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 Theme for this Issue: Law

Capital Punishment:

“To Be or Not to Be—That is the Question”

by Demëssa E. Jackson

Picture this: it is a beautiful sunny summer day, and you decide to leave work, surprise your family and come home early. You open the door and shout “SURPRISE,” but it turns out that you are the one surprised. You come across a scene so gruesome that your mind can’t comprehend it. You notice that your wife, 4-year-old son, and 2-month-old daughter have been murdered: not just murdered, but tortured also. They were shot, and their throats slit—your wife

and son are tied up and the two-month old is laying on top of your wife. This is the way you find them. It will take about three months for the murderer to be found, and another three months for him to be convicted. What sentencing would you want for him—life or death?

Capital punishment, also known as the death penalty, is defined by the Wikipedia Encyclopedia as “the execution of a convicted criminal by the State as punishment for crimes known as capital crimes

or capital offenses.”

Capital punishment dates back to the beginning of recorded history. According to deathpenaltyinfo.org, the first established death penalty laws date as far back as the eighteenth century B.C.

The death penalty is now reserved for those who commit the most heinous of crimes—premeditated murder, treason, rape, or even a combination of these crimes, among others. This was not

(Continued on page 4)

Inside this issue:

<i>Capital Punishment “To Be or Not To Be—That is the Question”</i>	1
<i>The Origin of Law</i>	1
<i>Law and Order: Fact or Fiction</i>	2
<i>Finding Mr. Right</i>	2
<i>Chart of 2006 Executions</i>	5
<i>Play Ball?</i>	9
<i>Honors Program Announcements</i>	12
<i>Editor’s Note</i>	12

The Origin of Law

by Chris Garbarz

In Indiana a man over the age of 18 may be arrested for statutory rape if the passenger in his car is not wearing her socks and shoes and is under the age of 17. It is also illegal in the state of Ohio to get a fish drunk. We often question why some laws come into place or who even made them up. If we were to have a better understanding of the origination of law, we could see the sense in our modern legal system. No one can say for sure where the first law came from and why. The Bible suggests that the first laws were established between God and Adam. If that is the case then the first laws came directly

(Continued on page 3)

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Law & Order: Fact or Fiction?

by Kelsey Bartsch

A tall, strapping man with an impressive, shiny badge comes to your door and, in his deep, soothing voice, asks, "Have you seen this man?" Holding a piece of paper high, he shows a picture of a delinquent. The man on the white poster with the bold **WANTED** banner splashed over his head is the exact opposite of the clean, attractive police officer standing in front of you. The ruffian has facial hair that has run amok and a bruised face from too many years in crime. He has shifty eyes, even though you can't really see them move, and *he* is a criminal.

The man in front of you is an upstanding gentleman. He's an attractive, respectable detective. But ... he's not real.

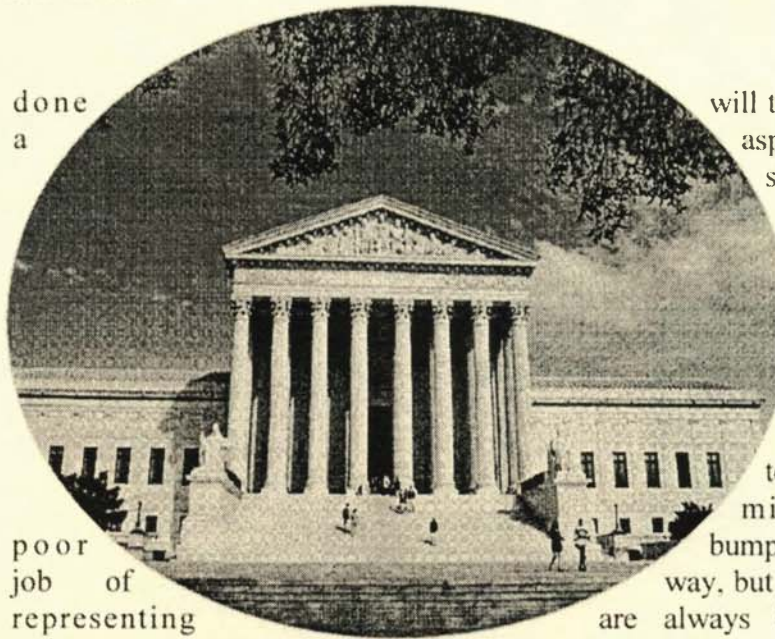
He's Detective Rey Cutis, and you can see him every night on Law and Order reruns. Just flip on your TV set and Rey will certainly be smiling back at you from one channel or another.

Is Rey real? Is Law & Order's depiction of a police officer at all accurate? The policemen I see in my neighborhood are mostly middle-aged, mildly overweight, and have not an iota of the charm that oozes from Rey. Television has created a smokescreen for our judicial system. Many of the law shows today portray justice as a tangible, easy fix, when in reality, cases can take years to solve, and culprits are sometimes never apprehended. There are certainly a handful of aspects of these shows that show law's true colors, but overall, the television industry has

done
a

poor
job of
representing
our justice system.

For instance, the other half of Law & Order, told primarily through the life of district attorney Jack McCoy and various female assistants, is the office of the "attorneys who prosecute the offenders," as the opening credits



will tell you. This aspect of the show is also greatly misrepresented. Once Jack has enough evidence to build a case, he often encounters minor road bumps along the way, but somehow we are always interested in messy paperwork-like motions to suppress evidence. Why does the audience feel so thrilled over mountains of paperwork, the kind overworked, flustered, *real-life* attorneys leave to their assistants?

(Continued on page 6)

Finding Mr. Right

by Jessica Sandacz

Four years, seven months, and twenty seven days ago I met Kevin. The past few years have been sprinkled with yellow flowers sent to my apartment, surprise phone calls just to let me know he was thinking about me, and someone who enjoys going to the movies as much as I do. It was so nice to find a guy who I could finally be myself around. I could take him shopping, and if something really did make my butt look too big, he would be the first to let me know. I could count on him to take me to restaurants I loved, even though he wasn't too keen on the whole sea-food thing. I'd kissed guys before, but he was the first guy I *really* kissed. I could see myself growing old with him and buying a lot of cats because let's face it...old people like cats. I never thought that I would find Mr. Right. We finally set the date to be joined together until death do us part. Call us clichéd, but we chose Valentine's Day of this year. We spent hours and sometimes days on intricate details to make our day perfect — from the cake, to the dinner, to the reception hall. But of all the decisions we made, the greatest thrill was the invitations... we finally saw our names side by side ready to be mailed out to tell our

(Continued on page 7)

The Origin of Law

(Continued from page 1)

from God to man. If what is written in the book of Genesis is not true, then it would be nearly impossible to find the origin of law, since it most likely took place before man had developed a written language. Instead of trying to pinpoint the beginning of law making, let's take a look at where American law came from.

Although our laws today have changed from the laws written during the writing of the constitution, the majority of America's laws originate from England. Throughout history, law has seemed to evolve. Thankfully, many of the laws today are much kinder than when they were first originated. In Europe, during the Medieval era, criminal charges were often decided by what was called an ordeal. What would happen is the accused person would have either to place his or her hand in boiling water or have a hot piece of iron laid on his or her skin to cause a wound. If the wound did not heal properly, that meant that the person was guilty of the charges. The people writing the laws during the Medieval era believed that God would not allow an innocent person to be harmed. This was based on the principle of divine intervention, meaning God played an active role in the lives of all humans. My guess is that most of the people ended up guilty of the charges. The earlier forms of Western law seem to have originated from religion. Law and ethics seem to go hand in hand with each other. The people of the Me-

dieval era and even some today would say that the concept of right and wrong comes from God. This is known as the Divine Command Theory. The Divine Command Theory states that the law is determined by God, and that all morality and the concept of right and wrong are conceived by God, bequeathed to us by God, and supervised by God. Although some today would agree with this rule, and I myself do to an extent, it seems arbitrary. It seems arbitrary in the sense that if someone's God said it was perfectly right to steal or to kill others, it would make it right. Many would challenge that statement by saying that God would never do such a thing like that because he is all good, but then I ask: how would we ever know?

Although religion seems to have been the primary influence on law-making during the Medieval era, it is not to say that today's religion does not play a role in law. In his Farewell Address, George Washington wrote, "Of all the disposition and habits which lead to political prosperity, Religion and Morality are indispensable supports." Even our first president believed that religion had to play an important role in law and politics. The Bible played a significant role in the origin of our laws. Many of our laws seem to come from ancient Greece, Rome, and through a strong influence of Christianity. It is without doubt that the Bible and Christian morality play a role in the evolution of law today.

Law did not come independ-

ently from religion, though. As the Age of Enlightenment came by and people began to look more into science and reason, and the church became less of a governing tool to the people. People began to look into reason to find justice for criminal behavior and to determine what is right and wrong. Here, the question of ethics comes back into play. Did right and wrong originally come from God, or is it a development of the human experience. Can right or wrong even be such a concrete idea or is it just a matter of opinion. The fact of the matter is that we cannot look at one way law is influenced. Even early philosophical writings such as Aristotle's ideas on Justice and Virtue have influenced our outlook on what law should be. Law is something that has varied from culture to culture and has changed through time. Just as in the history of this country, it was once legal to own a person as a slave and at another time it was illegal to consume alcohol. Law is something that is constantly changing. I can't tell you why it is illegal in the state of Ohio to get a fish drunk or where the idea even came from. The origin of law seems to be a mystery. Modern law has been influenced by so many things that it is impossible to say where it all began. The simple truth is that human reason and religion will always play a significant role in law no matter where it evolves from here.



Capital Punishment: "To Be or Not to Be—That is the Question"

(Continued from page 1)

always the case—in 1612, the death penalty was inflicted on those whose only crime may have been "stealing grapes, killing chickens, and trading with Indians." In the 1700's a person was sentenced to death if s/he stole or cut down a tree. Look at those who were crucified—would you agree that this was a form of public capital punishment? In the U.S., the laws governing capital punishment have varied from state to state, and across the globe they've varied from country to country.

Some would say that capital punishment demeans the offender, and life without parole would be a better option. Cost is also a contributing factor some use to oppose the death penalty, stating that it costs less to house an inmate than it does to fight and house a capital case. Those against the death penalty say that those convicted should have the ability to turn their life around and become positive ad-

ditions to society. Is there really a guarantee that that would actually be the case?

Those against capital punishment state that it is racially biased, basing their opinion on the fact that at least two-thirds of those on death row are of African American or Hispanic descent. The General Accounting Office released the following report: "Our synthesis of the 28 studies shows a pattern of evidence indicating racial disparities in the charging, sentencing and imposition of the death penalty. In 82 percent of the studies, race of victim was found to influence the likelihood of being charged with capital murder or receiving the death penalty...those who murdered whites were found to be more likely to be sentenced to death than those who murdered blacks."

George Ryan called the criminal justice system "deeply flawed," "arbitrary," and haunted by the demon of error." Ryan himself pardoned four men from Illinois' death row and commuted 167 deaths sentences to life without parole. There have been documented cases of wrongfully executed people since 1900.

Those opposed to capital punishment state that the death penalty is not affordable and is considered a waste of tax dollars. These tax dollars should be spent on improving public safety—programs like those geared to drug treatment, job training, police training, and rehabilitation.

"Since 1977, Illinois has spent over \$800 million more on death penalty cases than would have been spent if all cases had been tried as life- without-parole cases," this according to the Illinois Coalition to Abolish the Death Penalty (ICADP). Should cost be a consideration?

Yes, it appears to be true that there is misconduct regarding the police and attorneys during capital cases. There have been instances of coerced confessions, official misconduct, and information suppressed by police. The fact is that most of those on death row are poor and/or have inadequate defense. What follows is a case given by the American Civil Liberties Union:

On death row in Alabama:

"July Haney's court-appointed lawyer was so drunk during her trial in 1989 that he was held in contempt and sent to jail. The next day, both client and attorney were brought from their cells and the trial resumed. Her lawyer failed to present hospital records showing that Haney was a battered spouse. Despite her substandard representation, the Alabama Supreme Court upheld Haney's death sentence in 1992 and she remains on death row."

And then there are times when informant information is unreliable. There have been wrongful death penalty convictions due to unreliable individu-

(Continued on page 11)



2006 Executions

(according to the Death Penalty Information Center)

Date	Name	Age	Race of Person Executed	Number and Race of Victim(s)	State	Region	Method
1/19/2006	Clarence Ray Allen	76	Native American	4, White	CA	W	Lethal Inj.
1/20/2006	Perrie Dyon Simpson	43	Black	1, White	NC	S	Lethal Inj.
1/25/2006	Marion Dudley	33	Black	3, Latino	TX	S	Lethal Inj.
1/27/2006	Marvin Bieghler	58	White	2, White	IN	M	Lethal Inj.
1/31/2006	Jaime Elizalde	34	Latino	2, Latino	TX	S	Lethal Inj.
2/7/2006	Glenn Benner	43	White	2, White	OH	M	Lethal Inj.
2/8/2006	Robert Neville, Jr.	31	White	1, Native American	TX	S	Lethal Inj.
2/15/2006	Clyde Smith, Jr.	32	Black	1, White	TX	S	Lethal Inj.
3/15/2006	Tommie Hughes	31	Black	1, Black	TX	S	Lethal Inj.
3/17/2006	Patrick Moody	39	White	1, White	NC	S	Lethal Inj.
3/22/2006	Robert Salazar, Jr.	27	Latino	1, Latino	TX	S	Lethal Inj.
3/29/2006	Kevin Kincy	38	Black	1, Black	TX	S	Lethal Inj.
4/18/2006	Richard Alford Thornburg, Jr.	40	White	3, White	OK	S	Lethal Inj.
4/20/2006	Willie Brown	61	Black	1, Black	NC	S	Lethal Inj.
4/26/2006	Daryl Mack	47	Black	1, White	NV	W	Lethal Inj.
4/27/2006	Dexter Vinson	43	Black	1, White	VA	S	Lethal Inj.
5/2/2006	Joseph Clark	57	Black	1, White	OH	M	Lethal Inj.
5/4/2006	Jackie Wilson	40	Latino	1, White	TX	S	Lethal Inj.
5/17/2006	Jermaine Herron	27	Black	2, White	TX	S	Lethal Inj.
5/24/2006	Jesus Aguilar	42	Latino	2, Latino	TX	S	Lethal Inj.
6/1/2006	John Boltz	74	White	1, White	OK	S	Lethal Inj.
6/6/2006	Timothy Titsworth	34	White	1, White	TX	S	Lethal Inj.
6/20/2006	Lamont Reese	28	Black	3, Black	TX	S	Lethal Inj.
6/27/2006	Angel Maturino Resendiz	46	Latino	1, Latino	TX	S	Lethal Inj.
6/28/2006	Sedley Alley	51	White	1, White	TN	S	Lethal Inj.
7/11/2006	Derrick O'Brien	31	Black	2, White	TX	S	Lethal Inj.
7/12/2006	Rocky Barton	49	White	1, White	OH	M	Lethal Inj.
7/14/2006	William Downs	39	White	1, Black	SC	S	Lethal Inj.
7/19/2006	Mauriceo Brown	31	Black	1, Black	TX	S	Lethal Inj.
7/20/2006	Robert Anderson	40	White	1, White	TX	S	Lethal Inj.
7/20/2006	Brandon Hedrick	27	White	1, Black	VA	S	Electrocu.
7/27/2006	Michael Lenz	42	White	1, White	VA	S	Lethal Inj.
8/3/2006	William Wyatt, Jr.	41	Black	1, Black	TX	S	Lethal Inj.
8/8/2006	Darrell Ferguson	28	White	3, White	OH	M	Lethal Inj.
8/11/2006	David Dawson	49	White	3, White	MT	W	Lethal Inj.
8/17/2006	Richard Hinojosa	45	Latino	1, White	TX	S	Lethal Inj.
8/18/2006	Samuel Flippen	37	White	1, White	NC	S	Lethal Inj.
8/24/2006	Justin Chaz Fuller	27	Black	1, White	TX	S	Lethal Inj.
8/29/2006	Eric Allen Patton	49	Black	1, White	OK	S	Lethal Inj.
8/31/2006	James Malicoat	31	White	1, White	OK	S	Lethal Inj.
8/31/2006	Derrick Frazier	29	Black	2, White	TX	S	Lethal Inj.
9/12/2006	Farley Matchett	43	Black	1, Black	TX	S	Lethal Inj.

Looking at this chart—what do you see?

Pay special attention to the highlighted columns.

Law & Order: Fact or Fiction?

(Continued from page 2)

Why do we find it so entertaining when Jack battles with another attorney over evidence, citing famous cases that most of us have never even heard of? Do lawyers really exude so much passion as Jack's portrayer Sam Waterston does when he fights for the keeping (rather than the discarding) of evidence? Or, is it that this fervor is just a façade placed to keep the audience interested?

The judge's chambers are not the only scenes made more interesting by television. The courtroom scenes themselves seem much more colorful than any real courtroom I have ever been in. The emotional distress of the witnesses may in fact reflect the true duress of a real eyewitness, or of the defendant, but how often are they led to such emotional responses as those on *Law & Order*? In real life, how often do we see someone so emotionally charged that one equally expressive uproar from Jack McCoy will make a defendant cry out a confession? And how often do lawyers get so emphatically involved in their cases as Jack?

This past summer, I served as a juror on a property settlement case between a divorced couple. I recall sitting for hours while an attorney, who resembled Ben Stein, rambled on about information I didn't understand. I remember the immense feeling of relief when I was allowed to step outside to use the bathroom; I remember thinking it was an entire

waste of my time to be sitting there when the case reached a settlement and my services were no longer needed. What I don't remember is having been touched by the case, or the lawyer, or either half of the couple. I also don't remember either of the lawyers finding some point to interject a passionate remark that would liven up the proceedings. I don't remember being moved at all, except when I was told I could leave.

Admittedly, my case was a local case in which no one was harmed in any way. When my boyfriend's mother sat on a jury for a murder conviction, she seemed much more moved than I did, but later she came home and watched *Law & Order: SVU*, and she actually cried.

I'm not trying to say that these shows are completely missing the point, because they're actually hitting the nail on the head—sometimes. The problem is that our reasons for watching law shows and the reason for having a judicial system are completely different. Law attempts to succeed in proving innocence vs. guilt, to weed out the criminals in our society and put a stop to their antics. Adversely, law shows, while using that general template, are further designed to entertain us, the viewer. What was entertaining about my experience of sitting on a jury? I can honestly say, "Nothing!" Thus, the television industry is actually left with no choice but to make these

shows more interesting.

Still, there are alternative shows which seem to be at least a *bit* more realistic. In a foil to *Law & Order*'s kitten detectives, *NYPD Blue*'s officers are tigers. I have rarely ever watched an episode where the rotund and balding (and may I say more similar to the officers I have ever seen) Andy Sipowicz has not laid a hand (or foot) on a suspect. I am used to seeing Andy or one of his fellows bruise up and abuse anyone unwilling to cooperate fully, which I think more accurately depicts the actions of police officers in a rough city like New York.

You may disagree with me. Perhaps you think I look on the pessimistic side of the law and can only see the bad in those who uphold our justice system. You may be right, but it seems to me that our media has an obligation to show the entire spectrum, and that certainly includes the gritty officers like Andy.

However, I do believe that in some cases, the media does an effective job of portraying our government accurately, and still the law does not come off quite so abusively as in *NYPD Blue*. *Judging Amy*, for example, depicts the life of The Honorable Amy Gray, who is a judge in the juvenile court system. Amy is completely honest and determined in her work (and admittedly, we aren't nearly as interested in her cases as we are in the

(Continued on page 8)

Finding Mr. Right

(Continued from page 2)

friends and family the news of announcement. The invitations read:

Please join us in celebrating the union of



Kevin & Daniel

February 14, 2006

Well, my real name is Jessica, not Kevin or Daniel. But that doesn't make the above scenario any less realistic. Yet, according to *Gay Marriage: The Arguments and the Motives*, over 50% of Americans oppose gay marriages even though $\frac{3}{4}$ are otherwise supportive of gay rights. This means that many of the same people who are even passionately in favor of gay rights oppose homosexuals on the marriage issue.

So why do so many people have such bipolar tendencies when it comes to the topic of gay rights verses gay marriage? It is because homosexuals are stereotyped as promiscuous, bathhouse frequenters incapable of forming long-term relationships...and supposedly the rela-

tionships that they do form are one-dimensional and casual. And I am here to agree that yes, gays do have one night stands, engage in intercourse that means absolutely nothing except raw passionate lust; but the crucial detail to point out is that heterosexuals do, too. For homosexuals and heterosexuals, after the superficial teen-age relationships dissipate, committed, life-long partners fill the lives of the once flavor-of-the-month mates.

Other arguments that are typical from the anti-gay marriage brigade, according to gay marriage activist Scott Bidstrup, include: "Marriage is an establishment between a man and a woman!" "Same-sex marriages are not a proper environment to raise children!" "Gay relations are immoral!" "Marriage is for the purposes of reproducing!" While these seem to be logical rationalizations, the blatant preconceived notions are false.

"Marriage is an establishment between a man and a woman," and "gay relations are immoral"? Who came to that brilliant conclusion? The Bible? God? Jesus Christ himself? Scott Bidstrup states, "In America there is freedom of religion ... doesn't that mean that there is also freedom **from** religion?" Not everyone in America is Christian or Jewish or believes in a supreme being. Despite the fact that the one-dollar bill reads, "In God We Trust," there is supposed to be a separation between church and state. But is there a separation? *Gay*

Marriage: The Arguments and the Motives shows this injustice through the circumstances of Buddhism: "Not all world religions have a problem with homosexuality; many sects of Buddhism, for example, celebrate gay relationships freely and would like to have authority to make them legal marriages." In a sense their religious freedom is being neglected by us denying them the right to a marriage. In regards to same-sex marriages, we allow drunks, felons, single parents, the poor who can't afford to raise their children properly, and even known pedophiles to birth children into this world. A same-sex marriage often includes two loving partners of the same gender adopting a child into a loving, financially stable home to care for, and nurture, and to raise their children as competent, open-minded individuals given the same love they would receive in any heterosexual household. And finally, not all marriages are for the purpose of reproducing offspring. Should the sterile and infertile not be allowed to marry?

As of now, Massachusetts is the only state to allow gay marriages under the condition that both partners live in Massachusetts. Now, what is so crucial to the legalization of gay marriage? According to the Alternatives to Marriage Project, 75% of companies don't give benefits to same-sex couples.

(Continued on page 8)

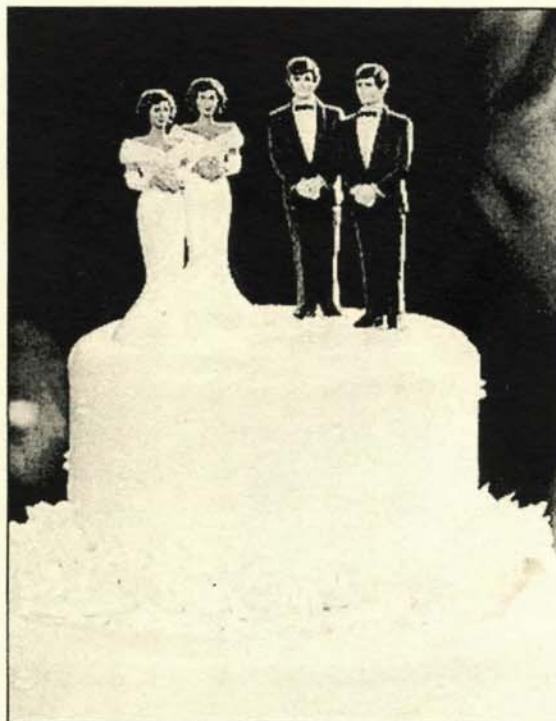
Finding Mr. Right

(Continued from page 7)

This means, if one partner decides to be a stay-at-home mom or dad while the other provides for the family, the stay-at-home mom or dad is not covered by the partner's insurance.

Some homosexuals are considered social pariahs from other family members due to their sexual orientation, and unless one is a legal spouse, upon his/her partner's death, s/he would not be able to have any say in the final preparations that were probably discussed while in that relationship. Partners have no say in leaving their partner on or taking their partner off life support, or in final arrangements like burial or cremation...and if a life-partner is injured and taken to a hospital there are some cases where they would not be able to get medically informed.

Daniel and Kevin were surrounded by friends and family on the afternoon of February 14th, 2006. Yellow roses were used as the boutonnieres, Kevin's niece Kimberly was the flower girl, and the honeymoon was spent in Paris. They adopted their first child Madison in August and she is to start Kindergarten in a few weeks. In the end, both Daniel and Kevin...found Mr. Right.



Law & Order: Fact or Fiction?

(Continued from page 6)

dramatic ones depicted nightly on Law & Order). She never has to deal bodily with offenders as the NYPD Blue gang does; thus, she is unable physically to harm them the way Andy and his fellows do, but Amy could certainly use her judicial powers dishonestly. She could easily accept payoffs from parents in custody battles, could let gangs buy their members out of jail—she could have chosen to be corrupt. Instead, Amy is a moral judge who refuses to be pulled down by a sometimes-crooked judicial system. Still, Amy faces the problems that come with being a law-abiding citizen; she is stalked in season three by a man angered by her verdict, and her life is threatened several times, specifically when a father who loses custody of his sons threatens to blow up the courthouse. However, the real reason Judging Amy seems so real to us is that the courthouse is only half the premise. The rest of the show focuses on Amy's personal life, including her relationship with her mother, her brothers, and her daughter, whom she raises on her own. With so much focus on Amy's personal affairs, it's no wonder that we don't delve too deeply into how accurate the law is.

In the end, I think it impossible that we might ever reach a happy medium when it comes to law-based television. Shows like Law & Order depict our legislature in a melodramatic, exciting way that, while enticing us to watch further, doesn't give us a true representation of the system. Adversely, shows like NYPD Blue and Judging Amy which portray the law with a bit more realism, make the viewers think that all officers are crooked and all judges are more concerned with personal matters than their jobs.

(Continued on page 10)

I regret the offensiveness of what follows, but I wish humbly to let it stand — not for shock value, but for the purpose of presenting a genuine portrait of the world in which we live.

Play Ball?

by Kelsey Bartsch

Kevin was just minding his own business. He was playing a video game with his friend Brady one summer day, just minding his own business.

Then, he heard his mother yelling frantically from the kitchen. He hurried to join her at the counter and asked, "What's wrong?"

Mrs. Loughlin explained that she had heard an earsplitting *bang* from outside, though she was too afraid to investigate it further. Kevin rushed outside to find his aluminum mailbox dented in, presumably by a baseball bat. Car tires squealed in the distance.

Infuriated, Kevin and Brady grabbed two baseball bats and hopped into their car, speeding off after the vehicle that had done the damage—their big mistake.

Meanwhile, Mrs. Loughlin called the police to report the mailbox bashing. She didn't know that her son and his friend had gone out looking for the perpetrators, trying to scare the kids who had annihilated his mailbox.

The police car's lights went on the moment he passed Kevin's car. The cop scanned the car, saw the two teenaged boys, and thought he might have the kids responsible for the dented mailbox.

"What are you boys doing?" the officer asked Kevin after pulling him over.

"Going home," Kevin lied, realizing his mother had probably

reported the incident. He knew that the officer probably suspected *them* of vandalizing the property.

The cop gave Kevin a suspicious look and pulled a flashlight from his belt. Shining it directly in Kevin's eyes, the officer asked, "You f***in' lying to me, son?"

Kevin stayed silent, regretting his lie immediately.

After keeping the flashlight level with Kevin's eyes for another minute, he focused the on the backseat of Kevin's Ford Explorer. "What the f*** are those?"

"Baseball bats."

"What the f*** you doing with 'em?"

"We played baseball earlier."

"Oh really?"

Another lighted car with the emblem POLICE on it pulled up behind them. An officer got out, swaggered over to them.

"We've got the boys, Mike," the first officer said to the approaching one.

"Look, are you guys looking for the kids who hit that mailbox?" Kevin asked, finally deciding to come clean. "Because that's *my* house, I didn't do it."

The officer raised his flashlight once more. "Sure! If you were on your way home, how would you know about it?"

Kevin explained about the boys' impulsive idea to go after

the kids who had hit his mailbox, apologizing and admitting the idiocy of the idea.

"Get the hell out of the car!" the officer yelled, and Kevin and Brady both exited. Mike walked around the car to where Brady stood.

The police officer directed Kevin off to the side of his car and then approached the teen. He suddenly pulled his nightstick from his belt and shoved into Kevin's face, inches from his eyes.

"You think I'm f***ing stupid, boy?" he demanded.

"No, sir," Kevin replied nervously.

"You think I'm f***ing stupid?" he repeated.

Kevin shook his head.

"Are *you* f***ing stupid?"

Kevin didn't reply.

"You must be a goddamn dumbass to be lying to me! You must be f***ed up in the head to do something *that* stupid. You a dumbass, son?"

Kevin shrugged, then stuffed his hands in his pocket, a sign of submission.

"Get your f***ing hands out of your pocket, you piece of shit!" he yelled, bringing the baton back as if to swing.

Kevin jerked his hands out and raised them to cover his head, cowering before the officer.

The cop laughed, lowered

(Continued on page 10)

Play Ball?

(Continued from page 9)

the baton, and said, "Do you know what I could do to you, right now?"



Kevin nodded mechanically.

"Oh, you do?"

Kevin shook his head, not wanting to upset the officer again.

"You don't know? Then don't shake your f***ing head yes, idiot!"

Kevin stood stock still.

"Get back in your vehicle."

Kevin, with a glance at Brady, who had been watching the whole thing, sat back down in the driver's seat. The officer walked by and kicked his door closed, smashing Kevin's knee between the door and the frame.

Kevin grimaced. The offi-

cer laughed.

After both officers returned to their respective cars, Mike drove off, and the other officer said over the loudspeaker, "Follow that car."

Obedient, humiliated, Kevin followed the cop, who led him straight home. When they arrived in the driveway, Mrs. Loughlin hurried outside.

Mike left, but the other officer exited his car and approached Mrs. Loughlin.

He stuck out his hand, which she shook, "Good evening, Ma'am. We found your boy here driving around with some baseball bats, but we're not going to charge him with anything. He seems like a really good kid, he should do really well. Next time, though, don't lie to the police, and we won't have to be so rough with you. Have a good one, folks."

And he drove away without another word.

Kevin and Brady acted foolishly, both trying to take justice into their own hands, both lying to the police. I wonder, though, whether or not they learned their lesson. Did they learn not to deceive police officers, or did they rather learn to be scared of them? Did they learn about justice, or about fear? Did they begin to form ideas — unhealthy but grimly realistic ones — about the nature of some (*not* all, *not* most, but some) of those who represent the law? Are they still wrestling with what must have seemed, to their foolish-but-not-at-all-stupid minds, to be a raging contradiction?

I think about my boyfriend's encounter with this police officer, and I wonder. What truly makes me think, however, is that the mailbox delinquents were never found — they were never even searched for again.

Law & Order: Fact or Fiction?

(Continued from page 8)

The law is not something to entertain. It's not an exciting, enjoyable affair which the public wants to witness. If it were, people wouldn't ardently dodge jury duty like they do. Instead, the law is a system put into place to make our lives better, to protect us. Should it be depicted on television? Perhaps, but we the viewer must then take precautions. We must never look at *Law & Order* and believe it is completely accurate. We can never judge based on television what our real police stations and courthouses are like. As long as the viewer is conscious of the misrepresentation of law in these shows, then they are effective entertainment. If not, then they are lethal to our judicial system.

Capital Punishment: “To Be or Not to Be—That is the Question”

(Continued from page 4)

als. Here's another example:

“Delma Banks, Jr. was charged in the 1980 murder of Richard Whitehead of Texas. The only evidence against Banks was the testimony of an informant who in exchange for his testimony received \$200 and the dismissal of an arson charge that could have resulted in his life sentence as a habitual offender. Banks' lawyer did not vigorously cross-examine the informant, nor did he investigate the case. Had he done so, he would have learned of strong evidence that Banks was in another city at the time of the crime.”



Banks received a temporary stay of execution and his case was accepted for review.

Now let's discuss recidivism. Does racism reduce the number of repeated crimes? Some say that the murders committed by those on death row are no more heinous than those committed by non-death-row convicts. Looking at a murderer, would you be able to guess if that person would be sentenced to death? Maybe this would help: a black man murders a white woman—is he likely to get sentenced to death? Now let's say it's a white man who murders a black woman—is *he* likely to get the death penalty? Both may deserve it, but who will be the likely one? It has been a proven fact that minorities hold the records for those sentenced and executed on death row. There are states that do not uphold the death penalty, yet they ironically have less crime than some of the states that practice capital punishment. How do we explain that? After much research, I found that Texas has the

highest number of executions, but the state also has the highest crime rate. Would you say that the death penalty is a deterrent?

Can it be true that most of those condemned to death are poor and subsequently have inadequate representation? Can it also be true that these people may have some form of undiagnosed mental retardation? Does death to the criminal provide closure for the family to which the crime was committed, or does it drag out the crime and prolong the grief? Would the death be a source of healing? What about counseling? Maybe both? Is capital punishment a violation of human rights and a barbaric act bordering on the same level as the crime itself? What quote would you use:

“To err is human, to forgive divine”

or

“An eye for an eye”

There isn't a justice system in the world that's perfect—all are flawed because we as a people are flawed. Just the same, no system can eliminate racism, recidivism, or corrupt individuals. So, what would you say is the real solution? Is capital punishment—“To Be or Not to Be”?

Discussion Topics for Fall 2006

Honors Society discussions take place each Wednesday, from 3:30 p.m. to 5:00 p.m. in room L - 329. All are welcome!

September 20

A Visit from Sam Rosenberg, Director of Roosevelt University's Scholars Program; Professor Rosenberg will bring a wealth of info (flyers, etc.) on Roosevelt's Scholars Program, and he will discuss the process of transferring from Harper to Roosevelt.

September 27

Is There a God? Faculty Guests: Charles Brown (from Harper's Philosophy Department), John Garcia (from Harper's Philosophy Department), and Kurt Hemmer (from Harper's English Department)

October 4

Controversies in Political Science; Faculty Guest: Bobby Summers from Harper's Political Science Department

October 11

Film: *Grave of the Fireflies*

October 18

Controversies in Astronomy; Faculty Guest: Paul Sipiera

October 25

Hi-Jacking the Environment: Political Rhetoric and Global Warming; Faculty Guest: Joshua Sunderbruch, from Harper's English Department

For those who are not, consider becoming a member of Phi Theta Kappa

For more information on Phi Theta Kappa at Harper, please contact Professor Alicia Tomasian, the PTK Faculty Advisor, at 847-925-6971. You may also reach her via email at atomasia@harpercollege.edu.

A PUBLICATION OF THE
WILLIAM RAINEY HARPER COLLEGE HONORS PROGRAM



Honors Society Cultural Outing:

The Honors Society students will be visiting the Chicago Shakespeare Theater on Thursday, October 26, to see *Hamlet*. One ticket is \$28. If interested, please contact Mr. Wilson for details. Tickets are scarce, but a few more may be available.

Editor's Note

The opinions expressed in this publication do not necessarily reflect those of the Harper College Administration, faculty, or staff.

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Have you seen the brand-new, fabulous Honors Program website?

Take a look: <http://www.harpercollege.edu/cluborgs/honors>