "Green Scare" — use of prison to deter environmental/animal activists, their demonization as "eco-terrorists" and the presence of eco-prisoners incarcerated in the U.S.

The environment will be the Prison Ecology Project's primary focus. In 2002, the EPA first identified correctional facilities as an ongoing, significant source of environmental problems, but when asked by HRDC for current documents regarding enforcement of violations, an EPA representative responded in January 2015, "We haven't done a prison inspection in several years now." We can all ratchet up pressure for the EPA to do its job, especially here.

The Prison Ecology Project plans to pursue objectives neglected by the EPA using three organizational divisions:



PHOTO COURTESY OF THE PITTSBURGH POST-GAZETTE  
Fayette State Prison in Pennsylvania was constructed on a former strip mine site.

**See Police State, p.7**

Welcome to the new issue of Occupy Eugene's newsletter! We hope you enjoy our articles and find a place to join Occupy Eugene in our efforts to bring about our vision. If you are looking for a way to get involved please visit <http://occupyeugenemedia.org/volunteer/>

# Lane County Releases 2015 Homeless Point in Time Count

On Jan 28 Lane County Human Services, along with community partners, conducted a one-night count of people who are homeless in our community. Count locations included the streets, under bridges and along railroad tracks, in parks, food pantries, and day access centers.

During this year's Count organizers also made a concerted effort to reach out to the rural areas, target homeless veterans, and expand to new locations, including rest stops, Opportunity Village, Occupy Medical, Hope Center, Municipal Court. Staff and volunteers from dozens of organizations counted 1,473 people in Lane County, 19% less than the 2013 Count.

What does the count mean? According to Pearl Wolfe, Lane County Human Services Supervisor, "Increasing housing resources is the key to reducing homelessness in our community. The addition of 227 permanent housing beds to our inventory has made a difference."

Some of the volunteers involved in the count however, disagree. One volunteer said, "To me it says fewer people were counted and nothing more. The police interrupted the counting I was doing, so a third of the people at least left the area I was in the day of the count."

Of the 1,473 people counted:

- 656 individuals were staying in Emergency Shelter
- 101 individuals were living in Transitional Housing (up to 24 months) designated for people who are homeless
- 716 men, women, and children were without shelter

Characteristics:

- 223 family members in homeless households with children; 151 sheltered; 72 unsheltered
- 210 homeless veterans: 110 sheltered; 100 unsheltered:
- 697 chronically homeless people: 318 sheltered; 379 unsheltered
- 398 people have a mental illness
- 206 people have chronic alcohol/substance abuse issues

This snapshot in time only paints part of the picture of homelessness locally," said Wolfe. "Annual figures show that 11,668 individuals who sought services from local programs were homeless at some point during the year." In addition,

- 948 unduplicated individuals were served at the Egan Warming Center during 10 nights of the winter season at 9 faith-based sites and the Lane County Wheeler Pavilion during the 2014-2015 winter seasons (St. Vincent DePaul).
- 2,151 homeless students attended public school in Lane County during the 2013-14 school year (Oregon Dept. of Education). This number includes those doubled up with relatives or friends.

One-night counts are required by the Department of Housing and Urban Development, and Oregon Housing and Community Services, which provides funding for housing and services related to homelessness. The Point in Time Summary is used year round by planning boards, and policy makers on local, state and federal levels to inform their work on this issue.

## Equity March and Rally Sept. 27

BY DAVID HAZEN

The Eugene Peace team is actively recruiting as many people as possible who have suffered loss of income or shelter to participate in the Equity March and Rally on Sunday, Sept. 27, along with their advocates and allies. We intend to connect the dots between war, poverty, climate change, and all forms of violence — and join forces to work for a culture of peace. Five "feeder" marches from Whiteaker, Harlow, Springfield, South Hills, and West Eugene neighborhoods will meet at Wayne Morse Plaza. Speakers and food are still in the planning stages.

We will simultaneously submit to the city council a request that they amend the camping ordinance to allow the same rights as affirmed by Oregon Senate Bill 269:

- The right to move freely, rest, sleep, and pray in public spaces.
- The right to occupy a legally parked vehicle.
- The right to serve food and eat in public spaces.

The Equity March and Rally is part of Campaign Nonviolence, which was launched by Peace e Bene in September of 2014 with 238 marches, rallies, vigils, fasts and festivals across the nation. The campaign is a long-term movement to mainstream non-violence and build a culture of peace in three interrelated ways:

(1) Practicing Nonviolence Toward the World: 500 Marches in 2015 against violence and for a world of peace, justice and sustainability.

(2) Practicing Nonviolence Toward All: Engaging in Nonviolent Dialogue with persons and groups that we disagree with, actively resist, or struggle against.

(3) Practicing Nonviolence Toward Ourselves: Fasting from personal, inter-personal and social harm, including verbal, physical, institutional, or structural violence.

Peace e Bene Nonviolence Service, founded in 1989 by the Franciscan Friars of California, works to mainstream peacemaking that will empower people from all walks of life to prayerfully and relentlessly engage in non-violent efforts for the well-being of all.

## Health Care for All Oregon

BY PATRICIA BITNER

Health Care for All Oregon meets on the first Tuesday of each month at First United Methodist Church, 13th and Olive, Eugene. Ample parking. All welcome!

The following bills now in the Oregon Legislature need to pass to advance universal, tax-supported health care for all Oregonians:

**HB2828** — Funds study to determine what kind of health care program Oregon voters want. On April 23, the Oregon House Ways & Means Committee held an open meeting in Springfield to hear comments from the public about how Oregon's available funds should be spent.

**SB631** — Sen. Michael Dembrow has introduced his 2015 HEALTH CARE FOR ALL OREGON ACT; a hearing was held May 4 at the Capitol. This was the first time a single-payer bill has been heard in the Oregon Senate. The bill is not ready for passage at this time, but showing support is important.

**BALLOT INITIATIVE REPORT** — Charlie Swanson is a major crafter of the proposed ballot initiative to be placed on the 2016 ballot proposing universal tax supported health care for all.

Health Care for All Oregon is a statewide coalition of organizations and individuals formed to advocate for universal, tax supported health care for all Oregon. Visit [www.hcao.org](http://www.hcao.org) or contact Lou Sinniger at [sinniger@efn.org](mailto:sinniger@efn.org), 541-954-2356. Please join us

## Occupy Eugene on the Web

**Web site:** <http://occupyeugenemedia.org/>  
Provides information about activities and upcoming events.

**Facebook:** <https://www.facebook.com/groups/375775672475381/> Used by our communications committee to promote actions and other events.

**Twitter:** @occupyeugene

**Occupy Medical blog:** <http://occupymedics.wordpress.com/>

**Occupy Medical on Facebook:** <https://www.facebook.com/groups/43411789971743/>

## Occupy Eugene

### Newsletter Staff

*This issue of the Eugene Occupier is brought to you through the collaboration of Catherine Siskron, Christina Bellini, Jack Dresser, Graham Lewis, David Ivan Piccioni, Ralph Bitter, Vickie Nelson, and the many participants and committees of Occupy Eugene.*

### Reader Feedback and Comments:

We welcome your comments, suggestions, and feedback, as well as content and financial contributions for our newsletter. E-mail us at [newsletter@occupyeugenemedia.org](mailto:newsletter@occupyeugenemedia.org)

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*We are a nonviolent, non-partisan, social-political movement for accountability and responsibility in government. We stand in solidarity with Occupy Movements around the globe and all people who will no longer sit back and watch corporate and special interests run their Government, and spoil the living Earth. For we, the people, are the government.*

*It is time to turn away from a culture of war and domination, and create a living economy which operates in harmony with our living planet. We must begin by opening our hearts to those the present system would discard and push into the shadows, because we believe that, in our United States, it's we the people who are sovereign- not global corporations.*

*We have come together to create a community that expresses our common needs, to organize, network, and participate in solutions and to remind one another that, as a society, we have unfinished business in our pursuit of social and economic justice.*

*Note: This excerpt has been approved by the OE General Assembly. You can find Occupy Eugene's complete vision statement at <http://occupyeugene.net/vision>.*

# Crisis at the Border

By CAROLINE VAN DER HARTEN

A humanitarian crisis in Central America is causing tens of thousands of children to flee to the United States and other countries, seeking safety and security. While many of these children are showing up with a parent, many are also showing up alone.

The events in El Salvador, Guatemala and Honduras causing this large-scale migration include dramatic increase in violence, forced conscription into gangs, human trafficking, and sexual assault. The United Nations High Commissioner for Refugees (UNHCR) states that although the United States is seeing a large number of individuals seeking asylum, the number of asylum claims in Mexico, Panama, Nicaragua, Costa Rica and Belize have also skyrocketed.

The journey that many of these children undertake in search of sanctuary is treacherous. Many are injured, killed or further abused in transit. Under both international law and U.S. law, these children have a right to present themselves at the U.S. border and ask for protection from the violence and persecution that they are fleeing. These individuals are not breaking the law when they come to our country asking for help.

According to the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, the U.S. Dept. of Health and Human Services is required by law to take custody and provide care for unaccompanied foreign children who present themselves at the U.S. border asking for help, as long as they are from countries that do not border the United States. As such, we have both a legal and ethical duty to evaluate the circumstances that drove these children to our nation and to provide the proper protections that qualified individuals are eligible to receive under the law.

There are many ways to help these children. Nationally, faith-based groups are encouraging communities of faith to support children seeking safety in the United States. These organizations are sending legal staff and volunteers to help individuals understand their rights and to advocate for them. Additionally, they are collecting funds for basic needs such as food, water, clothing, diapers, medical care, housing and bus tickets for those without other means of support.

Locally, the Oregon Chapter of the American Immigration Lawyers Association (AILA) ([www.ailaoregon.com](http://www.ailaoregon.com)) has sent teams of attorneys to provide direct legal assistance to individuals arriving at the border. Children with these cases are just starting to arrive in



PHOTO COURTESY DALLAS MORNING NEWS

Oregon, and AILA attorneys are organizing a strong pro bono response. EMO's SOAR Immigration Legal Services ([www.soarlegal.org](http://www.soarlegal.org)) is assisting with referrals to these pro bono attorneys, and Morrison Child and Family Services serves as the initial shelter offered to children who are sent to Portland.

While children await their court dates, additional support will be necessary. The Interfaith Movement for Immigrant Justice, formerly the Oregon New Sanctuary Movement, is initiating a campaign to connect directly with children by writing letters of welcome and solidarity. This is a great way for congregations to get involved. For more information, visit [www.imirj.org](http://www.imirj.org).

Additionally, SOAR Immigration Legal Services provides culturally-competent legal representation and education to low income refugees and immigrants in Oregon and southwest Washington. Last year, SOAR provided educational services and legal consultations to more than 2,000 people. Our caseload includes naturalization, adjustment of status, family reunification, temporary protected status, parole renewal, humanitarian parole, employment authorization, asylum counseling, and refugee travel documents.

Through SOAR's services, we promote immigrant integration and civic engagement, as we guide refugees and immigrants along the pathway to U.S. Citizenship. Community support for these services is always needed and welcomed.

The funding pool the government uses to serve the needs of these unaccompanied children is the same pool used to serve planned refugee arrivals to the United States. Each year, Congress allocates funds to the Office of Refugee Resettlement. Due to the unexpected increase of children arriving at our southern border, the funding is insufficient to serve both of these groups. If the budget is not increased, there will be drastic cuts to refugee services both locally in Oregon and nationally.

Contact your senators and representatives to ask them to increase the Office of Refugee Resettlement budget, so they can adequately address both the needs of these children and vital refugee services for new arrivals.

Oregon and the United States have been welcoming communities, where individuals fleeing persecution and violence have been able to start over and safely begin new lives. Let's ensure that this continues. Your voice and action here in Oregon and on the national level will make a tangible difference.

Caroline van der Harten is managing attorney of SOAR Immigration Legal Services. You can contact her at (503) 384-2482 or [cvanderharten@emoregon.org](mailto:cvanderharten@emoregon.org), or visit [www.soarlegal.org](http://www.soarlegal.org).



PHOTO COURTESY CENTER FOR HUMAN RIGHTS

## The Three Main Reasons for Migration

By DAVID IVAN PICCIONI

The debate about whether to allow South and Central American migration into the United States is misguided. We should first ask: Why do people want to leave their homes and come to a place where they'll have to learn a new language and be treated as "illegal aliens"?

There are at least three causes, each one of them significant on its own: The U.S. sabotage of democratically elected governments, the free trade agreements, and the war on drugs. All three of these make it really hard to survive in Latin America. Issues of personal security, livelihood, and lack of democracy all constitute the reasons for migration. Destination? North to the U.S. These causes are all interconnected.

The U.S. fight against socialism is often the excuse for military interventions. It is nothing more than preventing foreign states from gaining autonomy over their own resources and nationalizing what rightfully belongs to their own people. We expect nothing less from our own leaders, so why object when other countries are choosing the way that is best for them?

In South and Central American nations, including the Caribbean, military dictators were installed with the help of their own militaries. However, without U.S. institutions like the CIA, USAID and the School of the Americas, numerous coups d'états in the western hemisphere would have failed. The U.S. provided weapons, training and money, all to circumvent the people's choice of governments. An historical overview of most countries in the Americas shows that Argentina, Chile, Paraguay, Uruguay, Nicaragua, Guatemala, El Salvador, Haiti, The Dominican Republic, Brazil, Venezuela and numerous others have had dictatorships

sponsored and supported by the U.S. The result of this? Fear, torture, extrajudicial imprisonments, disappearances and murders.

Free Trade Agreements (FTAs) pursue the same objectives through laws, politics and economics. Support of dictators through the U.S. Armed Forces is often too overt, so alternative, covert methods are used that eliminate labor, environmental and consumer protections, and leave whole counties ripe for pillage by multinational corporations. This, for instance, is what happens when subsidized GMO corn and other agricultural commodities flood our neighbors in Mexico. Family farmers can't compete, go bankrupt, and are forced to migrate into big cities. This causes many modern problems and disconnects them from generations-long cultures. Ways of earning livelihoods and cultivating the land in harmony with nature disappear. The North American Free Trade Agreement (NAFTA) and the Central American Free Trade Agreement (CAFTA) have proven harmful to the middle and lower classes, accentuating polarization of wealth, making a few billionaires and millions of virtual slaves. Under these trade agreements average citizens do not prosper, whether living in a Third World country or in a superpower like the U.S. With "investor provisions," as written in the secret proposed Trans Pacific Partnership (TPP), national laws decided democratically can be challenged by international tribunals accountable only to shareholder profits.

The war on drugs is another piece of the puzzle. It tells citizens their tax dollars devoted to prisons and militarization are spent for their own good. Instead, in the now highly privatized prison-industrial complex, over half of those currently imprisoned are incarcerated for crimes against

themselves such as drug use. The solution would be simple: complete legalization of all plants and chemicals that have medical or recreational use. This legalization would provide significant taxable income for entire countries as well as pharmaceutical grade products that meet reasonable safety standards. Drug-related crimes would be virtually eliminated.

People would have to learn to regulate this new form of empowerment. Black market profiteers and a corrupt justice system now run by criminals and corrupt police could be replaced by compassionate harm reduction programs. This would require an assumption that people can be trusted to regulate their own nervous systems. Money spent on the "war on drugs" could be used for prevention and treatment of drug misuse and addictive disorders without criminalizing the drugs or their users. Substances now classified as Schedule 1 (no recognized medical use) such as psychedelics, marijuana, and entheogens could possibly be used therapeutically and in religious ceremonies. This method to ameliorate migration is understandably controversial and would need further study, but the point we need to understand is that the current "official attitude" that puts people in prison for choosing to use drugs is inconsistent with human rights, freedom and autonomy.

The sabotage of democratically elected governments, the free trade agreements, and the war on drugs are the main causes of the problems in Central and South of America. These factors lay the groundwork for the exploitative industries that take advantage of poor and working people. They are in essence theft of resources, land, democracy and autonomy. Is this what we as Americans want to support?

## The Crisis of Homeless Youth

By VICKIE NELSON

What can we do to help our homeless youth? A group of about 60 social service providers and homeless advocates came together at the First Congregational Church to grapple with this question on a sunny afternoon in April.

Keynote speaker Casey Trupin, a Special Advisor to the American Bar Association's Commission on Homelessness and Poverty, and the Coordinating Attorney for the Children and Youth Project at Columbia Legal Services in Seattle, spoke about some of the distinct problems of homeless children. One of the most problematic is that minors typically cannot get into a shelter without the permission of a parent, and many young people have left their home because of abuse by their parents.

Homeless youth are not a homogeneous group, but a diverse category of young people that includes teens who have been sexually exploited, immigrant youth, youth of color, children who have been in foster care, LGBTQ youth, and young people who are themselves already parents.

While emancipation can be a gateway for some of these young people, it is, Casey told the gathering, not a panacea. In order to become emancipated, young people must be earning enough to be able to live on their own, and employment is problematic, especially for young people who have criminal records.

How big is the problem of homeless youth? In Lane County, we have approximately 2,151 homeless students, 710 of whom attended school last year.

Among some of the ideas the Eugene Human Rights Commission's Homelessness Working Group has come up with to deal with the current crisis are a youth hostel for homeless kids, expand day centers where youth can safely and legally hang out, and a program to encourage local business people to be mentors and employers of homeless youth.

The Eugene-Springfield area is lucky to have one of the nation's largest programs on children's issues and public policy at the UO Law School. "The Law represents both hope and despair to homeless youth," Casey says. Perhaps homeless advocates can work with the UO program to develop local activities and events that will move local young people toward hope and away from despair.



PHOTO BY VICKIE NELSON

A group of UO students from Beyond War led group discussions at the gathering.

## Sea Shepherd Eugene Strives to Protect the Oceans

By DANA JO COOK

The Eugene chapter of Sea Shepherd Conservation Society was formed in 2014, and our volunteers have been working around the clock since then to bring Sea Shepherd's mission to defend, conserve and protect ocean wildlife worldwide to the bio-diverse



PHOTO COURTESY OF SEA SHEPHERD EUGENE

state of Oregon.

Our Onshore Volunteers are active in local outreach, including screening documentaries, holding classroom presentations, hosting fundraising events and gaining community involvement in projects like public comment hearings and ridding our beaches of harmful plastic debris. The volunteers who now make up the Sea Shepherd Eugene chapter have been involved in marine and environmental issues around the state for many years. As environmental activists, we understand the need to bring all sides to the table in order to save the species and habitats that are vital to a healthy bio-region.

The protection of marine wildlife and ecosystems is not limited to the vast waters of the open ocean – it is needed right here! Areas like our coastal forests in the Pacific Northwest – home to species such as the marbled murrelet, an endangered seabird – are in need of protection. So too are watersheds that supply crucial spawning grounds to salmon migrating through this region. Sea Shepherd's Dam Guardian volunteers have documented the assault on marine wildlife on the Columbia River in Washington and Oregon by rogue state wildlife-management agencies that are hot-iron branding, hazing and killing federally protected California sea lions for the "crime" of eating salmon. The sea lions are scapegoated while human-induced threats, such as overfishing, dams and pollution, are a greater threat to the salmon population.

Sea Shepherd Eugene volunteers work locally to gather support for Sea Shepherd U.S.A's campaigns around the world. We are proud to bring this work to Oregon. If you share our passion for protecting the oceans, please contact [eugene@seashepherd.org](mailto:eugene@seashepherd.org).

## All People Have a Right to Rest

By KEN NEUBECK

The unhoused struggle to survive across Oregon, whether they reside in small towns, larger cities, or rural areas. In many instances, people are not only homeless but lack safe and legal places to be sheltered. Consequently, they are forced to conduct necessary life-sustaining activities—e.g., resting, eating, sleeping—in public spaces where they can be noticed.

Most communities have ordinances prohibiting everything from loitering to camping, meaning those who are unsheltered are constantly subject to being cited by police, arrested, and even jailed. Being homeless and unsheltered essentially makes a person a target,

subject to police profiling, harassment, and orders to move on even though there is no place to go. The "criminalization of homelessness" gives people criminal records, which make it even more difficult for them to find permanent housing or become employed. Not only is a law enforcement approach completely ineffective in reducing homelessness, it is expensive and wasteful of tax dollars, takes police away from dealing with real crimes, and keeps people who are homeless in a constant state of stress, anxiety, and fear, thus adding to the health problems many already suffer. Criminalization is viewed by international and national human rights groups

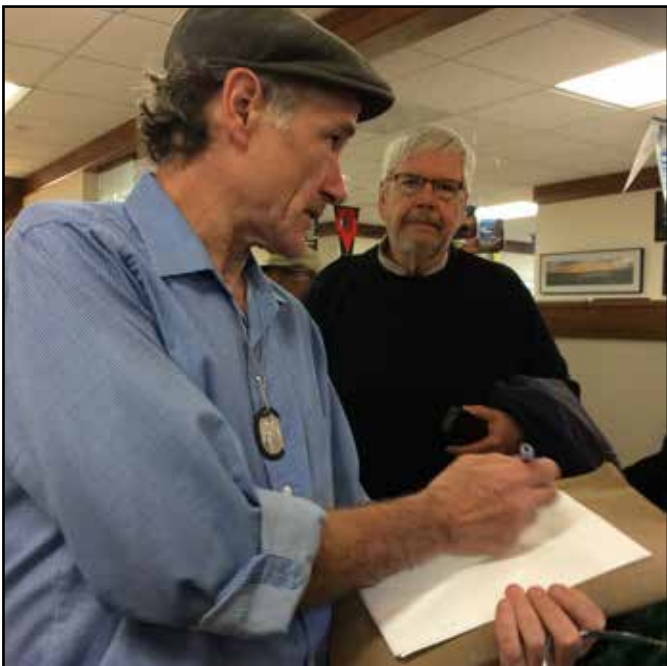


PHOTO BY VICKIE NELSON

David Strahan and Ken Neubeck help advocates get organized for a day of lobbying.

as a violation of basic human rights, and it is happening statewide, including in Eugene.

It is for such reasons that the Western Regional Advocacy Project (WRAP), a nonprofit social justice organization based in San Francisco, has been pushing the idea of establishing statewide homeless bills of rights in Oregon, Washington, California, and Colorado. Homeless bills of rights have already become law in Rhode Island, Connecticut, Illinois, and the Territory of Puerto Rico. In Oregon, WRAP has been working with people, many of them homeless, in Portland from Right 2 Dream Too, Right 2 Survive, Sisters of the Road, and other organizations. Homeless advocates from Eugene recently joined WRAP and the Portland folks in lobbying for a bill, Senate Bill 629 known as the Oregon Right to Rest Act. This bill was aimed at eliminating the criminalization of homelessness statewide.

The Right to Rest bill, which was introduced into the state legislature by Senator Chip Shields (D.-Portland) was based on data collected by WRAP on the "illegal offenses" for which those who are homeless are being charged, cited, and arrested. These offenses include sleeping, sitting or lying down, loitering or hanging out. A high percentage of people who are homeless report having been harassed by police, do not know of any safe and legal places to sleep outside, and have been hassled by private security guards.

The proposed bill would have given the right to all people, homeless or not, to:

- Use and move freely in public spaces;
- To rest and seek protection from adverse weather conditions in public spaces in a manner that does not obstruct human or vehicle traffic;
- To eat, share, and give food in any public space where this is not prohibited;
- To pray, meditate, worship, practice religion in public spaces;
- To occupy a motor vehicle or recreational vehicle that is legally parked.

The Right to Rest bill would not have given any "special rights" to people who are homeless. Rather, the bill would have granted these rights to everyone equally.

The bill, once introduced by Senator Shields, was assigned to the Senate Committee on Human Services and Early Education, a five-person committee with three Democrats and two Republicans.

The Committee held a public hearing at which it heard testimony in its favor by almost twenty people from Portland and Eugene, both housed and unhoused, with only a few opponents testifying. The testimony was compelling enough to earn the bill further discussion in a Senate "work group" of advocates and opponents, chaired by Senator Shields. The

# It is Possible Safe Places to Sleep

BY VICKIE NELSON

*The ache for home lives in all of us, the safe place where we can go as we are and not be questioned.* —Maya Angelou

## The Ninth Ward

In the tradition of Occupy, SLEEPS, and Whoville, a group of housed and unhoused citizens of Eugene, Oregon, have spent the last eight months protesting the criminalization of people without shelter and demanding the camping ban be lifted or amended to allow unhoused people to live and sleep without harassment. We have spent the winter sheltering sick and vulnerable individuals and others, several of whom have moved into permanent or temporary housing. As spring approaches, we will remain in public spaces and encourage everyone to stand up for our brothers and sisters without shelter.

Originally called Occupy the Universal Right to Sleep (OURS), this camp is now called The Ninth Ward. We are unhoused, unsanctioned and unrepresented but we continue to make community everywhere we go. We are not leaving.

## Nightingale Health Sanctuary

NHS is currently sheltering 25 to 30 people, including some with physical and mental problems. Approximately 15 of our campers have successfully moved on to housing during the five months we have been operating.

Our original contract with the County for our rest stop on Martin Luther King Blvd. expired on April 22, 2015. We recently signed an extension through the end of May. We hope for further extensions, possibly through the summer, but understand that this location was always temporary as it is used by the UO for tailgating during football season.

Nightingale Public Advocacy Coalition and the Health Sanctuary will be going their separate ways at the end of May. NHS has begun work on becoming a nonprofit in its own right, independent of NPAC. We are grateful



PHOTO BY VICKIE NELSON

to NPAC for providing the initial assistance we needed to get started on our mission of providing shelter for all and wish them well as they move on to their next projects.

## Community Supported Shelters

The Veterans Safe Spot, managed by Community Supported Shelters, is moving from Chambers and Northwest Expressway to property within the campus of the Eugene Mission. With that move, beginning in early June, residents will go from living in tents on platforms to Conestoga Huts with access to electricity and the meals, showers, and other services provided by the Mission. They will also be required to be — and to stay — sober.

The new camp will open with up to six Conestoga huts, with four others ready to go, and will be set on a large open lot that was used for the Mission's newspaper collection program, which ended about two years ago. The camp for veterans will be developed amidst the Mission's eleven buildings on its 7.5-acre property on West 1st in Eugene, but it will continue to be independent of the Mission. "What's important for us to remember is we're on Mission property but it is our own program," says Erik de Buhr, executive director of CSS.

## EVE

"Looks like it's going to happen," says Cary Thompson, feeling optimistic about the future of Emerald Village which EVE has plans to open in the Whiteaker neighborhood. If things go well, EVE will be a community of 15 tiny houses ranging from 128 to 250 sq. ft. complete with a bathroom and kitchenette and supported by common areas for gathering, laundry, parking, gardening and more.

Unique among the other programs operating in Eugene at this time, residents will become members of EVE, and will make monthly payments towards operating costs and a share in ownership of the cooperative. As a result, they will have a financial stake in the project, and if they leave they will receive a payout based on what they have paid into the project.



PHOTO BY CLARK BARBEE

This bench near the Capitol sends a clear message to people who might be tempted to sleep there.



PHOTO BY JAIN ELLIOTT

Tax Day 2015 brought a loyal band of Eugene tax resisters to the downtown Post Office, many carrying signs saying what services they would prefer to pay for instead of war. Tax resisters often give donations to organizations that serve populations such as the unhoused, abused women, and farmworkers. Their strategy includes sending a letter explaining their war tax stand to the IRS and a copy of their letters to their congressional representatives. Some resisters ask for legislation that legalizes conscientious objection to war taxation.

## Rest from p.4

most serious opposition came from the League of Cities, business improvement groups, and a couple of Oregon state agencies, but it appeared to the bill's advocates that their concerns (mostly needed clarifications) could be met with an amendment to the bill.

Unfortunately, the squeeze of time deadlines made it impossible to craft an adequate amendment and, without that, the Senate Committee would not vote positively to move

the bill to the full Senate for consideration. Reluctantly, WRAP decided to withdraw the bill and go back in a future legislative session with a stronger bill, one that addresses the concerns of the opposition without watering the bill down. The progress made was small but significant, and is being celebrated by all who worked hard to draft and get support for the bill these last several months.

# Suicide by Cop

## It's time for police sensitivity training

By JACK DRESSER

In November 2006, Ryan Salisbury, a bipolar teen in the midst of a psychotic break, was confronted by the EPD who had been called to the house by his family after he smashed windows and threatened to hurt himself. "Shoot me, man," the distraught 19-year-old said. They obliged him. Nine years later the inexcusable EPD bungling that killed suicidal veteran Brian Babb shows nothing much has changed. As citizens supporting police salaries, can we tolerate this flat learning curve?

Victim-precipitated homicide is a long-recognized, collaborative form of suicide that should be well-known and understood by all police. Clinton Zandt's 1985 paper "Suicide by Cop," published by the National Center for the Analysis of Violent Crime, described this tragic misuse of police violence. In a 1993 paper, Zandt added that police are singled out by suicidal individuals as the only community agency equipped with firearms and trained to react in crisis situations with accurate and deadly force.

Dr. Rick Parent's 2004 Ph.D. dissertation, "Aspects of Police Use of Deadly Force in North America: The Phenomenon of Victim-Precipitated Homicide," analyzed 843 cases in the United States and Canada where police discharged their firearms, ostensibly while facing a perceived lethal threat. Parent, a 30-year veteran of the Delta, B.C. Police Department, is currently Associate Professor of Police Studies at the Simon Fraser University School of Criminology in British Columbia.

His 1996 M.A. research analyzed 58 similar incidents in B.C. over 14 years. In 27 of these incidents, police responded by discharging their firearms and killing 28 people. Roughly half of these cases were judged victim-precipitated homicides.

In both studies, Parent examined police investigations, coroner's inquests and government data, and interviewed prison inmates and police officers. He collected psychological, physiological, physical and emotional data on critical incident stress and post-shooting effects typically ignored by police investigations, coroner reports and court proceedings. "In some of these cases," Parent reported, "police were confronted in a calculated and deliberate manner by people who were suffering from one, or a combination of, suicidal tendencies, mental illness, and substance abuse." In many of these cases, he continued, "suicidal individuals have engaged in life threatening behavior in order to force the police to kill them."

Suicide typically requires a deliberate decision and commitment by the victim. In victim-precipitated homicides, the agonizing decision is made by someone else. In 1993, V.J. Gerberth observed that suicidal individuals bearing deep guilt may engage police officers as traditional and symbolic representatives of society in confrontations to seek punishment including death.

We must ask why the EPD behaves as if it is unaware of this tragic dynamic in which they once again willingly participated. In his recent Register-Guard guest viewpoint, Chief Kerns chose to simply focus on Captain Babb as a troubled veteran. I know something about that, having initiated my professional career as an Army psychologist during the Vietnam War. Now active in Veterans for Peace, I associate regularly with combat veterans. We know all too well the psychological wounds of depression and PTSD among those who have witnessed and participated in our nation's massive, state-sponsored lethal violence against largely helpless peoples around the world for resource extraction and geopolitical control.

We cannot know if Captain Babb killed other human beings while deployed, doing what he was trained and sent if called upon to do. But, higher authority notwithstanding, those who pull the triggers bear the searing memories and guilt in their private minds and hearts.

It is elemental common sense not to point guns at a combat veteran that might trigger traumatic flashbacks — escape from which might amplify a suicidal impulse.

It is elemental human decency not to bully and threaten a suffering person.

It is absurd and degrading to treat a suicidal veteran as a criminal subject to arrest.

It is elemental human respect not to arrogantly interfere in the intimate conversation between a deeply troubled person and his therapist. At that moment, Captain Babb must surely have felt betrayed by the one person he trusted most in the world.

A suicidal person is deeply ambivalent, torn between the instinct to live and the instinct to escape a seemingly inescapable inner torment. The side of Babb that wanted to live called his therapist, who was talking him toward life. The clumsy, authoritarian, heavy-handed police disruption was enough to tip the delicate balance back toward death. Brian Babb quickly escaped his enduring nightmare and transferred it to the officer who pulled the trigger, doing what he was trained and sent if called upon to do.

## The Trans-Pacific Partnership and the Death of the Republic

By ELLEN BROWN, CONDENSED AND EDITED BY JACK DRESSER

In a republican form of government, power resides in elected officials representing the citizens, and government leaders exercise power according to the rule of law. In The Federalist Papers, James Madison defined a republic as "a government which derives all its powers directly or indirectly from the great body of the people . . ." As summarized elsewhere in this issue, this definition does not currently describe American government, and we now face a gravely threatening example involving our own senior senator.

On April 22, 2015, the Senate Finance Committee approved a bill to "fast-track" the Trans-Pacific Partnership (TPP), a massive trade agreement that would override our citizen-controlled form of government and hand judicial and legislative authority to a foreign three-person panel of corporate lawyers.

The secretive TPP is an agreement with Mexico, Canada, Japan, Singapore and seven other Pacific Rim countries affecting 40% of global markets. To weaken Senate opposition, Sen Wyden assured radio listeners that there would be a 60-day review period. However, "fast-track" prohibits Congress from amending the treaty, allowing only a simple up or down majority vote.

The most controversial provision of the TPP is the Investor-State Dispute Settlement (ISDS) section, which strengthens existing ISDS procedures originating in 1959. According to The Economist, ISDS allows foreign firms the right to apply to a secretive tribunal of highly paid corporate lawyers for compensation whenever a government passes a law that hurts corporate profits — such as discouraging smoking, protecting the environment or preventing a nuclear catastrophe.

Arbitrators are paid \$600-700 an hour in secretive arbitration processes with no requirement to consider prec-

edents, providing wide latitude for arbitrary judgments.

To date, the highest ISDS award has been for \$2.3 billion to Occidental Oil Company against the government of Ecuador over terminating an oil-concession contract. Vattenfall, a Swedish utility that operates two nuclear plants in Germany, is in arbitration demanding compensation of €3.7 billion after the German government shut down its nuclear power industry following the 2011 Fukushima disaster in Japan.

A Trojan Horse in the TPP is its definition of protected "investment" as not just "the commitment of capital or other resources" but "the expectation of gain or profit." Thus the rights of foreign corporations extend beyond invested "capital" to the profits they expect to receive.

Under a Netherlands-Czech trade agreement, the Czech Republic was sued in an investor-state dispute for failing to bail out an insolvent bank in which the complainant had an interest, resulting in a \$236 million award. Imagine the damages should the Fed let the Bank of America fail and a Saudi-based investment company decided to sue.

The threat of such a massive damage award could block prospective legislation, but the TPP goes further against legislative authority by forbidding specific forms of regulation.

The TPP would forbid countries from banning particularly risky financial products, such as the toxic derivatives that led to the \$183 billion government bailout of AIG. It would prohibit policies to prevent banks from becoming "too big to fail," and threaten the use of "firewalls" to prevent banks from taking hedge-fund-style bets with depositors' savings accounts.

The TPP would prohibit taxes on Wall Street speculation, such as the proposed Robin Hood Tax that would generate billions of dollars' in revenue for social, health, or

environmental causes.

Dispute settlement clauses in earlier free trade agreements have been invoked against progressive regulatory efforts. The fossil fuel industry is challenging Quebec's ban on the ecologically destructive practice of fracking. Veolia, the French behemoth known for its tram network serving illegal Israeli settlements in occupied East Jerusalem, is contesting increases in Egypt's minimum wage. Philip Morris is suing against anti-smoking initiatives in Uruguay and Australia.

The TPP would empower financial firms to attack financial policies in foreign tribunals, demanding taxpayer compensation for regulations they claim inhibit their profits.

What justifies these encroachments on the sovereign rights of governments? Allegedly, ISDS is necessary in order to increase foreign investment. But as noted in The Economist, investors can protect themselves by purchasing political-risk insurance. Moreover, Brazil continues to receive sizable foreign investment despite its long-standing refusal to sign any treaty with an ISDS mechanism. Other countries are beginning to follow Brazil's lead.

In an April 22 report from the Center for Economic and Policy Research, gains from multilateral trade liberalization were shown to be very small, equal to only about 0.014% of consumption, or about \$.43 per person per month. And transnational corporations get the bulk of the benefits at the expense of most of the world's population.

Something more than attracting investment money and foreign trade seems behind the TPP. Most profoundly, it would destroy our republican form of government under rule of law by elevating the rights of investors — the rights of "capital" — above the rights of citizens.

That makes the TPP blatantly unconstitutional.

On April 30 Senator Wyden and Representative Blumenauer appeared on OPB's "Think Out Loud" to reassure Oregonians of the innocence and built-in safeguards of the TPP. Wyden reassured us that trade tribunals will not override U.S. laws and that a 60-day review of the entire document will permit full public and congressional scrutiny before the vote. Both men claim that TPP will benefit Oregon economically. Wyden, a co-sponsor of Fast Track in the Senate, receives significant campaign contributions from two large international business law firms and from Nike, widely accused of exporting U.S. jobs to low-wage labor markets with lax labor protection regulations. Two of Blumenauer's top campaign contributors are Nike and Warren Buffet's multinational conglomerate holding company Berkshire Hathaway — a company that spent \$3.4 million dollars last year in campaign contributions and \$7.2 million on lobbying.

Opposing the TPP, Representative DeFazio delivered a speech and held a rally on May 4 at the Wayne Morse Free Speech Plaza in Eugene where he characterized the proposed trade agreement as beneficial only to multinational corporate profits and harmful to American labor, consumers and the environment. Considering the gravity of the issue, the small crowd size of only 50-60 was worrisome. I asked Mr. DeFazio to respond to the senator's statements. Our congressman said yes, the trade tribunals will not trump U.S. laws. The multinationals will simply say, "Keep your laws but pay us for profits lost as their result." I asked how international trade tribunal judgments could be enforced. DeFazio explained that their decisions are typically enforced through means such as retaliatory trade sanctions. I said, "in other words, extortion." He said, "Yes." For a little greater clarity I did some perfunctory online research. It seems that these cases sometimes end up in domestic courts with unpredictable outcomes and can become entangled in highly politicized processes bypassing judicial institutions. It sounds very messy and could jeopardize U.S. law in specific cases.

DeFazio also stated that other trade agreements such as NAFTA have included 60-day reviews and were then passed irrespective of public input. There is nothing legally binding in a review.

Wyden has proposed rebranding "Fast Track" as "Smart Track." I re-brand it "Stealth Track."

And then, suddenly, on May 12, less than two weeks following his OPB exhortation of Fast Track, our senior senator inexplicably voted against it. His explanation? He wanted it packaged with three other trade bills, one of which would insulate U.S. workers who lose their jobs due to labor market movements (euphemized as "international trade"). This coincided perhaps inopportunely with President Obama's visit with Phil Knight in Portland that raised many eyebrows. Think the deal is off? Don't bet on it without checking the Las Vegas odds set by the nation's realists. — by Jack Dresser

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# Down by the Riverside

By JACK DRESSER AND VICKIE NELSON

There's trash down by the river and people have decided to lay the blame squarely and solely on the shoulders of the unhoused. Although recreational users of the river, including tube floaters, kayakers, fishermen, picnickers, general partiers, and even duck feeders also leave behind beer cans, soda bottles, plastic bags, paper products, sneakers, and soggy paperbacks, we are ignoring those litterers, probably because they are "us," and we would rather blame "them."

Two schemes targeting the homeless have emerged recently, both exploiting the unhoused and euphemizing them as "river stewards" or worse, "ambassadors" (of the EPD occupation force). It's economically advantageous to use willing members of a victim population itself. Thus, the Nazi camps had their Kapos, their French occupation had the Vichy, and Israel has the Palestinian Authority. In this well-tested tradition, the Rulers of Eugene who, while promoting the beauty and recreational glories of our natural environment for tourists with credit cards, remain obsessed with those who must involuntarily live

outdoors full time.

One plan, now apparently tabled, proposed to provide micro huts — "Hobbit houses" — for selected homeless "guardians" aka "riverkeepers" along with porta-potties, garbage service, modest stipends, and cell phones equipped with GPS to identify locations of homeless camps. The riverkeepers would patrol the entire length of the Willamette River within Eugene city limits, intervening with and reporting illegal campers.

A related scheme, not tabled, will employ undeputized "ambassadors" at \$14-\$17 per hour to patrol the riverfront on bicycles five days a week this summer and report problems to the EPD. Couldn't the \$30,000 budgeted for this program be better spent and stretch much further by simply providing trash bins and porta-potties for a few city-approved camping areas set back away from the river? We aren't saying the unhoused do not leave trash by the river. But maybe we could solve some of the problem simply by providing them with a place to put their garbage and use a restroom.

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## Where Are They Now?

COMPILED AND EDITED BY GRAHAM LEWIS

I miss seeing some of our Occupiers around. I put out the word wherever I could to as many as I could track down that our newsletter seeks news updates from them, and maybe a few reflections on our "process."

From Smuj: I come through Eugene lots, but I'm living in Washington state right now at a 200-acre organic farm. I'm learning sustainable eco farming and how to properly care for and manage livestock. I will be interning here through October. I also am renovating a 35 ft school bus to live in. It would take me to bring me back to Eugene. It would take me knowing that that is where the next phase of my growth lies. And who knows...for now I'll be in and out all summer for (OC) Fair and what not. I realize some of my decisions during Occupy times were not what was best for my family. Smuj

From Martin Champion: I think I've lost interest in intra-activist drama. I've worked my butt off as a volunteer at occupy medical & Egan warming centers the last couple years, but I've done little actual activism, lately. Now that

injuries are preventing me from doing that work, I want to be more of an activist again. I want to fight the good fight, but I only have energy to do so if I don't fight the stupid fights along the way.

From Connor Salisbury: It has been interesting for me the last few years as more or less hitherto an outside observer to activist subculture or whatever we might call it, particularly for me coming from a non-liberal non-urban background, and then spending years serving billion dollar companies, seeing this 'left-sectarianism' thing.

(Continues Connor) Very odd, seeing people who on hypothetical issues and ideology Venn Diagram might have a 98% overlap of what they care about, and instead of allying on that commonality, they may spend the majority of their energies fighting about or even torpedoing one another's efforts on account of the remainder 2% divergence of priority or ideology. The other side, the "system justification" enthusiasts or whatever we'd call the fans of the status quo, they sure don't spend so much time busting one another's knee-

caps (metaphorically). To observe this intra-activist drama, is occasionally quite fascinating, nearly always depressing.

From Gwendolyn Maeve: I'm just trying to get settled really. Once I'm in a house I would love to return and be active. Last we heard, she found a dwelling but it's less than ideal.

From Larry Leverone: I am fine. My involvement with OE is limited these days to helping, on most Sunday mornings, to setup the three large tents that Occupy Medical uses to provide its free services. I just completed walking the Eugene Half Marathon on Mother's Day so I missed setting up. I have been a regular volunteer at the Egan Warming Center downtown during the winter months and also volunteer monthly at Sacred Heart Hospital University District. That's about it.

Mike Elliott wrote in that he's dropped out of the mainstream for now and is quite content on his mountain top. No, he won't say where, exactly, that is.

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### Lawsuit from p.1

Children's Trust, said the case "is one of several cases around the country, brought by youth and coordinated by Our Children's Trust, all converging to secure the legal right to a healthy atmosphere and stable climate for present and future generations."

According to Olson, "The declarations the youth seek are grounded in hundreds of years of law and in common sense. The public trust doctrine sets a floor for protection and youth simply want their State's management of their natural resources to be in line with scientific prescriptions for atmospheric recovery and climate stabilization."

This case was returned to Judge Rasmussen after the Oregon Court of Appeals ruled last summer in a nationally significant decision that the circuit court must decide whether the atmosphere is a public trust resource that the state of Oregon has a fiduciary obligation to protect.

Despite the enthusiastic support for this case by both children and adults, on May 11, Judge Rasmussen ruled in favor of the state. Supporters see this decision as dramatically out of step with established public trust law in Oregon and around the country. In fact, he

became the first court to consider the question and rule on the merits that the atmosphere is not a public trust resource, and also said that the state need not protect waters, beaches, shorelines, or fish and wildlife in trust either.

Our Children's Trust is headed back to the Oregon Court of Appeals with optimism and confidence that the appellate court will correct and reverse this ruling as it did previously in Kelsey and Olivia's case. While the path to justice is sometimes slower than we would like, the appeal will be filed in the near future and we will hit the ground running in our pursuit of our current and future generations' inherent right to a healthy atmosphere and stable climate.

Watch short documentary films of Kelsey and other young people taking legal action at [www.ourchildrenstrust.org/trust-films](http://www.ourchildrenstrust.org/trust-films).

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### Police State from p.1

1. The Prison Ecology Research Project will work to exposing the environmental impacts of mass incarceration and the detention industry through investigation and journalism.

2. The Prison Ecology Litigation Team will network with public interest attorneys, using environmental law to challenge the permitting, policies and practices of the prison industrial complex.

3. The Prison Ecology Action Campaign will orga-

nize politically to confront the environmental impacts of mass incarceration and the detention industry through community outreach and engaging policy makers on this critical issue.

These efforts will focus initially on the following topics:

- Environmental justice (health and safety) for those incarcerated and those in surrounding communities, prisons built on toxic waste sites, and contaminated water supplies.
- General impact of prisons on water quality and quantity.

- Contamination due to sewage discharges from prisons.
- Impacts of prison construction, expansion and operation on endangered plant and animal species.
- Prisoner participation in the environmental movement.
- Greenwashing of prisons via LEED green building certifications.

For more information, see [www.prisonlegalnews.org](http://www.prisonlegalnews.org)

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## Letter to the Editor Trusting the Children

We are tremendously proud of co-plaintiffs Kelsey Juliana and Olivia Cherniak who presented oral arguments in Lane County Circuit Court on April 7th that will require our state of Oregon to reduce atmospheric pollution. Supported by Our Children's Trust, these teenagers are pursuing legal oversights via a Public Trust Doctrine which holds that state government keep its natural resources in trust for current and future residents.

Assistant Attorney General Rachel Weisshaar, on behalf of the State, told Judge Rasmussen that there are no recorded cases for government controlling the atmosphere. While the Oregon Governor and State Legislature agrees that clean air is important, Ms. Weisshaar contends without a precedent she does not think government ought to be required to regulate the atmosphere.

Hence our teenagers brought this case to court. There IS no precedent to monitor or control air quality until we set one.

We sit at a historic moment. Judge Rasmussen can require Oregon State officials to work harder, to set goals that sufficiently reduce atmospheric pollution. The ramifications of this case are enormous! The principle of clean air is salient and timely.

Meanwhile, outside the Courthouse, dozens of children lined up at a microphone to address the crowd of supporters. Holding signs and drawings, each testimonial roused a response:

"Save the Planet": "We can help you!"—"Save the Tortoises": "We can help you!"—

"Save the Otters": "We can help you!"—"Save the Oceans": "We can help you!"

With inspired optimism, we applaud Oregonians seeking a sustainable future!

Climate Crisis Working Group, Eugene

Joan Kleban

Cary Thompson

Max Gessert

Evelyn Hess

Jere Rosemeyer

Marietta O'Byrne

Kate Gessert

Earnest O'Byrne

Megan Kemple

# Vickie Nelson: Communications Specialist

By CATHERINE SISKRON



PHOTO BY BOB VAN DEGNA

Vickie is one of the most active members of the Occupy community. She also has a long history of activism starting with the civil rights movement in her teens and the peace and women's movements in her twenties. In the early 1970s she and her then-husband Bill traveled from Schenectady, New York, to Eugene with plans to start a food co-op, work cooperatively, and live in a commune. They quickly gave up on communal living, but connected with people with the energy, time, and drive to start a food co-op.

The result was Growers Market, an organization

that saved money for its members by buying in bulk directly from farmers and wholesalers. Growers Market also bought the building where today, Occupy Eugene, among a number of other community organizations, profits from availability of free meeting space, as well as inexpensive office rent.

When the recession began in 2008 Vickie was troubled by the huge number of foreclosures on poorer people's homes and the apparent inability and lack of desire of the government to help anyone but the financial institutions deemed too big to fail. So when Occupy Wall Street burst onto the scene in September of 2011, with its emphasis on wealth inequality, she was immediately interested. She remembers watching a video of Daniel Ratigan raging against what he called "the bought Congress," and "It all sort of crystallized for me," she says. "The game was rigged against everyone but the 1%." When Occupy arrived in Eugene in October 2011, she went to the first march. "I identified with the signs, the slogans, and the energy," she said. "I knew I wanted to be with these people."

Later, on Oct. 27, Occupy Eugene occupied the quad at the University of Oregon for half a day before setting up camp on the Millrace. Occupiers decided to hold meetings of various committees, and Vickie went to her first Communications Committee — or ComCom—meeting on the lawn of the UO quad.

She became a ComCom regular, along with Rob Sydor, Reid Kimball, Brett Williams, Tree Knowlton, and Lauren Asprooth. The committee put out press releases, produced the web site, and managed the Facebook calendar of events. Rob Sydor created a digital newsletter.

With Larry Leverone at the helm providing fresh energy, a newsletter team was launched in March 2012. Vickie attended the newsletter meetings, at first as a representative of ComCom, and then shifted her energies to the newsletter where she found the work more interesting. She had always been drawn to publications, starting in high school and then honing her publishing skills while employed by the Willamette Valley Observer. She likes the rhythm of publication—the growing urgency that moves from a relative lull between publications to gathering materials, then editing and finally working at a rapid tempo toward meeting the publishing deadline.

She is now the chief editor of the Occupier where she works with other writers and editors on clarifying and getting out the Occupy message. She enjoys shaping the paper so it looks good — gathering photos and getting information out that reaches deeper into issues than the mainstream media.

While there are those who claim that Occupy is over as a movement, she sees the Occupier as living proof to the contrary. One of the functions of the newsletter is to articulate what we are doing in Eugene, as well as to document periodically some of the work done by other Occupy groups across the nation. In Eugene the movement is best known for the work done by Occupy Medical and our focus on decriminalizing and alleviating homelessness. Some of the better known Occupy initiatives in other parts of the country involve "strike debt" or jubilee, prevention of foreclosures, protesting privatization of water, and doing disaster relief like Occupy Sandy.

Vickie lives with her partner of over 30 years, Ron — whom she met at Growers Market — and their two cats. In addition to her newsletter work she is an active advocate for the unhoused and a member of the board of SPOT, Stop Pet Overpopulation Today, which provides funds to people who can't afford to get their dogs spayed or neutered.

## America Fails to Show Us What Democracy Looks Like

By JACK DRESSER

A recent study in Perspectives on Politics by political science professors Martin Gilens and Benjamin Page from Princeton and Northwestern universities respectively, confirmed what many political activists have long suspected: that we average American citizens have virtually zero influence on U.S. national policies. Rather, the wealthy elite and business interest groups call the shots almost entirely.

Their study compared four theories of political influence to identify which best described our system: Majoritarian Electoral Democracy, Majoritarian Pluralism, Economic-Elite Domination, and Biased Pluralism in which corporations, business associations, and professional groups predominate. Their report, titled "Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens," analyzed data on 1,779 national policy issues over a 20-year period between 1981 and 2002 reflecting the viewpoints of randomly sampled citizens, the economic elite, organized political interest groups and groups representing business interests. Correlations of each of these four groups with policy outcomes told a depressing story for those among us who still like to see America as a democracy.

The authors report, "The central point that emerges from our research is that economic elites and organized groups representing business interests have substantial independent impacts on U.S. government policy, while mass-based interest groups and average citizens have little or no independent influence. Our results provide substantial support for theories of Economic-Elite Domination and for theories of Biased Pluralism, but not for theories of Majoritarian Electoral Democracy or Majoritarian Pluralism" in the United States. They found, when controlling for the influence of economic elites and organized interest groups, the rest of us exercised a "non-significant, near-zero level" of influence. Are any of us surprised to learn that wealthy individuals and monied lobbies control government policies?

The study also refutes the optimistic expectation that as citizens of the same country, policy preferences of business and the rich will usually reflect the views of ordinary citizens as well. The study results shattered this hope decisively. Our preferences and theirs often sharply diverge and when they do, economic elites and business interests consistently prevail.

Due to the authors' limited access to the hidden corridors of power, the influence of the wealthy may be underestimated and "the real world impact of elites upon public policy may be still greater" than the study findings indicate. Rich individuals and business interests are able to hire lobbyists that shadow Washington legislators and fill the campaign chests of candidates for public office without their identities or viewpoints clearly visible.

"The public be damned," declared railroad tycoon William Vanderbilt more than a hundred years ago and his elitist attitude still persists. Ordinary citizens seem to vindicate this one-percenter by so often failing to vote much less attempting any ongoing political influence. The U.S. voter turnout rate is near the bottom among industrialized democracies. More than 90 million eligible Americans did not vote in the presidential election of 2012 and more than 120 million did not vote in the preceding midterm elections of 2010. This may represent a commonplace recognition that the deck is stacked, but if re-politicized these disaffected citizens might form the core of transformational movements we desperately need.

Comfortable citizens, who are less motivated to demand change, are better at protecting their interests. Electoral turnout in the United States is highly correlated with economic level. Affluent Americans vote in much higher proportion than the less affluent. A study by Ellen Shearer of the Medill School of Journalism at Northwestern University found that 59 percent of 2012 voters earned \$50,000 or more per year, compared to 39 percent of non-voters. Only 12 percent of non-voters earned more than \$75,000, compared to 31 percent of voters.

Grassroots movements by ordinary citizens have declined. Politicians respond to mass mobilizations of everyday Americans as demonstrated by the civil rights, anti-war and women's movements of the 1960s and 1970s, but no comparable movements are active today. Without a substantial presence on the ground, citizen-driven political interest groups cannot compete against wealthy adversaries.

Ordinary Americans also insufficiently employ the political techniques used by elites. Political Action Committees (PACs) and super-PACs, for example, raise large sums of money to skew the outcome of American elections. Although average Americans cannot individually match the economic power of the rich, large numbers of modest contributions can still finance PACs and super-PACs that advance democratizing interests, and these can form alliances around common objectives.

The vast majority of Americans bypassed and ignored by their government must awaken from their dream of inhabiting a model democracy, but not to a reality of despair. Millions of others worldwide are arising against exploitative and extractive global capitalism. There are models to draw upon, but we must be open to a transformation of consciousness and a demotion of national self-image, and wise enough to plan and implement strategically.

*Please continue to recycle this newsletter by passing it along to a friend.*

www.occupyeugenemedia.org

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