## **Dorm students**

#### by Geoff Dornan

The Office of Student Affairs intends to empty parts of Juniper and White Pine Halls. And the students don't like it.

Dean of Men James Hathhorn said Monday that the university is obligated to provide facilities for nonuniversity groups, including room and board.

A group of students, mostly from White Pine, told Hathhorn Tuesday they wouldn't move. Pablo Arenaz of Suite 205, White Pine, said, "They'regoing to have to move us out. We aren't going."

Dan McKinney of 206 said the administration "had better make other arrangements" to handle guests. "I figure they're performing a service to me first because I'm a student," he said.

McKinney said he would move only if the housing office gave him a "total refund and a \$50 inconvenience fee."

Hathhorn said the students are "being asked to be inconvenienced to a considerable degree," but "I don't see it as an injustice as such."

The students say the university is putting their interests second to those of outside groups.

Hathhorn said the university was chartered to serve "all the people of this state. I wonder where the students of the university would be if they didn't have 500,000 people paying taxes."

Some of the students say it will take the police to move them. But Jim Mackay of 205 said, "I think we've got a legal bitch, but I'm not going to be a part of that kind of argument."

In either case, the administration has final power. The housing contract signed by the students allows the administration to "assign individuals to different rooms and to different halls if the need and occasion arises," according to Hathhorn. The problem isn't just that the students refuse to

move. McKinney said, "I'm not so unreasonable if you

## attempt

tell me in advance what you're going to do." He said he was given two weeks notice on Monday with no explanation of how the decision was reached or why.

McKinney said the problem is really "lack of communication." He said he offered last semester to try aid communications between the Office of Student Affairs and the students, especially in the dorms. He said none of the deans ever followed it up.

McKinney said the meeting with Hathhorn Tuesday was a good example "I can't related to a man when he says he has to move me with no substantial reason," he said.

When asked why the students being asked to move weren't shifted to other rooms when they came back after semester break, Hathhorn said, "The question

UNIVERSITY OF NEVADA

is a valid one. It's a question of time and space and an element of uncertainty."

He said the housing office didn't know how many students were coming back until after registration. They didn't know how many rooms would be filled. He said they waited because now that the students are in the dorms, they know how they are distributed. The areas they want to clear are those with the least students in them.

Hathhorn said the administration is considering recalling students to fill the dorms as an alternative to moving students and using dorm space for conferences. He said he was against this.

He said he would also do his best to represent the views and position of the students to the other deans when they discuss moving the students.

Hathhorn said using empty dorm space for guests of the university is not new. One wing of Nye was used in 1967 and parts of Nye and other dorms since then. This, however, is the first time the adminis-tration has considered moving students to accommodate guests.

Wednesday the students in White Pine and Juniper received some support. The ASUN Senate passed a resolution supporting "the present position of the students involved in the room changes as proposed by the Housing Administration."

## to move them

**RENO, NEVADA** 

### Volume 46, Number 36

Friday, Feb. 20, 1970

# announces student affairs reorganiza

Major changes in the office of student affairs were announced yesterday by President N. Edd Miller. Miller discussed the changes with the student affairs staff in a closed meeting, and then released details on the changes to the press. The changes were approved by the Board of Regents in a closed session last week. The reorganization will go into effect July 1.

The biggest change will involve placing auxiliary enterprises, long a source of student complaints, under the office of student affairs. Auxiliary enterprises has been under the business office. A new position, vice president for student services, has been created to head the office of student affairs.

As was recommended in the student affairs self evaluation, the position of academic vice president has also been created. This post will involve a change in title and the duties of the present administrative vice president.

Miller said the vice president for student services' function would be aimed at developing a high quality out-of-class educational program which

would be an integral part of the university's total educational efforts.

Miller said other suggestions in the report can serve as a "general guide-

Sagebrush



Dean of Women Roberta Barnes and other members of the student affairs staff met yesterday with President N. Edd Miller to discuss his reorganization of their office.

line" for the vice president in organizing the student services function.

He said that after consulting with the Faculty Senate and student officers he will ask appointment of a facultystudent committee to nominate a slate of candidates for the post.

He said the committee will consider applicants from both on and off campus, and is hopeful he can make a recommendation to the Board of Regents by July or, at the latest, September.

He also said another faculty-student committee will be asked to begin recruiting a successor to Administrative Vice President Ralph A. Irwin, who is retiring this summer.

In the self-study report, consultants who visited the campus from New Jersey and Michigan said they observed a number of negative attitudes on the part of both students and faculty toward the present student affairs program.

The consultants suggested that a separate office of disciplinary counseling be established, with a student-faculty committee given the responsibility of adjudicating discipline cases.



## (Very) dark horse enters race

A new arrival on the political scene has announced that he will ASUN presidenc the strength of a Lincoln Hall write-in campaign.

tram, the Nye Hall parking lot, food conditions in the dining comin space on the ballots used in the elections. Douglas said he would speak to ASUN President Jim Hardesty to see if a spot could be added to write-in for Bertain.

ASUN presidential candidate Len Bertain Jr., age three, was picked up Wednesday night by a university police officer for drinking on campus. Bertain, who plans to make campus drinking a keystone of his campaign, protested that the content of his bottle was non-alcoholic.

Len Bertain Jr., three-yearold son of Lincoln's staff resident Len Bertain, has made known his intention to seek the university's highest office (studentwise) and has named Kevin Schroeder, four-year-old son of White Pine's staff resident, Charles Schroeder, as his running mate.

Jim Douglas, Lincoln Hall pre-sident and Bertain's campaign manager, said the youthful contender was running on five basic issues. They are, said Douglas, "campus drinking, the parking lot

mons, and activities on campus. Douglas declined to elaborate as to Bertain's position on each of these issues, but said his forces will hold a brainstorming session Saturday and release further platform details at that time. According to Douglas, Bertain is undecided as to which of two campaign slogans will be adopted. He said the two under consideration are: "A little president is better than none," and "If I don't get my way, I'll cry." Said Douglas, "That's better than what any of the other candidates have been able to come up with." One problem to be overcome, he said, is the lack of a write-

The Bertain candidacy has two purposes, he said. "We'll bring up the problems through Lenny's campaign, and we want the other candidates to come up with proposals."

The other purpose, he said, is to offer students an opportunity to register dissatisfaction with all the candidates by writing in for Bertain on election day. "If Lenny gets 100 votes it may cause them to think a little," said Douglas.

### Page 2 editorially

## Pushing too hard

The Black Student Union wants the ASUN to pick up the tab for years of discrimination. Like they say, money can't buy happiness, but BSU seems to think it will. Already the BSU has milked the students for almost \$2,000 - \$1,650 of that for a black concert during Black Week, and another \$150 for advertising.

They might come back for more.

BSU has ASUN over a big political barrel. If ASUN doesn't accede to its financial or other demands, then all the club has to do is cry "racism."

By granting the money for a concert, the Activities Board has done what it would not do for any other organization. On this issue, ASUN has bent over backwards to do something for the blacks on campus.

But BSU is not satisfied.

BSU has the threat of militancy on its side, and its playing that threat to the hilt. Thus far the threat has worked, to the detriment of other groups on campus.

ASUN, in bowing to the wishes of a militant minority, has put iself in a very shaky position. BSU is not the only minority group on campus. Now the other organizations, such as the American Indian Organization and the Ethnic Alliance, may have their budgets cut because BSU got its hands on the money first. The other minority groups could hardly

call ASUN racist now. But they don't have the militancy to back up their demands. The senate elected two black senators

Wednesday night. BSU was there in full force. One senator, before the meeting, said that several senators had been coerced to vote for the BSU candidates by an implied threat of physical violence.

BSU President Samson Ogunloye pointedly told ASUN President Jim Hardesty that he must not underestimate the power of the blacks on campus, even though there are only 90 now.

BSU is currently practicing reverse discrimination with great success. It has the upper hand and thinks it can get anything it wants. If the group thinks that its demands should be met before those of anyone else, then it is way out of line.

BSU knows that the ASUN government will avoid a confrontation at all possible cost. But the moneybags are just about empty, and BSU will be turned down sooner or later.

When the line is drawn, it is anyone's guess as to what BSU will do. If it is looking for confrontation, it just might get one.

EDITOR	MIKE .: UNO
Tuesday Editor	Friday Editor
Mike Graham	Sheila Caudle
News Editor	Tim Countis
Political Reporters	
	Phil Klink

## reader feedback

## Down on trouble-makers

In September, 1969, many of us enrolled in University of Nevada for the first time.

Almost immediately, I learned that all of us were not enrolled for the same primary reason.

From conversations in the processing lines, Ilearned that some came because of parental wishes, some came to escape parental supervision. One or two came to teach the professors a thing or two, some came to kill time and some said, "It's the only way to avoid service in the armed forces."

I will not quarrel with these reasons. To each his own.

However, I do take a great exception to one reason for attending college.

That reason is, "trouble-making."

To me, this reason is not acceptable. In my opinion it should not be tolerated by college officials.

The Sagebrush on Feb. 3 carried a story of Stead dining commons. This story claimed that only one student had a dining commons contract -- the only guaranteed customer each day.

Mr. Cartier, the author of the story, mentioned a "few" university employees who work at Stead but intimated that their number was trivial. He made no comment regarding the date and no explanation was given as to why only one TI-WEST employee was photographed.

Here, in this class, I am a student. I am also a student at Stead. The course I study at Stead is food service management.

Part of my study is in preparation, part is serving. I've come to know quite a few of the customers. Some of them (three) are from my old Poly Si class, some of them from B & G section (seven), some are professors in and (I hesitate to mention this in the same breath - it could be mis-interpreted) some are secretarial and/or clerical personnel. Contract or no, these people must eat also. (And the students who prepare the food).

It is interesting to note that this story (with pictures) came out in mid-registration week, when there should be few, if any, students who would be under contract. Even if they were, they should have been in Reno registering.

My conclusion is: Any story, prepared for publication, should be true. Both sides of an issue should be shown. A story should not be hasitly put together without fact verification; or printed hurriedly to meet a deadline.

Any story which places a person's means of livlihood in jeopardy should be reported after an official investigation - when all the facts are in and then stick to truth in a responsible manner.

Jim Elkins Freshman U. of N.

(EDITOR'S NOTE: It is interesting to note that though the Sagebrush has been accused of "trouble-making," there is no statement charging misrepresentation of fact. If there is only one student under contract at Stead, it is hard to envirion another side, except, perhaps, to cite the number of people who are not under contract. The story by Kerry Cartier was not "hastily put together," nor was the story in question published in mid-registration week. Cartier and Geoff Dornan spent several days researching out at Stead, and waited until the weekend after registration to compile the story. We are very sorry if printing the truth is "trouble-making.")

## Proposal is a no-no

#### Editor:

As the father of five exuberant individuals, all of whom are growing into adulthood with an unusual amount of freedom, I find myself in the embarrasing position of advising you to "go slow."

Bluntly, I am asking that you reconsider your rapid push for the 24 hour visiting privileges in the living units.

I present this plea on two bases (1) On the basis of current evidence, I do not feel that most of you are willing to handle this kind of freedom.

Reference: page 6 of Sagebrush, February 17, 1970. "White Pine may defy U. N. policy." Too, as the editorial so aptly voiced it on page 5 (same issue) "treat us like adults or stop thinking about it." I submit that the "administration" asking the students to accept responsibility for their actions is precisely one kind of adult treatment.

(2) As one who deals, daily, with many of the vagaries of human behavior, I feel that visitation hours beyond midnight or 2:30 (which is supposed to exist on a trial "weekend" basis in at least one of the halls) certainly suggests the possibility of sexual activity.

"The capacity for discretion constitutes an element of mature judgment. The student's privacy requires respect: sexual activity privately practiced with appropriate attention to the sensitivities of other people should not be the direct concern of the administration. Sexual activity that is not private is likely to be disturbing to others, and a student's failure to insure the privacy of his sexual life places it outside the private domain and in the realm of public conern. In a dormitory situation, regulations are necessary to maintain order and to control behavior that impinges on the privacy of other students ... Ideally, the regulations will encourage informal contacts but maintain some measure of available external control so that students will feel neither burdened nor frightened by their freedom."

## Thanks

#### Editor:

credit.

I would like to take this opportunity to thank all the students at the university who helped make the races at Mt. Rose Resort a

I submit that the maintenance of a certain number of nighttime hours as a "no-no" is precisely the kind of available external control mentioned above.

#### Dr. Robert G. Whittemore

(EDITOR'S NOTE: Beneath the emotionalism of the 24 hour visitation issue lurks a point which bears considering. To some minds the statement by White Pine President Terry Badger to the effect that he would participate in an open violation of university rules may be the act of an immature, irresponsible individual. But we think not. By openly declaring where he stands, and what course of action he will take, Badger has assumed a very heavy responsibility. He is placing himself in a highly tenuous position vis a vis the university. Additionally, the editorial in question did not imply that students will not have to accept a lion's share of the responsibility for making the proposed policy work. The purpose of the editorial was twofold: (1) that the dorm officers are elected to serve the students,

NOT the administration (there are ra's and sa's to do that); and. (2) that while the administration continually vows to treat students like adults, talk appears to outweigh action substantially.)

Stead Bureau......Kerry Cartier

Entertainment.....Sue DeBerry Sports......Mike Marley

Geoff Dornan

John Brodeur Photographers......Kymrie Mills Jim Gilleard Staff...... Scott Campbell Business Manager..... Craig Ihara

The Sagebrush is an official publication of the Associated Students, University of Nevada, Reno. Printed twice a week during the school year at the Sparks Tribune, 850 Marietta Way, Sparks. Sagebrush offices are located in the basement of the Student Services Center. Phone 329-0249.

I know, I know, that this feeling is based on two supposed fallacies:

(1) open hours doesn't guarantee an increase in sexual activities.

(2) if a couple wants to, there are plenty of opportunities (both time and location) for sexual activities.

At the risk of being unduly pedantic, may I encourage you to heed the following guideline from the Committee on the College Student (1965, pp. 98-99) of the Group for the Advancement of Psychiatry.

#### tremendous success.

The events most certainly would not even have got off the ground had it not been for all who helped gatekeep, bootpack, and work as timekeepers.

I would also like to commend Coach Mark Magney for the enormous amount of work he put in on Winter Carnival. He practically singlehandedly organized, planned, and executed the races and jumping last weekend. He deserves a great deal of

Sincerely yours, Bill Cobb Tournament Director 1970 Winter Carnival



Editor:

In reply to Alade Thomas and his treatise on the "Revival of Africanism," let me say that in the promulgation of esoteric and psychological observations one should eschew all conglomeration and beware of platitudinous preponderosity.

An interested reader

Editor:

# Blacks, ASUN have hassle over money TAPE CITY PRESENTS

#### by Sheila Caudle

Black demands confronted the ASUN Wednesday afternoon. The problem was money.

The Black Student Union (BSU) had its demands met to the tune of \$1,650 of ASUN money. BSU received authorization from the Activities Board for that amount a week ago.

Then a few problems came up. The Activities Board said that the money was a loan to BSU for a concert during Black Week in early April. BSU thought the money should not have to be paid back.

Robyn Powers, vice president of activities, and ASUN President Jim Hardesty, then got together with Activities Director Pete Perreria to draw up a contract.

That caused additional problems.

BSU wanted a \$4,000 concert. According to the contract, the ASUN would underwrite the concert for \$1,650. ASUN stands to

lose it if the concert doesn't make money.

"We can put up \$3,000 cash, assuming we get \$1,500 back," George Eversull, faculty adviser to the Activities Board, said. "We can't underwrite for more than \$3,000."

The BSU members, including Samson Ogunloye, president; Dan McKinney, and Jesse Sattwhite, disagreed. "I'm talking about justice to black people," Ogunloye said, "We haven't asked for anything in ten years," Sattwhite said the ASUN shouldn't be thinking about money, that it should go into bankruptcy for the black students.

"They're asking us to gamble with the student's money," Hardesty said. "We just don't have the money."

The contract for the money was finally signed. It states that the ASUN will underwrite the concert for \$1,650. Gate receipts over \$1,650 revert to BSU. ASUN will pay for \$150 in advertising with reimbursement by BSU.

ASUN will control the gate with

#### **Jesse Satewhite**

the BSU president or his representative supervising. Perriera will act as the producer of the activity. The concert will be a standard student concert and ASUN students will get in free.

The contract was signed by Ogunloye and Miss Powers after three hours of emotional arguments Wednesday afternoon.

The BSU had originally wanted to get Ike and Tina Terner for their concert or Gladys Knight and the Pips. Both groups were in the \$4,000 plus range.

Ogunloye said that the ASUN could afford a concert, implying that discrimination was part of it. Hardesty offered to show him the figures. Ogunloye refused, saying that he knew the ASUN had the money.

"If you aren't willing to look at the figures, then go to hell," Hardesty said.

"You want me to go to hell, I go to hell," Ogunloye said, and walked out of the office. Other members of BSU were down in Perreria's office to see what groups were available for a \$1,500 price.

Before Ogunloye walked out, Hardesty told him the BSU was losing sight of its goals of supplying black scholarships and setting up a black studies section in the library. "I think that all you want to do is to throw a big bash and have ASUN pick up the tab," he said. "I'm really losing respect for you people."

Ogunloye disagreed, saying that ASUN should not dictate to BSU what group to get.

Perreria let Ogunloye and Dan McKinney talk to talent agents on his phone. Then BSU met outside Perreria's office and decided to get Billy Preston for \$1,500.

Perreria said he was against the approval of the BSU request. "How can we justify giving money to BSU and not to other groups that want to put on a show," he asked. "Where are we going to draw the line? We've got 72 groups on campus. Now any one of them can come and say, 'You gave them money, why not for us.' We're really opening a can of worms by doing this."

Hardesty said the approval

BRIDGE OVER TROUBLED WATER SIMON AND GARFUNKEL

To steal from a favorite poem, Simon and Garfunkel are like sex . . . when they're good, they're great, and when they're bad, they're still pretty good. Which is not as much a compliment as you might think; what I mean to say is that most of the time you can count on good old mellow S&G almost never being rancid, but almost never being brilliant. Case in point: their latest offering, BRIDGE OVER TROUBLED WATERS.

**TOTAL SOUND** 

By Dan Pinkerton

Now I happen to like the boys, though they're not my favorites, and most of all I like Paul Simon's songwriting. And it's in the usual form on this tape. "Bride Over Troubled Water" is a nice example of Simon's work, with a nice tune, just nice enough to put it in the Top Ten (though I don't mean to intimate that Paul is a "hack" - just that this is an "average" song for him), and, most importantly, it has SOCIALLY SIGNIFICANT LYRICS - a message. But I shouldn't really complain. It's done well, and average S&G is much better than average folk or whatever music ... it's just that there's nothing particularly new about it ....

As with the only really putrid cut on the tape, and the only really putrid song I've ever heard the boys do, "Bye Bye Love," You may remember the Everly Brothers doing it (better than ten years ago). If you have any respect for that excellent record, ask to have this lifeless, monotonous version deleted from your tape. If you don't know what the term "slog" means, you couldn't find a better definition (not even on the Beatles' 30 SONGS ON APPLE!).

But the whole thing, all the other nine cuts and the slog, are worth it just for one brilliant, unbelievably beautiful masterpiece, easily the best song they've ever done - "The Boxer." I've listened to everything else on the tape twice, but I've listened to this number at least a dozen times, and it still nearly moves me to tears, I kid you not. The story line - about a young boy all alone in the big city is one we've all heard many times. But the subtle poigniancy of Paul Simon's haunting lyrics - particularly the tragically majestic portrait of the boxer, who carries with him every blow that ever made him cry in pain (the inference being both physical and emotional blows, if you'll forgive my analyzing the obvious).

As you well know if you heard it on the radio while it was climbing up the charts, the tune is superb, and the instrumental-choral passages, particularly the longest one (after the second verse), are equal to the Beatles' best (a comparison with the fabulous passages in "A Day In The Life" comes to mind), and just too gorgeous for words. With the beauty and frighteningly lucid lonliness of both the lyrics and the music working together, it's no wonder I'm a misty mass by the time the last soft guitar fades away.

And what else? Well, nothing quite compares with "The Boxer," but "El Condor Pasa" has a haunting melody and an appealingly simple set of folk lyrics, and I rate it a distant second but clearly above the rest of the numbers. "Baby Driver" is a pleasant sort of country blues song (with just a touch of rock) that's cheery and hummable, and the rest are all nice (excepting you-know-what).

Well, now I've told you about Simon and Garfunkel's latest tape, haven't I? I hope by now you understand my opening remark. It really is a good tape - no Simon and Garfunkel fan will be disappointed - with one brilliant number to show what it could have been, and one crappy number to show what it probably never would have been (the wonder is that two such consistant craftsmen let it be released). It's in now at Tape City, 1106 California Avenue - across from the Village Shopping Center and Reno High - for the ridiculously low price of \$3.99 for either 4-track or 8-track. And remember, even if you could care less about Simon and Garfunkel, young Wolf Pack studs, the women really go for 'em ... I'm keeping mine just to lure unsuspecting young chicks into my van with. God knows I need something.

### Whittemore is new extention dean

A veteran Nevada school man has been named to direct the farranging extension activities of the University of Nevada. Extension is the service by which the university provides continuing education to meet the needs and interests of the state's citizens.

Appointed dean of General University Extension was Dr. Robert G. Whittemore Jr., of Sparks a man with experience both at the

training, background and experitraining, background and expertise to this most important post," said Miller. "He is highly respected at all levels of state government as well as by educators and students."

Whittemore, who will assume his new duties later this spring, will succeed Dr. J. Patrick Kelly, who relinquished the deanship some time ago to concentrate on teaching. Mrs. Grace M.Donehower, director of the correspondence division, has been acting dean since last July.





#### Page 3

Indulge yourself this spring



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could be justified because it would recognize a national week, that of Black Week, in the name of the associated students.

#### Study in Guadalajara, Mexico

The Guadalajara Summer School, c fully accredited University of Arizona program, will offer, June 29 to Augus 8, art, folklore, geography, history, political science, language and literature courses. Tuition, \$160; board and room \$155. Write Dr. Juan B. Rael, Office or Summer Session, University of Arizona, ucson, Arizona 85721

University of Nevada and in the school systems of Mineral, Lyon, Washoe and Clark Counties.

The appointment was made by President N. Edd Miller upon recommendation of a faculty recruiting committee which interviewed candidates for the dean's post from around the nation. "Dr. Whittemore brings a striking variety of educational

The Sagebrush will not be published Tuesday because of the Monday holiday. Publication will resume next Friday.

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## The Turtles: Thoughts on rock, war, peace, youth, and Reno

Two weeks ago Winter Carnival was kicked off with a concert by the Sons and Turtles. Like so many other musical stars, the Turtles have definite views of interest on an endless number of topics. To find out what and why, Reno High students TOM BLAIR and DENISE MATHEWS spent a full day with them.

The voice on the other end of the phone told us to come up to Room 117. We entered the room, and found Mark Volman sitting on a chair. He directed us to sit on the bed. Soon after, Jim Pons entered, guitar in hand and club sandwich in mouth. He was followed by Howard Kaylan and Al Nichols. Jim and Al tuned their guitars, Howard sprawled in the chair, and Mark chased a runaway Alka-Seltzer bottle which had escaped from his guitar case. The room disintegrated into hysteria, and we decided it was time to turn on the tape recorder.

"Where is modern rock going?"

Mark: "It's not going. It's not making any changes or moving in any definite direction."

"Do you think it will change more toward country and western?"

Mark: "The ones that are there are going to continue there. Their roots are there."

"Why are some rock singers changing their style to country and western?"

Mark: "They just wanted to. They committed themselves to rock and roll, but still wanted to play country and western. Most of the country rock cats came from some extension of country anyhow. They just originally wanted to convert country more to the young people's style."

"Are you going to change to country?"

Howard: "Country? No. Those aren't our true roots soit wouldn't be a natural extension."

"What do you see of our society in 19863

Howard: "It will probably be an extremely dope oriented generation, and electronic. The housewife will wind up pushing a lot of buttons and taking a lot of pills

go into more of a professional type of army."

Al: "The people are too restless now and they'll make war die today for the last time. We would pass the military for something else."

"How will our children's chil-

Al: "Probably this generation has a lot of things to get together and by the time it figures out how to get them together the next generation will come along and say we did it all the wrong way.'

youth revolution?" concept just the other day which is that the revolution is over man, because the young people have made such prolific statements on society. You know, girls can wear their dresses as short as they want, they don't wear bras, and

dren's generation react to ours?"

"From your standing as a rock group, what do you see of the

Mark: "I heard an interesting

day's society's puritanical misjudgements.'

ple don't wantwar, and it's not just

the long-haired people any more,

it's the teachers too. War won't be

Al: "War won't be just the

Mark: "What do you want, man.

moral issue of right or wrong it

war or peace, man, and you are

going to mark a ballot and it's

going to go into every newspaper

in the United States, and all of the

wanted."

is today."

go there and play for nothing." "Are groups just in rock and roll for money?" Mark: "How in hell can anybody deny that peace is where it's at Mark: "Most of the entertainnow? This is where the revolution has been completely won. The peo-

ers we have come to know have shown that that isn't exactly where it's at. Of course, there are certain ones who are in it for the money, and their music shows it."

**Reno High interviewers Tom Blair and Denise Mathews** 

what you believe, but groups can't

Al: "Right now we've been together long enough that we know sort of what to do with a little bit of whatever we've built up instead of piling up more money. We're looking at it more now as a vehicle to accomplish things we feel will help the movements of

"Do you like playing for smaller audiences or large ones?"

Al: "A good audience is a good audience. We would rather have a living room full of people from down the block than a gymnasium full of people who didn't know where it was at."

"What is a good audience?" Al: "An audience with no preconceived conceptions is the best. If they come to see you with an open mind and haven't made up their minds on what you aregoing to be like before you go on, then usually it works out very well."

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with an

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### '...the revolution is won, man...

they can smoke their dope. They have done what they set out to do, so the revolution is won, man, and now the whole idea is to gain conditions to make it practically work so they can prove that they are doing something positive instead of flogging a dead horse." "When or how will the society fall?"

Howard: "It will change from what it is now to something else, but it won't fall."

"What will it change to?"

Mark: "The whole attitude has changed now . . . the attidue of people not having to go to war. They just go live up in Canada and don't come back to the United States. Letting your hair grow long, smoke as much dope as you want. I mean, young people aren't worried about getting sick because of some social disease their parents told them about. You know, don't go out and get balled because you might get some kind of disease that is going to make you not able to have children or something."

Al: "The values will change and everything, and the people will become more musically schools. And, I mean, anybody who writes "war" should be there fighting, and these people are the ones who should have to kill."

Al: "It is now just a political party thing which is changing into more than just hawk or dove, and either you're one or the other." "Have you done any rock fes-

tivals?"

- Al: "We did a couple."
- "Woodstock?"
- Al: "No, Miami."

"Why did you go to the festival?"

Al: "We go there for the kids and to get the vibes of the kids." "Do you get paid for going there?"

Al: "You get righteous paid for going to rock festivals. There is really nothing like rock for peace. You go there to speak out for positive things."

"Where did you start?" Howard: "In Redondo Beach."

Howard: "Around 1962, and in 1965 we became the Turtles." "Where have you been in those

eight years?" Al: "All but two states, and

that's a freaky thing. We've played in every state except Wyoming and South Carolina." Mark: "In Arkansas we didn't

play because we were in jail." "Why?"

Mark: "Driving too fast, I guess, and the police didn't like the manner of driving we were doing."

"How do you find Reno?"

Mark: "Super conservative, except for the tourists. Just like L.A. except for the long hairs and the tourists."



Redondo Beach, California 90277



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# Senate elects four new members, two black

Senate elected four new mem- of Nye Hall, was the only candi- homes for students, they are to bers Wednesday night, filling one date who filed for the RHA seat Resident Hall Association seat and and was elected once senate acthree Off Campus Independent cepted his qualifications. seats. Eleven applied for the four seats.

in their bid to retain their rooms, and backed an honors board proposal to offer honors courses on a pass-fail basis and a resolution asking that the 4-1-4 semester system be implemented by September of 1971.

John Fishburn, who organized the Campus Crusade for Christ. Senate supported dorm students Jacqueline Sattwhite and Jaime Scott, both candidates of the Black Student Union, won the OCI seats.

The resolution, supporting the White Pine men and Juniper Hall girls, was presented by RHA Senators Delia Martinez, Frankie Sue Del Papa and Laurie Albright. It Bob Mayberry, a staff assistant stated, Residence halls should be

provide low-cost housing for students, moving the student will cause inconvenience to all involved and would involve the change of 24 students from one form to another.

The resolution concluded, "Be it therefore resolved that the ASUN Senate does support for the Spring semester of 1970 the position of the students involved . . . (and) that there be another solution found . . . . "

A resolution presented by Miss

Del Papa asked senate support of a decision by the honors board to offer honors classes on a passfail basis without effect in the nine credit maximum for pass-fail courses outside a given major. The motion was approved unanimously.

Bob Fry, chairman of the senate academic affairs committee, presented a resolution asking President N. Edd Miller's calendar committee to investigate the 4-1-4 semester system (approval of which was given by senate last semester) and implment it by the September of 1971. It passed with little discussion.

Senate approved two out of several recommended changes of the election statutes. They deleted the words "audio-visual" from section 131.0 to read, "The candidate shall be limited in his expenditures on posters, leaflets, and newspaper advertising ....

It struck section 134.4, "There shall be no restrictions on other forms of advertisment," from the statutes.

ASUN President Jim Hardesty said the purpose of the changes was to limit candidates to the allowed expenditures on their campaigns.

Hardesty asked the senate to

BSU

role to be

#### approve the establishment of an Intercity Youth Council. The motion was approved with an addition from Kathy Klaich, senior women's senator-at-large for finance, that the resolution be sent to Miller for review.

Page 5

Miss Martinez requested that a provision for a write-in candidate be made on the election ballots. Hardesty said it would be difficult or impossible to dobecause the elections are computerized and that every candidate has ample time to file. The motion was not brought to the floor.

Hardesty announced that the first half of the Bill of Rights had been passed by the Board of Regents at their February meeting and the second half will be considered at their next meeting. "I forsee no problem with the second half," he said.

The filing dates for the spring elections were announced. Filing will open at 8 a.m. next Wednesday and close at 5 p.m. March 4. Hardesty said, "The dates will be strictly enforced and, if necessary, a person five minutes late will not be able to file."

Primaries will be held March 11 and the general election, March 18. The election rally is scheduled for March 9.

#### Indians FCB oks money for The ASUN Finance Control are teachers. The condition re-

Board voted its approval Wednesday to a \$452.60 request from the University of Nevada American Indian Organization to finance the planned American Indian Forum March 5.

The ASUN will co-sponsor the event which features Richard Oakes, founder of the Alcrataz Indian settlement, James Vidovitch, leader of the Pyramid Lake Paiute Tribe, and Indian dancers.

The FCB also continued its support of the Campus Tutorial Program with a \$420 grant covering everything from rent to teaching resources. The program has 110 tutors matched with students and more tutors waiting to teach. The program handles tutoring for all grade levels through high school.

The Panhellenic Council was denied a request for \$185 to reimburse council members who attended a convention in Eugene, Oregon last semester.

The board gave conditional approval to a request from Dan Reich, appearing on behalf of Vista, for \$64.50 to cover a oneday drug seminar for prospective secondary school teachers.

Reich said the program would give the teaching students an open

quired Vista to exhaust other possible fund sources before coming back to the board. Sagebrush Editor Mike Cuno

requested an additional grant to help pay for a trip to the United States Student Press Association Conference in Washington, D. C. at the end of this month. The FCB approved Cuno's request to take up to \$100 out of the paper's reserve fund.

Peter Reems, FC chairman, suggested putting an amendment on the ballot during general elections this semester to clarify which activities are handled by the Activities Board and the FCB.

Reams said the amendment was needed because some organizations were approaching the Activities Board with fund requests which should actually be presented to the Finance Control Board.

## Stabbing victim needs donations

Friends of a foreign student who was stabbed recently are asking for donations for the students' family and hospitalization costs. Donations may be turned into Jack Selbig, foreign student

The matter came up during discussion of the American Indian Organization's budget request. The AIO had first approached the Activities Board. Recently the Black Student Union recieved \$1600 from the Activities Board to put on a concert during its Black Week Program later this semester.

Reams said the overlapping areas caused confusion and should be clarified in an amendment. Activities Board programs he said, are those major ASUN events such as Homecoming, Winter Carnival and Mackay Day All other activity budgets should be approved by the FCB.

Senior Men's Senator-At-Large Peter Moss reopened discussion on a project to set up five fellowships for student senators. The fellowships would be \$100 per semester and would require a work project in some area of interest to the ASUN senate.

The main problems discussed by FCB members were those of the grounds of application, makeup of the selection committee and the evaluation of the fellowship winners' work.

Reams introduced the possibility of bringing UCLA Bookstore Manager Ralph Stillwell here as a consultant for an evaluation of the ASUN Bookstore. Further details from Stillwell will be required before the board can make a final decision.

The Black Student Union will hold an open meeting in the Travis Lounge Tuesday at 7 p.m. to bring out the organization's new line of wares, according to BSU Public Relations Officer Dan McKinney.

"The Black Student Union is out to change its reputation as a social club to a more politically oriented emphasis," said McKinney. "We're going to be introducing programs of interest to the whole student body of the university, not just to Black students.

"Everything we're going to be doing will be a first for this campus as warriors," he said.

McKinney said the new slate of officers for the BSU, headed by President Samson Ogunloye, will

meeting," said McKinney. "I really think it will be important enough for the students here to attend."

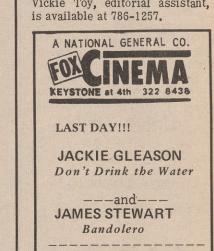
discussed

### Artemisia `needs group photos

Organization pictures for the 1970 Artemisia yearbook are now being taken.

"To meet our publication deadline, it is essential that the appointment schedule for organization shots be completed this week," Hwa-di Brodhead, editor, said.

Representatives of campus organizations can reach the Artemisia office by telephoning 323-0881 or at P.O. Box 8027, University Station. Mrs. Brodhead can also be contacted at 358-3726, and Vickie Toy, editorial assistant,





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## Page 6 opens tonia

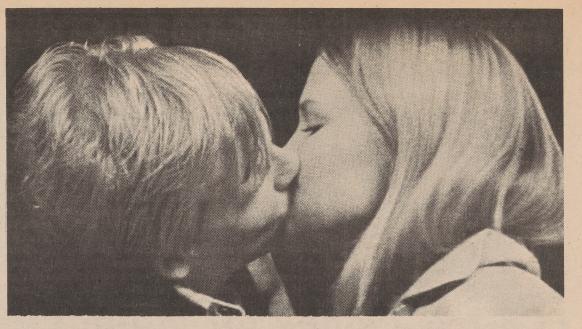
not always run smoothly as Milt, Ellen, and Harry demonstrate in Murray Schisgal's comedy, "LUV," which opens tonight in the University Theatre at 8 p.m.

Love, marriage, divorce and attempted suicides transpire as the three characters of the play meet on the Brooklyn Bridge, and each tries to solve his particular problems. The bridge set is designed by Jerry Corlies.

Milt is played by Joe Handy, Ellen by Pam Hatch, and Harry by Bill Hindley. The play, a spoof on theatre of the absurd, is directed by Robert Ericson. Lighting design is by John Downie. Because the play is a spoof on

The course of true love does love, the title is deliberately misspelled. The deliberate misspelling of the title has since been carried over in translations of the play into foreign languages. In Paris the title was spelled "L'Amouuuur," instead of "L'Amour;" in Berlin it became "Liiiiebe," instead of "Liebe;" in Rome "Amo-o-re," instead of "Amore;" and in Sweden "Kaaaarlek," instead of "Karlek."

Additional performance dates are Saturday and Feb. 26, 27, 28. Show time is 8 p.m. in the Church Fine Arts Theatre. For reservations and information, call the University Theatre Box Office at 784-6847.



Ah, Luv. Bill Hindley and Pam Hatch star in the theatrical spoof along with Joe Handy in the University Theatre production which opens tonight at 8.

(Photo by Kymrie Mills)

## look

This year the Junior Prom, an annual event presented for the entire university, has taken on a new look. Thanks to the work of Junior Class President Dean Albright and his committee, this year's prom will leave the traditional behind and attempt to set the stage for a truly fantastic event.

This year's prom will take place at the Pioneer Auditorium Saturday, Feb. 28 from 9 p.m. to 1 a.m. Highlighting the evening will be the Nitty Gritty Dirt Band providing outstanding entertainment.

This band has been together for six years and has consistently been popular on record charts throughout the United States. They have been described as "What Canned Heat was before they went into electronics" and "one of the hottest groups on the charts with a variety of entertainment for people of all shapes, sizes and sexes."

Ralph Fuller, local promotion man for West Coast rock groups

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made the arrangments for getting the group. He had first signed Sunshine Company for the the function, but they cancelled last week. Because of this, L.A. agent, Bill McEuen agreed to give Nevada the Nitty Gritty Dirt Band, which was recently contracted for \$3,200.

Voting for the Junior Prom queen candidates will be held outside the bookstore.

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#### Personalization of education planned Approximately 30 people met education task forces met to "see

at the Center Wednesday night to "improve and personalize education."

Members of the Education Task Force which developed from the Community Drug Program conference at the Center last semester attended. Members of the elementary, secondary and higher

where everyone else is at," according to one task force member.

Doing something - instead of just talking about how bad education is - is "where it's at." The group plans to devote a week to 'the personalization of education" in late March or early April. Task force members plan to contact faculty members on campus for the coming meeting, next Wednesday at 7:30 p.m. in the Center.

Chairman Laurie Albright says the project began for university level only, but plans now include bringing high school students to campus or sending university students to local high schools.

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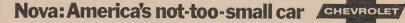
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# Frosh cagers return to action IN THE SPORTS BAG

ketball goes to work again this Thursday night the Frosh won-

### Boxers on road

Nevada's boxing team, with four unbeaten fighters, travels Saturday to California at Berkeley to take on the always tough Golden Bears.

In the two teams last meeting, Nevada came out on top, 8-3, but three matches were forfeited by Cal because of sickness.

The four unbeaten Nevadans include Bill Marioni (4-0-0), Bert Serrano (2-0-0), Jim Berro (2-0-0), and Mike Marley (1-0-2).

Marioni, who fights in the 165 pound division, was nominated as "Athlete of the Month" by the Sierra Nevada Broadcasters and Sportswriters in their most recent meeting. The final voting for the honor comes this Tuesday.

Berro and Marley are both 156 pounders, while Serrano mixes it up in the 132 pound bracket.

Others tentatively slated to see action this week are Pete Wisecarver (172), heavyweight Mike Reid, Bill Presse (125), Lou Doyle (132), Mike Campana (147), Steve Lebeau (180) and Jim Cavin (165).

GEORGE FRANK Has His Hair Trimmed At STERLING VILLAGE BARBER SHOP

After a much deserved two ders, now 11-2 on the season, weeks rest, the Nevada frosh bas- played at Reno City League Club but the game to watch is Saturday week with some heavy action. night as they meet the Santa Claa frosh.

Santa Clara was the team that handed the Nevada five its first loss of the year after nine straight wins a few weeks back. Coach Harlan Heward said the boys want this one more than any other. Santa Clara won 95-76.

And not that one big game is enough near the end of the season but Feb. 26, the Nevada frosh clash with the other team that dealt

### Six games left

Six games remain on the Nevada hoop schedule and, if the Pack basketball players were pros, they'd be aiming for fatter contracts next year.

But they are not and the only thing they can look forward to now is March 7 when the miserable campaign will mercifully come to a close.

Last night the Nevadans entertained USF out at the Coliseum and Saturday eve finds the varsity hosting league-leading Santa Clara, also at the S. Virginia St. arena.

Santa Clara - sparked by 6-9 center Dennis Awtrey and forward Ralph Ogden - is ranked 15th in the nation according to one wire service poll that was announced Tuesday of this week.

No rest for the weary since powerful Pacific visits Reno next Thursday to face the locals.

the Wolf Pack a loss this year the University of Pacific freshman.

UOP defeated Nevada, 99-79, in that one. Both the losses, incidentally, have been on the road.

In statistics released this week, Romie Thomas still leads the Pack in scoring with a lofty 26.7 average. Thomas, a 6-1 forward from Philadelphia, is followed in the scoring bracket by another Philly ace, Ken Linneman.

Linneman, also a forward, has a 21.2 average.

Jimmy Jones, a swift guard from Oakland, is next with a 18.7 clip.

## **Pack wrestlers** host UC Davis

Nevada's wrestling team is faced with a dual meet this week as the Packs hosts a talented crew from U.C. Davis Saturday.

The match will be held at Wooster High School during the State Prep Wrestling Meet.

Coach Keith Loper said the matches will take place in between the consolation and final rounds of the high school championship meet.

Leading the Pack into the contest is undefeated Lee Peterson, a 158 pound star with a 25-0-1 record this year. Other Nevada standouts include Bob Moore, John Sherman, Gary Tedder, and Lonnie Gwyn.

#### by The Bookie

The typographical bugs have been beating the hell out of the Bookmaker's column these past few issues. And -- for once -please make it Nunzio (that is an o on the end). You want the bookmaker should be deported or what?

Hope you appreciate the fact this is the man's second column this week and don't forget Simon Legree was more generous than our latter-day Scrooge-type paymaster.

So there I was in Oakland watching the silly Seals earn a 3-3 tie with the bruisin' Boston Bruins and the 21-year-old Wun-

derkind, Bobby Orr, didn't even score a goal. Well, the Seals still didn't nail a win down vs. the Beantown skaters in six tries this season.

Then I caught another Iceman--crooner Jerry Butler -- over at Mr. D's. And wasn't that Denny McLain I saw perusing the charts from Santa Anita at that swanky watering hole?

And now I finally believe the Surgeon General's report. After watching Joe Frazier demolish James Ellis it is now beyond any refutation: smokin' is hazardous to the health. And wouldn't it be sweet if the Louisville Lip came back to slice the Philly Butcher Boy into ribbons

HOT OFF THE WIRE -- Add to whatever-happened to dept .: Ted Lavergne, ex-Meadow Gold City loop deadeye ... And basketball's addition to the all-star sports debating club (original members baseballer Jim Ray Hart and boxing's Leotis Martin) is Connie Hawkins, who at least has a better sense of humor than Elvin Hayes. A look at the Phoenix Suns press book shows Connie's answers to the Ho-hum questions put to all star athletes. Such as ... college major: "sports" . . . favorite sports figures: "Tiny Tim and Joe Namath" . . . gpa in college: "O.O" . . . honors won in college:

"I won the honor to leave" ... nickname he likes best: "Superstar" ... highest degree attained in college: "50 points" ... For those with a short memory, "Hawk" got bounced from Iowa during the good old point-shaving scandal days....

BARROOM BANTER: Those gridders who were treated to an allexpense paid trip to Oakland Army Base reportedly put their heads together on the IQ test. And it was lucky for ole Quick Shot M. D. (he got a 38) that Cassius Clay (alias Mahatma Muhammad) wasn't there to aid him also . . . My apologies to Ed The Red (a character often seen in the company of Mel Camp's clique, which includes John The Joint, Acapulco Al, Heavy Harry, et. al) for using his oneliner about Reno PD boss Elmer Frisko making national TV. He was on "Mace The Nation." . . . And is Herb Caen lying to us? I mean whatever happened to all those free-os to the but hut that are supposed to be all over the gym area? .

Nevada's top hi-jumper this year will be Bones Monague. ex-Manogue astronaut. He is looking for a match with Reynaldo Brown in the not-too-distant future . . . And the Pack thin-clads won't hit that meet in Long Beach. Seems the directors of the show wanted us to compete with small-timers like USC, UCLA and so on ...

Pack skiers next meet is the PacCoast Intercollegiate Championships, set for Squaw Valley Mar. 6-7-8 . . . UNLV opens it baseball season today vs. Utah in Vegas and the Rebs will have seven lettermen starting . . . Navy and San Jose St. tied for the Detroit Piston Award univ. division schools in bkb, this year. Both have posted 3-18 marks but, lest we forget, San Josenailed two victories against the Pack so how much should they count in the final voting? ....

And -- hold onto your scaffenarius, sports sadists -- The Bookie is taking a wagering hiatus until Apr. 15. Time to find another less expensive vice . . .

Add immortal sayings: "To is a preposition, come is a verb" (Lennie Bruce) ... And who is the clown Langdon Winner, apparently a Rolling Stone staffer, who sez: (in a review of The Jackson 4 album) . . . "unlike The Temptations who are falling all over themselves trying to copy Sly Stone with bombs like 'Psychedelic Shack' ... ? ... Sly will be here (incognito) Mar. 6 to catch Santana ... and what has all this to do with sports?

Huey Newton said it best: "The oppresser must be harrassed until

Feb. 26



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## SAGEBRUSH INTERVIEW Raggio --Limit should be put on appeal right

For the last two weeks the Nevada Supreme Court and Washoe County D.A. William Raggio have been the subject of heated debate over coffee and in the press. It all started when the court ruled a new penalty hearing would have to be set for convicted murderer Thomas Lee Bean. Raggio criticized the court's action, and the furor was escalated when the court ordered an investigation be made into Raggio's statements.

Earlier this week Sagebrush staffer SCOTT CAMPBELL contacted Raggio to set up this interview which will hopefully clear the fog from the issue and put matters in perspective. Campbell said that next to his Joe Conforte interview, this was "the most challenging and interesting thing I've done in a long time."

SAGEBRUSH: You recently made the following statement: "The criminal element must be served notice that swift and certain justice always awaits anyone who violates the laws of society. If courts and legislative bodies won't do it on their own, it's time that the silent majority insist on its being done." Would you elaborate on that?

RAGGIO: The point I was trying to make was that a criminal offender is never going to be deterred, so long that he thinks that it's easy to get away with the crime and that chance of punishment is less and less. In this area legislative bodies have refused to take action that many thought was necessary. For example, the crime package that has been before Congress for about a year has been lying dormant. Many of the proposals that were made to the state legislature here over the past many years by prosecutors and law enforcement agencies were ignored. One of the effects on our legislature has been the revamping of criminal procedures, which has made the task of prosecution much more difficult.

Also, the courts are getting into the area of legislation, when it does this I think that it is exceeding its authority. My point is that the public is becoming concerned, probably because of the effect on crime in this country, to the point where they are going to have to let the legislature and the courts know that they want this system put back into its proper perspective and that laws be enacted that will ensure that there will be swift and certain justice.

Now when I talk about "swift" I think that the courts and legislatures are going

to have to do away with this continual appeal process. The post-conviction remedies in criminal cases have been now extended to where it's almost a never ending proposition. The number of times that a convicted person can seek post-conviction remedies should be limited. Certainly everyone is entitled to an appeal, but we should put some limitation on the right of appeal. We should stop frivilous appeals.

SAGEBRUSH: You also made the statement that, "Courts cannot continue to find legal avenues of escape for the criminal offender." Do you think that's been the intent of the court actions?

RAGGIO: Do I think that judges have personally wanted to help the criminals escape justice? No, but I think they have imposed their personal philosophies in interpreting the Constitution and the Bill of Rights to create what amounts to legal avenues of escape. Certainly, the basic purpose of a criminal proceeding should be to ferret out the truth, within the basic Constitutional precepts. Now, the Bill of Rights hasn't changed one bit since the framers put it together. The only thing that's changed has been the interpretations that have been placed upon it.

Don't get me wrong, I don't think I'm considered a reactionary or an extremist. I don't disagree with every decision that changed something in the Warren era, for instance. But in the area of confessions, for example, we used to have a concept that if a person made an admission, and it was completely voluntary, there wasn't any third degree used, that that type of statement was admissible. And that was the rule that we followed. And then the Supreme Court determined, based upon Constitutional provisions, they said, that to have a confession admissible, you first had to tell them that they don't have to say anything, that if they say anything it can be used against them, etc.

If you told the framers of the Bill of Rights that they were going to read that into the Sixth Amendment right of counsel provision, I think they would have stopped writing the Bill of Rights. That doesn't mean that I think the Constitution shouldn't be flexible, but in this case the extensions weren't compelled by social criteria or by the feelings of the time, because at the time this change was made, the people were concerned with how to cope with crime.

SAGEBRUSH: How do you feel about the Chicago Seven Trial, particularly concerning Judge Hoffman's action in tying and gagging one of the defendents





because of his behavior?

**RAGGIO:** It's difficult to comment about this, because we're on the outside looking in, but if any person in a courtroom is going to disrupt the proceedings so that the proceedings can't continue, then certainly some action is justified.

**SAGEBRUSH:** Concerning the subject matter of that trial, what are your opinions on the right to dissent?

**RAGGIO:** I don't believe there's such a thing as civil disobedience. I have the basic belief that this is a concept of ordered liberty in this country. I think it's a semantic error when you talk about civil disobedience. I think there is a need for authority. Now there are instances when people can express dissent which is entirely proper, but that doesn't give them the right to violate a law to do it. No riot is lawful.

SAGEBRUSH: In a more general view of dissent, what about dissent that applies to the right of revolution as stated in the Declaration of Independence?

RAGGIO: We fought a revolution to guarantee in this country that a minority would never again rule, whether it was a monarch, whether it was a dictator, or a mob. At that time, there wasn't an orderly fashion to change things, but that revolution guaranteed to us an orderly process of change. And when you don't like something, there are ways to affect change. You have the right to petition, and you have the right to demonstrate in a peaceable way. But on the other hand there's a concommitent duty not to violate the rights of others when you do it. And that's where I think the demonstrators in Chicago got off the track.

SAGEBRUSH: There was a report published about a year after that demonstration that suggested that the police might have rioted. What do you think of this?

**RAGGIO:** What I have been able to determine on my own would indicate to me that if there were instances of police overreaction, that generally wasn't the pattern. I think that a person put in the position of the police being spit on or kicked in the groin might overreact. Now that doesn't mean I'm justifying overreaction. I think that law enforcement people have to expect to take a little more abuse and be trained to cope with it a little better.

SAGEBRUSH: Can you make any comment about the recent controversy between you and the Nevada Supreme Court, concerning your statement about their ruling on the Bean case? professional ethics which govern lawyers. But frankly I don't know of a canon that I've violated. My statements were not aimed at the court itself, but at the decision they rendered.

SAGEBRUSH: There have been some rumors, and I believe you said so yourself, that you plan to run for governor.

**RAGGIO:** I try to keep politics out of this office, but that's sometimes hard to do because of the rumors that seem to travel without genises from this point. In order to put a stop to the rumors, I said that I was seriously considering either that race or something else, and I would make an announcement later this year. I have to make a decision, because my term expires this year, as to whether I tend to seek re-election here or seek some other office. I can tell you frankly that there are days as things go along that I wonder how effective you are in public service.

SAGEBRUSH: Can you make any comment about the Bean case and how the Weatherspoon decision applies?

**RAGGIO:** I didn't believe the U.S. Supreme Court was right in the Witherspoon decision, but that wasn't the point that I was making. What I am upset about is that the facts of selecting the jury in the Bean case didn't bring it within the Witherspoon decision. By a three to two decision by the State Supreme Court, those facts were construed to fit the Witherspoon decision. I don't feel that Witherspoon compelled this result, because this concept of an automatic exclusion of jurors that they talked about in Witherspoon just wasn't the situation.

In this state at that time and at the present time we have in the case of first degree murder, three penaltie verdicts that the jury can return; the death penalty and the two life penalties, with or without possibility of parole. And a juror ought to be able to at least consider any one of the verdicts that are submitted to him. We've always picked a jury in that fashion.

In the particular case of the Bean trial, the defense council himself, when a juror expressed that he had some reservation about the death penalty, would, before any examination by the state, would stipulate him out.

SAGEBRUSH: Were there any people in the jury who were against the death penalty?

RAGGIO: No. This is the point that everybody misses. Even Witherspoon

the beat out the beat oube.

RAGGIO: I don't want to get into an indepth discussion on this, because this matter is presently pending before the court. The court entered an order asking that the bar investigate to determine the accuracy of my remarks. And in the event that I admitted the accuracy of those statements, that investigation by the bar would cease. And I did the following day sent a statement to the court admitting the accuracy of my remarks. That investigation will determine what further action the court will take.

SAGEBRUSH: What legal basis is there for the court's investigation of your remarks?

**RAGGIO:** In this position that I'm in, I am a member of the executivebranch, and there is some distinction. There are doesn't say that you can have people on the jury who are against the death penalty. You read that Witherspoon decision carefully and you'll see that what it says is that there has to be an extended inquiry to decide if a juror who was against capital punishment, could, in spite of his feelings, consider all the verdicts, and in a proper case could return the death penalty.

It's a two way street. The state shouldn't have the right to have someone on the jury whose attitude would be, "Well if this fellow is guilty of murder, then the only verdict I will return is the death penalty," any more than the defense should have the right to have someone on a jury on a capital case who could under no circumstances return the death penalty.