

Minority set-aside program dropped after court ruling

COLUMBUS, Ohio (AP) — Gov. George Voinovich has told state agencies to stop using a minority contract program that has been challenged in court.

Ohio's 18-year-old set-aside law reserves some state contracts for construction and for the purchase of goods and services to minority businesses. But the law has been under attack in courts this fall.

U.S. District Judge James L. Graham in October sided with a statewide contractors' association and ruled the program was unconstitutional.

The group had argued that it was illegal to

forbid non-minority contractors, on the basis of their race, to bid on jobs set aside for minority contractors.

In November, the law was challenged in the Ohio Supreme Court, by a Zanesville produce dealer who said the set-aside program is open to all economically disadvantaged Ohioans.

Maria Armstrong, director of legal affairs in Voinovich's office, cited those two cases in a memo she sent Nov. 12 to state agencies, telling them not to use the set-aside program.

She also noted a federal magistrate's ruling that struck down Cuyahoga County

Community's set-aside program and said college trustees could be held personally liable for implementing it.

Armstrong followed up with another memo last Thursday to state agencies, encouraging them to have participants in the minority set-aside program sign up for the historically underutilized business program.

Created by a Voinovich executive order, the program gives preferences to businesses that can show an economic disadvantage and a social disadvantage based either on race or, in some cases, on gender, physical disability and other factors.

"This policy is still in effect and should be utilized as a goal in awarding state contracts," Armstrong wrote.

But some lawmakers believe the policy merely sets goals. It is not binding — as the set-aside law is.

Minority firms were paid \$239 million through state contracts last year, with \$121 million for goods and services and \$117.8 million for construction work.

Between 1991 and 1998, the state has awarded contracts worth more than \$1.6 billion to minority-owned companies with the set-aside law in place.

Idaho community mobilizes to counter hate mail

SANDPOINT, Idaho (AP) — Human rights advocates, business leaders and politicians are fighting against racism that has shown up in the form of hate mailings and a visit from white supremacist activists.

Widespread, well-financed hate literature campaigns recently invaded Bonner County and Kootenai County homes, ensuring full attendance at the Bonner County Human Rights Task

Force meeting last week.

But when three prominent white supremacists also showed up at the meeting, the community took action.

"People are starting to get angry, and we want to diffuse it constructively," said Gretchen Albrecht-Hellar, chairman of the task force.

The first racist mailing, about two months ago, consisted of an anti-Semitic booklet and 6-foot-long poster asserting the

superiority of whites. The second mailing included videotapes of an interview with Aryan Nations leader Richard Butler.

Both mailings went to thousands of households. Two wealthy Sandpoint men — Carl E. Story and R. Vincent Bertollini — are behind them.

In addition, an anti-Semitic comic book was distributed to Sandpoint students. The book was

published by Michael Hoffman II of Coeur d'Alene, who also publishes a Web site and literature claiming the Holocaust is a myth.

It was Butler, Hoffman and Bertollini who showed at the task force meeting.

"The meeting scared me to my bones," said Sandpoint Mayor David Sawyer. "The intense conviction Hoffman and Bertollini display make it clear that this is not an issue we're going to debate with

these folks."

Sawyer met with other community leaders afterwards, who decided to embark on a long-term effort to counteract the white supremacist efforts.

The immediate plan is to have Emergency Hate Response Kits ready and available to citizens the next time racist mailings blanket the area.

The kits will include suggestions of how to

respond, bumper stickers and window posters supporting human rights, copies of human rights booklets, cards designed by Sandpoint children and a list of the 10 best ways to turn racist literature into something other than its intended purpose.

A community-wide contest was announced Tuesday to come up with the 10 best uses for the literature.

(See Hate Mail, Page 6)

Panel: Stiffer penalties likely to prevent more hate crimes

SALT LAKE CITY (AP) — The best way to stop hate crime in Utah is to impose stiffer penalties, according to experts and victims participating in a panel discussion here.

The group met on Friday to discuss what must be done to end crimes committed against people based on their race, religion, ethnic background or sexual orientation. About 50 people attended the two-hour panel discussion as part of the "YWCA's Week Without Violence."

A hate-crimes law passed by the 1992 Utah Legislature

did increase misdemeanors, such as trespassing and assault, to a third-degree felony if the perpetrator's intent is to deprive the victim of their constitutional rights.

But David Nelson, who helped author the 1992 law, said more must be done.

"No court judge has ever enforced the hate crime laws because they are too vague. We need to change this, this year," Nelson said.

Added Larry Gerlach, an American history professor at the University of Utah: "Hate-crime laws are the single-most important thing we can do to stop these

crimes." The discussion followed the death earlier this month of Matthew Shepard, 21, a University of Wyoming student, who was lured from a campus hangout, beaten and tied to a split-rail fence in freezing temperatures because he was gay.

University of Utah sociology professor Theresa Martinez, who has a gay brother, said she was not surprised to hear of Shepard's murder.

She said that gay men die every day because of their sexual orientation and that her brother has been the target of abuse and persecution.

"The Matthew Shepard killing is not puzzling to me

at all," Martinez said. "We kill what makes us feel

uncomfortable, inadequate and insecure."

Clothier Eddie Bauer settles racial discrimination lawsuit

By Nancy Zuckerbrod

WASHINGTON (AP) — Clothing retailer Eddie Bauer has settled a racial discrimination lawsuit with three black teen-agers held by a guard who thought they were shoplifting, a spokeswoman said.

The Redmond, Wash.-based company was in the process of appealing a jury decision siding with the teen-agers when the settlement was reached last week, according to spokeswoman Lurma Rackley.

Terms of the settlement were not disclosed. A security guard at the company's Fort Washington, Md., warehouse store falsely accused Alonzo Jackson, Rasheed Plummer and Marco Cunningham of shoplifting and held them against their will Oct. 25, 1995. Jackson, then 16, was forced to remove a

shirt he had bought a day earlier. The shirt was returned to Jackson after he went home and brought back a receipt.

The teen-agers sued for \$85 million. A federal jury awarded them \$1 million last year after acquitting the company of discrimination, but convicting the company of defaming the teens and negligently supervising its guards.

The settlement was "amicable" and "reached without rancor," Rackley said.

"Our company does not discriminate. We strive to maintain an atmosphere that conveys our company's core values, legacy of quality service and respect for everyone," said Eddie Bauer CEO and President Rick Fersch.


The teens' attorney, Donald Temple, was unavailable for comment.

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