

IN THE NATION

Anti-gay tide not turned in Eugene

By Stefan Ostrach

EUGENE, ORE.

GAY RIGHTS SUPPORTERS had hoped to turn the tide here. They thought they had a chance in "mellow" Eugene to reverse the trend that has seen voters in Dade County, Fla., St. Paul, Minn., and Wichita, Kan., deny civil rights protection to homosexuals.

Eugene has a national reputation as a liberal college town—"Sprout City." The cultural and economic influence of the 15,000 student University of Oregon is strong, although it does not really dominate this city of 100,000.

The city has grown rapidly since WWII. Much of the workforce came from Oklahoma, Arkansas, the Midwest, and the South to the area's mills, canneries, factories and offices.

While Oregon has the lowest rate of church membership in the nation, the strongest and most active church members in Eugene are conservative fundamentalists. It was in these congregations that the anti-gay forces found their base.

Last October, a group of gay professionals and business people successfully lobbied the Eugene City Council to add "sexual orientation" to the already protected categories of "religion, sex, national origin, physical or mental handicap, marital status, or age," under the city's Human Rights Ordinance. The 5-3 council vote would have banned discrimination against gays in housing, employment and public accommodations.

The gay rights proponents had underestimated the backlash, however, and had failed to build public support. The morning after the city council vote, anti-gays organized VOICE of the People and began circulating petitions to put the matter to a referendum. Within a week VOICE had gathered 10,000 signatures, and the sexual orientation amendment was put on the May 23 primary election ballot as Measure No. 51. Gay rights supporters formed the Eugene Committee for Human Rights (ECHR).

The campaign was vigorous. Both sides used radio and newspaper ads, and door-to-door canvassing. VOICE, which had support and funding from conservative, anti-union business people in the area, argued that the gay rights amendment would give "special privileges" to gay people. Their ads quoted the Bible and claimed support for the provision would imply community approval of immoral behavior. They claimed that gays needed no special protection.

ECHR raised twice as much money as did VOICE, and mounted a sophisticated advertising campaign to educate people about homosexuality and the harassment that gays often suffer.

Both sides resisted the temptations to bring in outsiders. VOICE asked Anita Bryant to stay away, although they echoed her "Save Our Children" theme with the slogan, "If not for your sake, then for your children." Following the gay rights defeats in St. Paul and Wichita, ECHR's publicity stressed, "This is Eugene. And in Eugene discrimination has no place."

Voter turnout was extremely high for a non-presidential primary election. Measure No. 51 was what brought the voters out. Nearly 99 percent of those who showed up at the polls voted on the issue.

When the votes were counted, the margin was 62-37 percent against gay rights.

Observers at the polls noted a high turnout of middle-aged and older citizens and

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Three years after they were charged, and one year after their trial began, Paul Skyhorse and Richard Mohawk were finally set free.

AIM activist freed after year-long trial

By Michael Curtin

LOS ANGELES

FOR MORE THAN THREE AND A half years two leaders of the American Indian Movement have been kept in jail here while they fought murder charges that they believe were politically motivated harassment.

Finally, on May 24, a jury of eight women and four men ruled that Paul Skyhorse and Richard Mohawk were innocent. One of the longest and most expensive trials in California history had ended, but not the ordeal of Skyhorse and Mohawk. District Attorney Louis Samonsky said that the two AIM activists would be kept in custody on out-of-state charges. Although Skyhorse and Mohawk were eventually released on bond, their future remains cloudy.

The case began in the late night hours of Oct. 10, 1974, when Marvin Redshirt, Holly Broussard and Marcie Eaglestaff decided it was time to leave a party at actor David Carradine's house. They called

a cab to take them to AIM Camp 13 in Box Canyon, just north of Los Angeles. En route to the camp an argument with the driver erupted about how the fare was to be paid.

What happened when the cab arrived at its destination can only be speculated, but in the early morning hours of Oct. 11 an autopsy was performed on the body of cab driver George Aird, found stuffed in a drain-pipe at the camp.

A blood-soaked white slip over his head and a blue bandana wrapped around his neck, Aird had been beaten, tortured and stabbed the night before. A police investigation at the scene turned up a bloody knife in the purse of Broussard and another blood-stained knife in a nearby firesite.

The three riders in the cab were taken into custody with blood on their clothes. The slip over Aird's head was identified as belonging to Holly Broussard and the bandana would later be identified as the one Marcie Eaglestaff was seen wearing prior to the slaying. Redshirt, when arrested, could only explain the lacerations and blood on his hands by saying he had

"been skinning some animals."

Skyhorse and Mohawk, who were at the camp that night, took flight when they learned of the slaying, explaining at their trial, "It has been the tragic experience of our people to expect the worst from law enforcement... We knew there was serious trouble and that we would be implicated just because we were Indians living at the camp."

Not only were they implicated, but Skyhorse and Mohawk became the focus of the prosecution's case. After two years of legal gymnastics, their trial was assigned to the court of Judge Floyd Dodson. Dodson received the appointment in the wake of a landslide election forcing him from office.

Unfortunately for Skyhorse and Mohawk, Dodson was rescued by his colleagues and given a special appointment to their case. His interest in dragging out the proceedings could not be denied.

The trial began June 1, 1977. The eight-month presentation of District Attorney Louis Samonsky showed no physical evidence linking the defendants to the murder.

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Second try brings arrests at Trident

By Dean Patton

BANGOR, WASH.

IT TOOK AN EXTRA NIGHT OF CAMPING in the drizzle, but 300 people kept to their goal and forced reluctant federal officials to charge them with trespassing at the Trident nuclear submarine base here.

The demonstration against the Navy's super-subs began Sunday, May 21, when an estimated 4,000 people gathered in a friendly farmer's cow pasture for a rally, then a parade past the base, one and a half miles down the road. They carried signs, banners—and a massive flag of the United Nations—to call attention to the UN's Special Session on Disarmament, scheduled to begin two days later.

About 1,000 people pitched tents and spent the night in the pasture, then arose at 4:30 a.m. and returned to the base. Affinity groups spread along the front of the base while 290 persons, vowing "to remain on the base until Trident is stopped or until arrested—whichever comes first," scaled the simple barbed-wire fence and proceeded to a sloping, grass-covered knoll visible to supporters.

It took civilian security guards, under

contract with Pan American World Airways by the base, about two hours to remove the last of the cheering participants and transport them by bus to a base gymnasium. After several more hours of fingerprinting and booking, the buses transported everyone to Tacoma, a city about an hour south of Bangor, for what demonstrators thought would be appearances before a federal magistrate.

"Instead, the government singled out five people, who had previous trespassing convictions, and turned the remaining 285 loose on the streets," said Amy Hagopian, spokesperson for the demonstration umbrella organization, the May 22 Coalition. "People were tired, 60 miles from their camps, and rain was the forecast. The government just wanted to dissipate us, keep the action low-key."

Reluctantly, and with some confusion, the group's decision-making body scheduled a meeting for Tuesday morning at a four-acre piece of land adjacent to the massive Trident base. Some protesters had already returned to Seattle, others were asleep in Tacoma—and it was raining as people hurried to again erect their tents.

But next morning the sun was out. People returned from Seattle and Tacoma

and were excited by the scene: The affinity group structure was operating, spokespeople meeting and decisions getting made.

A consensus was reached to return to the base.

"The government is in a no-win situation," said Bob Bradac, still a bit sleepy, waiting to return to the base. "Either they let us keep going into the place, and using it for our purposes, or they arrest us, plug the courts and jails, and blow their low-key cool."

About 700 now marched back to the base, and 300 went back over the fence.

Half were taken to Tacoma, the rest to Seattle. All were charged and released later that evening.

"I'd expected to be a kind of political tool," Jerry Meszaros, one of those charged with trespass, said after release from jail. "I wasn't. There was something there. Real power. It came from within, from all around me, from everyone."

"I'm a carpenter," he said. "I'm proud of what I can do with my hands. Individually, I've got the skill and strength to build houses. Or, I can take apart a submarine base. Just might take a few more people, that's all."

Dean Patton is a Washington-based writer.

By Chip Hughes and Len Stanley

OCCUPATIONAL SAFETY

OSHA is a life and death matter at Olin plant

NEXT TIME YOU OPEN A BAG of Fritos or a pack of cigarettes, think about Marvin Gaddy. Marvin has worked in Olin Corporation's film division for more than 20 years making cellophane wrapping. He can't see as well as he used to and still gets nightmares once in a while. But he's luckier than some of his fellow workers on the second floor of the Olin plant in Brevard, N.C., on the edge of the Pisgah National Forest.

Olin's film division produces viscose, which is extruded, solidified and dried to form cellophane. Twelve massive vats are kept in constant rotation, each mixing together 100 to 300 pounds of ripened alkali cellulose (raw wood pulp and 16 percent caustic acid).

Marvin used to add carbon disulfide (CS₂) to the rotating vats to quicken the process of breaking down the raw wood pulp into a liquid cellophane-like mixture. Nobody ever told Marvin and his fellow workers that the carbon disulfide could harm them.

"A lot of people would leave," says Marvin. "The younger ones would come in there, work a few days, and then they'd invariably get a big whiff of CS₂. People would act real unusual, get headaches and think they were getting the flu. After a few overdoses, the nightmares would start coming on them."

"We'd go in and tell the company. 'Damn it, you'd better do something about this CS₂ stuff.' They'd tell us to get the hell out: 'We don't need you. If you don't enjoy your job, then go home.'"

"Course we didn't have a union back then. And we didn't have Jimmy Reese rummaging through their trashcans and filing all those grievances and complaints."

James Reese is a maintenance man at the Olin plant and chairman of the union safety committee for Local 1971 of the United Paperworkers International Union (UPIU).

Olin workers had to stand up and fight for more than 30 years before they got the union in at Olin. The battle left a trail of beaten-up organizers, fired union sympathizers, and heart-breaking, one-vote Labor Board election defeats.

Finally, in 1971, the union won a contract that included a safety committee of company and union representatives. For the past five years, the committee has investigated numerous toxic substances: asbestos, carbon disulfide, formaldehyde, tetrahydrofuran, flax dust, noise, radiation, methyl bromide.

"I had learned the OSHA standards even before we got our union organized, till I almost had them memorized," recalls James Reese. "I was just kind of interested. It represented a kind of challenge to me because I've seen some of the conditions up there and I've been hurt on the job myself."

"I'm not sure what set me off. I think it's just the fact that I'm a kind of militant type of character and this way, for once, I had something that they had to listen to. I finally had a law to back me up."

The OSHA tool

Congress passed the Williams-Steiger Occupational Safety and Health Act of 1970 in response to escalating on-the-job injury rates and intense pressure from national unions. The act created The Occupational Safety and Health Administration (OSHA) within the Labor Department, with responsibility for inspecting the workplace for hazards and imposing penalties of up to \$10,000 when unsafe conditions were uncovered.

In addition, the act gave rights to affected workers to assist OSHA in cleaning up their plants. These workers' rights are the most important aspect of the law, because unions and employees cannot depend on the chronically under-staffed and under-financed OSHA to initiate enforcement. Workers can file a complaint requesting an unannounced inspection, accompany the OSHA inspector during his or her inspection, demand an investigation of potentially harmful substances, and challenge the amount of time given a company to clean up recognized hazards.

James Reese: "Back in September '72 I heard from people that the company was

Workers would come in here, work a few days, and then they'd invariably get a big whiff of CS₂. People would act real unusual. After a few doses the nightmares would begin.



Susanne Stead

gonna be doing these noise tests, so I went up with them to see what was going on. This guy got on me pretty hot. He tried to get rid of me, and we got into a regular cuss fight over it. He says, 'You get out of here. You got no business in here.' I says back, 'I represent all the people in this union as their safety man.' He kicked me out of there, but I filed a grievance on it.

"I got all fired up. I threatened to file charges with the federal government through OSHA on it. Well, that scared them, so they sent it up to the highest corporate levels. Pretty soon, a letter comes back from the higher-ups saying that we can watch any of their tests and also get all the records of what they find. And that's what I was doing, getting it all down on paper to show what their real attitude is toward safety and health—in spite of those big awards they got plas-

tered all over the cafeteria walls and their reputation as a safe company."

The National Institute for Occupational Safety and Health (NIOSH) was set up by Congress in 1970 as the research arm for OSHA. At an employee's request, NIOSH inspectors will determine whether any toxic substance found in the workplace is causing harmful effects. Unfortunately, NIOSH does not have enforcement powers.

In July 1973 a NIOSH industrial hygienist came to Olin's Pisgah Forest plant to investigate CS₂. The NIOSH team went to the second floor and observed the leaky gaskets and pipes, and the air vacuums that clogged every once in a while.

They also tested to see how much carbon disulfide was in the air when the big vats were opened for scraping. The dials of the NIOSH equipment went up as high

Supreme Court makes OSHA's job more difficult

By Tom Young

THE SUPREME COURT, IN A DECISION announced May 23, has dealt another blow to the already beleaguered Occupational Safety and Health Administration (OSHA). The Court ordered OSHA to cease making factory inspections without a court-ordered warrant.

The case involved arose in Pocatello, Idaho, when Frank Barlow, a plumbing contractor, refused to allow OSHA inspectors into his business establishment. Barlow is a member of the John Birch Society, which has been conducting a campaign against OSHA for several years. Barlow's defense was joined by the American Conservative Union and U.S. Chamber of Commerce and became something of a New Right *cause celebre*.

Although it overturned warrantless inspections, the Court majority allowed rather broad grounds for seeking warrants. For example, the Court said, the statement of an OSHA official that a workplace was in a particularly dangerous industry would be adequate grounds for issuing a warrant.

OSHA might be able to incorporate

securing warrants into its normal inspection procedure and act much as before the decision, though the increased paperwork and costs will tax the already overburdened agency. Moves are already underway to add 100 to 150 new lawyers to OSHA's staff.

Many observers expect problems, however. Eula Bingham, Under-Secretary of Labor for OSHA, echoed the Supreme Court, saying she believed that "the great majority of businessmen can be expected to consent to inspection without warrant." But Anthony Mazzocchi, Oil, Chemical & Atomic Workers (OCAW) vice-president, expects employers to demand warrants as a matter of course: "We already have total resistance; the Supreme Court action is a license for dilatory action."

Mazzocchi also points out that delays currently run three years between initial inspection and actual payment of penalties.

George Taylor, secretary of the AFL-CIO standing committee on OSHA, foresees Chambers of Commerce promoting a pro forma denial of entry, clogging the courts with appeals. "We haven't begun to see the jam up," he says.

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as they could—288 parts per million (ppm). The OSHA standard for carbon disulfide is 20 ppm.

A variety of disorders.

Three months later, NIOSH sent down a physician to do a follow-up medical survey on neurological problems with the workers on the second floor. He interviewed 29 men. Most of them complained about recurring nightmares, abdominal pains, headaches, dizziness and insomnia. He summed up his findings with a short statement: "A number of bizarre neurological findings were noted." Among his findings were the following:

- A 34-year-old man worked 14½ years in the chemical building prior to his transfer. He has a several-year history of numbness, pains and tingling involving the right side of his face. A neurological consultant for the company diagnosed him with "a typical facial neuralgia."

- A 44-year-old man with 22 years exposure. He has been on leave from work for two years with a vague arthritis-like ailment.

- A 37-year-old man with 16 years exposure had the onset of a convulsive disorder two years ago, beginning with a three-day period of status epilepticus. His doctor told him his seizure was due to a "swelled blood vessel in the temporal area." An extensive report by a neurological consultant hired by the company indicates no such finding to explain the onset of his epilepsy. He is currently depressed by his downgraded position (janitor). His neurological exam was normal.

"That last guy you read about, that was Jimmy Massey," explained Bert McColl, who suffers himself from a rare form of hipbone decay that makes walking difficult. "Massey got this stuff worse than anybody. They called it epileptic fits for a long time so they wouldn't have to pay no workers' compensation to him. First time it happened, he was just sitting there eating supper with his wife and kids. Then he started having a fit. So the company said, 'If it just happened at home, then it couldn't have anything to do with his work.' Later on, they found all the tumors."

"Jimmy Massey is still barely living over near Canton. They give him a few more months before the cancer will eat up his brain. His wife just had a baby recently. The family started runnin' out of money with all the medical bills they had to pay, so the company put Jimmy back to work again. They put him on the janitor crew, going around the plant picking up trash. He'd wander round and round not even knowing what he's supposed to do. He'd sit around by the time clock without even knowing when he should punch out."

At the end of April 1974 NIOSH finally released its health hazard evaluation report for the CS₂. The evidence showed that acute exposures to carbon disulfide had been occurring episodically and these exposures provoked the symptoms in the Olin workers.

However, the report said, "there does not appear to be sufficient medical evidence at this time to warrant a conclusion that chronic exposure is occurring in a sufficient degree to provoke illness. Without question, several atypical and unexplained illnesses were encountered during the study. Time may eventually resolve these diagnostic problems."

The report concluded: "It is difficult to postulate that such diverse and asymmetric neurological problems are due to common exposure to toxic substances or due to some unusual personal susceptibility. Local problems of this type are probably related to chance distribution."

Marvin Gaddy: "That's all wrong. We can definitely show you why at least 12 out of these 24 people have all these weird problems. They all worked with the CS₂. You see, it's really a nerve gas, at least that's what they used it for back in the war. The stuff goes about working on the weakest nerves that you got. Now, my nerves and Bert's are different. He can't walk or move around the way he used to; I can't see too good."

After the NIOSH study was released, some small changes occurred around the Olin plant. At least there were some written records showing what the carbon

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