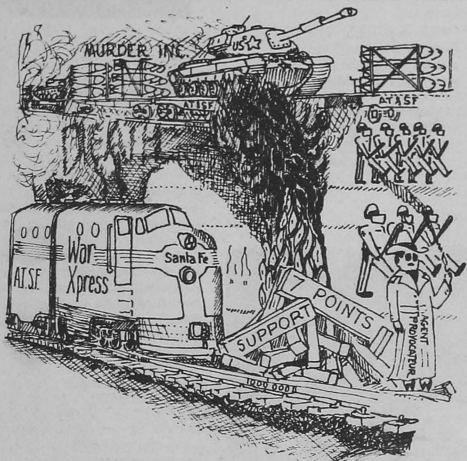


NORTH STAR

VOLUME 3

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SEPTEMBER 25, 1972



SEVEN ARRESTED FOR RAILROAD DEMO DEL MAR 7

On Aug. 2nd, 1972, seven people were issued grand jury indictments in connection with the May 12th anti-war demonstration in Del Mar. The seven included two U.C.S.D. students, Scott Goodrich and David Katzenstein, two S.D. State students, Bill Haiber and Gerald Lopez, Pete Mahone, Peter Bohmer, former S.D. State professor, and Tom Kozen an Ocean Beach community organizer. The charge on the seven defendants reads: they "willfully, unlawfully, maliciously placed obstructions on the railroad tracks and did promote and instigate each other in the said act." Thus they face a penalty of up to five years in prison. In addition, Goodrich and Haiber, charged with arson, face more severe penalties.

An anti-war demonstration was called for on May 12th near Del Mar railroad tracks. While the grand jury indictments seem to indicate that most of the crimes were in fact committed there, the police testimony shows that the said "criminals" had been the objects of police interest long before May 12th and had been under careful scrutiny. Previous demonstrations in Horton Plaza and at meetings of the San Diego City Council had been closely watched by the S.D. Sheriff's office, using cameras and tape-recorders. From the many who voiced their opinion at meetings and at the demonstrations, only a few were singled out and arrested.

Among those arrested, Bohmer and Kozen perhaps face the most serious charge. By chairing a meeting at the demonstration, they are accused of instigating and encouraging others to a felonious act. Although evidence presented in a Grand Jury indictment and the Sheriff's report indicate that others, who were not indicted, partook in the planning, Peter Bohmer and Tom Kozen, whose roles in the planning of the demonstration were minimal at best, were indicted. Why Peter Bohmer and Tom Kozen were arrested is a question that only the District Attorney's office can answer.

It is pointless to describe the events surrounding the demonstration without expressing the moral outrage that was felt by the participants. Nixon had accelerated the bombing of North Vietnam and he had just taken an extra step of mining the harbors of Haiphong. Although the left never expected anything nice from Nixon anyway, this act of deceit was too much to swallow. An American President, in the name of the American people was responsible for actions that some Americans totally despised.

Aircraft carriers were leaving San Diego for duty in Vietnam. It was suspected that war materials were being transferred to San Diego on Amtrack rail-

(continued on page 3)

The Prodevo Story Land Development

"We lost the last battle, but we'll win the war," said Councilman Tom Shepard in describing the events at the August 28 meeting of the Del Mar City Council. Prodevo, Inc., a group of real estate developers from Fullerton, California, managed to garner the votes necessary to overturn a previous City Council decision prohibiting the company from building a multi-resident living complex. The apartment will soon be constructed on the west side of Stratford Court south of 6th Street.

Shepard stated that this would be the last battle because on October 3 the Council will vote to revise its R3-10 residential zone ordinance to prevent future apartment complex construction, except under specific restrictions. It was common knowledge that the Council was considering construction reform, says Shepard, and unfortunately Prodevo was allowed to sneak in under the wire.

Prodevo's victory was the climax of a five month struggle to obtain the right to build. On April 10, 1972 the City Planning Commission approved Prodevo's request for variances on the height and building coverage for R3-10 construction. Present at this meeting were a number of Stratford Court residents who voiced their disapproval toward granting the variances. Although the reasons given for opposing the approval were directed at the variances, it appeared that the construction of another apartment building was an equally strong objection.

After the Planning Commission approved the request, Prodevo felt it had obtained the right to build. However, under Del Mar's governing procedure the City Council has the final say over R3-10 construction. Debate therefore continued. The opposition was to let coalesce and have the matter voted on at the July 3 Council meeting. Before the July 3 meeting took place, however, the Regional Water Quality Board threatened the City of Del Mar with a cease and desist order on all R3-10 construction because of its inadequate waste treatment and disposal system. A moratorium order was then passed by the City Council on all R3-10 construction until the project connecting the Del Mar Sewage System with the San Diego System was completed next June 15.

At the July 3 meeting, the issue was not whether Prodevo should be granted the variances, but if it should be exempt from the moratorium. The vote was decidedly against Prodevo.

A reliable source, who regularly attends City Council meetings, contends that the self-imposed moratorium was a facade, a justification for what the Council wanted to do all along: to prevent further unrestricted R3-10 construction.

the threat from the Water Board provided a legitimate reason to deny land developers the right to put up more apartments.

At this point Don McBride, co-owner of Prodevo, Inc., threatened to take legal action against the city if approval was not granted.

According to one observer, McBride's lawyer was able to "corner" Councilman Rapinsky into agreeing to exempt Prodevo from the moratorium if he could get the Water Quality Control Board to state that Prodevo's proposed apartment wouldn't add to Del Mar's sewage disposal problems. It was felt that Rapinsky agreed to this only because he was positive that the water board would never grant approval.

On August 18, however, Prodevo's lawyer, Edward C. Dowd, presented City Manager Jack Shelver with a letter from the Water Control Board giving its OK. On August 28 the City Council was obliged to exempt Prodevo from the Moratorium.

According to people who have followed the Prodevo case and similar city dealings, the real issue with land developers transcends the right to build. The five month debate failed to deal with the question of how Del Mar will accommodate its growing student population. Referring to the high property values in Del Mar, McBride castigated the City Council for trying to drive lower and middle class people out of Del Mar. From a superficial, economic viewpoint, multi-resident apartments would appear to be the only housing students and other low income people can afford. But, as Councilman Shepard stated, it is doubtful that Fullerton land investment speculators are motivated by anything but the high profits involved. "Besides, Shepard continued, 'Apartments have not proved to be the solution. The rents for the new apartments are already going beyond the range of students. Furthermore, when the City Council revises its R3-10 zoning ordinance on October 3, putting further multi-resident building construction under strict control, it is being pressured by a general feeling that the rash of new apartments are adversely affecting both the physical appearance and the character of Del Mar. The proposed Prodevo apartment is described as 'just a 21-unit box.' Shepard, elected to the Council by the student vote, says that since the land developers have now been put under stricter control, the city must work toward real solutions to the problems of housing. 'Del Mar has an interest, even a responsibility, to try and preserve the social balance of the community. We need to get people in the community together to find solutions to this problem.'

seven people have been indicted in connection with the may 12th anti-war demonstration in del mar. these people need your help. potential witnesses and people who would like to work on the defense committee should call 222-2255 or 453-2000 x2516 for more information

NEWS IN BRIEF

NORTH COUNTY

Solana Beach Should Incorporate

According to A.P.M. Cockran, the best way to solve the problems of Solana Beach is to incorporate. He said that Solana Beach is really governed by San Diego City residents because of the way the supervisors are elected. He added, "We should start to direct our own future."

He also noted that currently the county development has favored the developers. There are variances, zone changes, and roads widened to encourage development at the expense of meeting current needs. He noted that there was money to widen Lomas Santa Fe Drive, but not money for sidewalks or signal lights.

He also pointed out that in at least one instance a clear violation was committed by a developer, but the fact that it was already done was cause enough to get it approved.

Regarding costs for incorporation, Cockran said that there would be a \$45,000 increase in taxes on a \$40,000 house.

Torrey Pines Planning Group

The Torrey Pines Planning Group has won official recognition from the city of San Diego. The group will now oversee revisions of the Del Mar-Torrey Pines plan that directs growth for the area west of Interstate 5, east of the city of Del Mar and north of the Sorrento Valley.

SAFETY: PRIORITY #18

With the start of school, the chances for serious injury or death are increased on the main thoroughfares in Solana Beach and Del Mar. Lights have been planned for the Stevens, Glencrest and Lomas Santa Fe intersections but installation isn't scheduled until the spring of 1973.

The lights rank 18 on the list of priorities for the county and unless there is dramatic evidence such as several deaths or injuries at these intersections, or there is an unexpected surge of public concern, these priorities will remain stagnant. So until these lights are installed, the NORTH STAR asks everyone to drive carefully, especially in the vicinity of schools.

UCSD

There will be a record enrollment at UCSD this year. Counting undergraduates, graduates and med students, the enrollment will exceed 7,200. Students this year will have to re-orient themselves to the campus structure because of the amount of construction in progress on Muir and Matthews campuses.

Some student services and organizations have been scattered around campus since half of building 250 MC has been destroyed so that the road could be widened and extended. Muir students on particular will be inconvenienced for a short time due to the landscaping taking place between and around buildings 2A and 2B. If John Muir were here, he would say, "About time! But why does it have to all be concrete?"

OTHER

IMPERIALISM: 20th CENTURY

A few months ago (July 13) Treasury Secretary George P. Schultz said increased import of beef and veal would bring down the meat prices. He went on to say that it was very heartening that foreign producers could increase meat shipment to the U.S. during the following 5 1/2 months. The good news of lower meat prices marked another success for U.S. President Richard Nixon's drive to curb inflation.

A few months ago (July 14) the same Uruguan government which has clamped a tight censorship over the opposition press and has legalized search and seizure without warrant, outlawed the sale of beef throughout Uruguay. The total ban on selling beef tentatively will last four months, until mid November. During this ban all beef, one of the major industries in Uruguay, will be exported to foreign markets.

Oral Copulation Now Legal

On Sept. 11, 1972, Superior Court Judge George E. Dell ruled that a lawmaking oral copulation illegal was unconstitutional. The judge's 3 page written opinion stated: "The issue directly presented is whether or not a state can constitutionally make unlawful the consensual act of oral copulation between adults. This court has concluded it can not."

Unfortunately, the act remains illegal for citizens under the age of 18. And of course it remains a crime when the use of force is involved. The ruling was based upon U.S. Supreme Court decisions recognizing the right of marital privacy and the right of single persons to equal protection under the 14th Amendment.

Lumumba-Zapata Confrontation:

Chicano Found Innocent Administrators Deny Ties

by Manuel Hernandez

"Not guilty" was the verdict decreed by the Honorable Judge William A. Graham after hearing the evidence of the prosecution against Vince de Baca, a former UCSD Chicano student, who had been charged with "malicious mischief." Mr. de Baca allegedly wrote a slogan on a plaque at Third College.

The prosecution was the first to present its case. The first witness questioned by the prosecutor, Bill Stewart, was Albert H. Rukes, a campus policeman. Rukes introduced a diagram of the campus (exhibit A). He testified that he saw a "lurking shadow" by the monument at the alleged time of the incident whom he identified as Vince de Baca.

Following Rukes testimony, a can of spray paint was introduced as evidence (exhibit B). The second prosecution witness was Edward A. Schroeder, another campus police officer. He testified that he was standing next to Rukes and saw nothing. However, he stated that he approached de Baca at the time of the alleged incident and received a verbal confession from him. Defense witnesses later contradicted Officer Schroeder's testimony.

As exhibit C, the prosecution entered a series of photographs which showed the writing on the monument. William Miller, a third campus police officer, was then called to the witness stand. He testified that he lowered the flag at an earlier demonstration because he feared demonstrators might damage it.

During the cross-examination, officer Miller stated that he was "generally familiar" with the defendant and that he knew that he was a regular student. He testified that he saw the defendant at previous demonstrations around

the campus. After hearing the prosecution's case, Lawrence A. Glacy, the defense attorney, was on the verge of calling the first witness for the defense when Judge Graham called the defendant to the witness stand. After brief questioning of the defendant, the judge found that the evidence presented against de Baca was contradictory and weak. He ruled that the defendant was "not guilty." Subsequently, the trial ended with the defense attorney and the defendant walking out of the courtroom.

The contradictory testimony of the prosecution would have been further weakened had the defense had the opportunity to testify. Two witnesses were scheduled to testify that they saw the writing on the monument during noon on the alleged day of the incident. All three witnesses for the prosecution had testified that the writing had been done later in the evening, around 10:00 pm.

Prior to the trial date, several members of the UCSD administration were questioned on the relationship of the University to the trial. The administration denied any connection with the trial. Yet, it was three employees of the University who were the main witnesses for the prosecution.

Mr. de Baca's trial was a product of an internal confrontation within UCSD's Lumumba-Zapata College. The central issue was self governance. The Third College confrontation pitted the administration against a majority of the students. As the 1972-73 year begins, new developments and conflicts may occur.

Letters....



dear north star, the following is a poem i wrote; perhaps you would like to print it in your paper. i saw the first copy of the north star, and was very impressed with it. good luck to all of you. Viet Thai Binh.

(Eternal peace in Vietnam).

a rage mixed with pain and tears is inside me this day of the monsoon

soooooooooooooooooooooo the outcome of the battle of the dikes will be heard.

Yesterday the people were working hard Was there time to sing? Each handful of mud and barrel of cement Braced against the American way Poured in the cracks and fissures of bombs and death and greed. Was there time?

Was there time to sing?

Or did they labor quietly on the day when more Nixon bombs than ever scarred their sacred soil sirens in the air on the day of the monsoon.

And what did they think of 1944 when they lost the battle but won the war?

We hear of preparations underway— to each house, moor a boat, on each roof, sow your seeds. New plants will be planted, those which can grow submerged in the waters. Like the Vietnamese beneath the rain of bombs. —kalmia



Naralmed Vietnamese

THE ISSUE: WOMEN'S RIGHTS

"Prejudice against women is the last socially accepted bigotry."

PROBLEMS

Jobs: Twice as many women as men are unemployed. For every \$100 a man earns, a woman earns \$40 less. A woman graduating from the same college as a man with the same grades, the same courses, must expect to earn \$9000 a year less for the same job.

Education: Women comprise only 9% of all professors, only 6% of all law students, only 3% of all lawyers, only 8% of all medical students and only 7% of all physicians.

Maternal and Child Care:

The U.S. ranks 14th among nations in infant mortality and many poor, particularly non-white mothers, receive no obstetrical care at delivery. Disadvantaged by poverty and malnutrition, their children do not receive adequate day care or preschool education.

McGOVERN'S ANSWERS

Jobs: Senator McGovern supported the Equal Rights for Women Amendment of 1970 and the Women's Equality Act of 1971. Senator McGovern would empower the Equal Employment Commission to use cease and desist orders to enforce Title VII, which forbids job discrimination on the basis of race, color, national origin or sex.

Education: Senator McGovern supported an amendment to the Omnibus Education Amendments Act of 1971. It provides a full range of quality health, education, nutrition, and social services for American children of all economic strata and allows many more mothers to assume full or part-time jobs.

He also advocates:

- * Expansion of voluntary family planning programs and an end to forced sterilization;
- * Expanding the School Lunch and Breakfast programs to provide 2 meals a day for pre-school and school-age children;
- * Income-tax deductions for full cost of a housekeeper or pre-school attendants, if a parent must pay for child care in order to work.

George McGovern has pledged to appoint women to the National Security Council, the Cabinet, and a woman to the first opening on the Supreme Court.

The McGovern Commission on Delegate Selection of the Democratic Party has provided that 50% of all delegates to the 1972 Democratic Convention be women (as opposed to 13% in 1968).

McGOVERN for President
Annex 505 Hotel Circle South OR
San Diego, Calif. 92110 CALL
McGOVERN FOR PRESIDENT 459-2559

3938 WILSHIRE BLVD. LOS ANGELES, CALIF. 90010

FED UP WITH POLITICS AS USUAL? VOTE McGOVERN.

STATE AND NATIONAL POLITICIANS SEEK NORTH COUNTY VOTES

While Nixon and McGovern continue to grapple for the lion's share of the news coverage, probably just as important to the North County and La Jolla voters will be the election of a state assemblyman, and senator and two congressmen.

Par for the course in the conservative San Diego county four Democratic underdogs face favored Republicans. In three of the races, lack of overt campaigning by the incumbent Republicans (Bob Wilson in the 40th Congressional district, John Stull in the 80th Assembly district and Jack Schrade, 39th state senatorial district) appears to indicate that they expect an easy victory over Democratic challengers (Frank Caprio, 40th Congressional District, Robert Garvin 80th Assembly District, and Stephen Gillis, 39th state senatorial District).

The fourth contest, however, which pits Rep. Clair Burgener (state senator for the 38th District) against Robert Edward Lowe in the new 42nd Congressional District, seems to offer a closer race.

Burgener has been in public office 14 years, the last six as a state senator. He is 50 years old and a resident of San Diego County for 26 years. By profession Clair Burgener is a realtor (President of Clair Burgener Company). A "respected community leader", Burgener was the San Diego Junior Chamber of Commerce's Outstanding Young man of the year in 1957. Since then, he has served as president of the San Diego County Association for Retarded Children, and currently heads the President's Committee on Mental Retardation.

A Nixon supporter since 1960, Burgener is running for Congress essentially on a platform of "responsible partisanship" and "20 years of continuous service to the Republican Party".

Robert Edward Lowe, the Democratic contestant in the 42nd Congressional District, is a school teacher at San Diego High School and in seeking public office for the first time. Previous political experience includes serving as the president of the American Federation of Teachers Local 1933 and working with the Bureau of Indian Affairs.

Lowe is taking very specific stands on most of the major issues; concerning the War in Indo-china, he states that its continuation is an insult to reason and brings shame instead of honor to the nation. In a democratic society the citizens are responsible for their country's action so the people must end the war through an act of Congress "The Congress of the United States must assert its constitutional rights and responsibilities." On the environment, Lowe believes that the greatest difficulty in attacking environmental problems has been our fragmented approach. He feels much of the solution to pollution has to be on the federal

level so that all polluting industries are subject to identical and meaningful regulations. He endorses a pollution fee system which would create strong economic incentive for industry to stop polluting.

Lowe states that he is in favor of Women's rights, federal guarantees of full employment, and new alternatives to the obvious failure of "law and order" in dealing with crime and justice.

In the 40th Congressional District (all of La Jolla and the Del Mar Heights area of Del Mar) Bob Wilson, a re-elected 20 year incumbent faces Democratic newcomer, Frank Caprio.

Wilson, an advertiser, is seeking re-election for the 11th time and running "on his



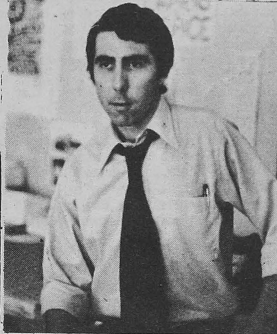
Clair Burgener

record". The fourth ranking member of the House Armed Services Committee, he has been an outspoken proponent for a strong military and a modernized navy. He is also a staunch supporter of Nixon's war policy in Indo-china. Among the local challenges, Wilson says there is a need for more jobs and a stronger economy, elimination of air and water pollution sources, and development of more oceanographic activities.

Frank Caprio, seeking political office for the first time, refutes the contention that he lacks "political experience". Previously, a coordinator for a community center in a low-income area of San Diego, he feels he has gained experience that relates to the problems that beset the entire country. He is also founder of San Diego's Non-violent Action group, active on the Constellation Project, and has worked extensively on the Farmworkers Grape Boycott.

Caprio has stated that the Wilson-Nixon policy of "bombing for peace" is irrational. He not only feels the U.S. should pull out

of Indo-china but that peace should be institutionalized in American foreign policy through a Department of Peace. In a desire to emphasize San Diego's military economic dependency, Caprio says he would encourage transforming the local economy's focus from war-making to environmental and social problems.



Frank Caprio
"Institutionalize Peace
American Foreign Policy"

In the 39th state senatorial district (which does not affect North County, but includes the La Jolla area) incumbent Jack Schrade is considered the favorite as he vies for a sixth consecutive term. Schrade, who emphasizes his reputation as one of the most knowledgeable authorities on state water problems, has been President Pro-Tem of the Senate during his last term.

Schrade's opponent is San Diego attorney Stephen Gillis. Gillis has run unsuccessfully in previous campaigns for District Attorney and city council man. Planning an aggressive campaign, Gillis says that Schrade's voting record has been against the best interests of the people of San Diego. As an example, he points to Schrade's opposition to a bill which would have imposed automobile exhaust limitations on engines after 1975. Gillis claims that Schrade has also voted against diverting some of our highway revenues toward mass transit.

Gillis has been vocal in his opposition to proposition 22, "the most vicious anti-labor bill to come out of Sacramento."

In the 80th Assembly District John Stull seems headed toward a repeat of his easy victory in 1970, when he received a record 72% of the vote.

Chairmen of the Republican caucus, Stull has acted as majority whip since 1969. However, he is probably best known among his constituents for having



John Stull "Determined to rid the campus of revolutionary forces"

organized the Assembly and Senate opposition to the University of California's hiring of Herbert Marcuse's protegee, Angela Davis in 1968. "He has been tireless and determined in his efforts to rid the campus of 'revolutionary forces'."

For the 80th District Stull has authored legislation which established a full time Superior Court in Vista, and provided for state participation in the construction of the Dixon Dam in Escondido and the water storage project in Poway. Stull also claimed credit for expediting projects such as the school overpass in Oceanside, the Interstate Highway 5 underpass in Carlsbad, and installation of the traffic signals at the interchange of Route 78 and El Camino Real between Carlsbad and Oceanside.

Waging an uphill battle to unseat Stull is Vista Democrat Robert L. Garvin. The former Palomar student is seeking public office for the first time. Garvin's campaign workers are stressing the dichotomy between Stull's voting record "and what he claims credit for having done."

Garvin is taking a strong stand on state tax reform and revisions in the state welfare system. He is advocating a property tax reform plan which parallels the Watson Plan. Garvin's plan, however, proposes a "relative" limit "say 1/2 or 1% of the assessed value at any given time." He also believes tax reform makes necessary a higher assessment against capital gains. With respect to capital gains he is especially concerned with California insurance companies who are "getting away with murder".

Concerning welfare, Garvin believes that because job opportunities haven't risen, as a last resort the state should become employer of those capable of working, "a sort of CCC thing". Garvin strongly criticizes politicians like Stull who oppose day care centers, which are a necessity if "you want women off welfare".

The NORTH STAR would

like to apologize for the change of type size in some articles. We are going insane because our equipment is being repaired and replaced. Our typesetter was removed in the middle of layout but we should have it back within a few issues.

Anyone who wishes to contact us for news items, letters to the editor, or hot flashes should come by our office at South Lower Muir Commons or write: NORTH STAR P.O. BOX 661 Del Mar CA 92014

We are also printing free classifieds and also need people who are interested in muck-racking or other mental activities.

Del Mar 7, continued

road tracks, and in those moments of frustration and outrage, it was felt by many, that something should be done. An idea emerged—a symbolic protest: Stop the train. The legal implications were serious: One would immediately face the charge of conspiracy if any effort at all was made to properly organize the protest. Therefore a beach party was called. Most of those present knew it was an anti-war protest. Even the Mayor and some Councilmen of the City of Del Mar came.

A key factor that led to a rather spontaneous and disorganized decision to hold a demonstration at the tracks was the fact that several Del Mar residents were circulating a petition requesting that the Del Mar City Council take action to prevent the shipment of anti-war materials through Del Mar.

Beyond that, no one really knew the state of affairs. Due to a total lack of coordination, a few splinter groups were formed and one of them decided to sit at the railroad tracks. The assembly was shortly declared illegal. Soon after, the planks that had been put on the tracks to block the train were set afire.

The police force immediately moved in. Even though the fire truck could not be brought in, (police barricades blocked the truck) the fire was extinguished and the crowd was pushed up to the Coast Boulevard. Forty people were arrested in all. The County Sheriff's department displayed amazing inefficiency in handling a peaceful protest. To begin with, a few instances:

The assembly was declared illegal from a helicopter and many could not decipher that garble. Furthermore, the police force marched in without hesitation within seconds after a notice to disperse was given.

One man arrested by a zealous officer was beaten up in front of the Del Mar Mayor. When the Mayor identified himself, he was told that it wasn't his city anymore and the beating continued.

Prior to the incident, representatives from the Del Mar City Council had spoken to representatives from the Sheriff's dept. It was suggested that if any action was taken by the Sheriffs, it would not be violent, nor would it provoke violence, and that people should not be driven into the business districts. All these suggestions were completely ignored.

The arrests were made indiscriminately, thus affecting the innocent bystanders. In fact, at one time the helicopter blurred, "We need more arrests." The final number of forty was one of the largest busts in the recent history of San Diego County.

Some members of the Del Mar Defense Committee think that the most recent indictments are actually the city's response to an earlier complaint about the Sheriff's behavior.

Let us ask a few questions. What is the meaning of these indictments? What does the grand jury want to achieve by prosecuting political dissenters in a criminal trial? These questions are not new. They have been asked before, and perhaps will be asked again in the future unless American society is less repressive, both domestically and abroad. After all the Kent State Murders, while producing a well publicized investigation of the shootings (and all those rhetorical remarks by our political saviors) in the end resulted in the Grand Jury indicting the student leaders rather than the armed cops who opened fire on an unarmed peaceful assembly.

The University is often thought to constitute a community of intelligent and honorable individuals gathered together in the common pursuit of learning. Under this characterization, one would expect members of the community to be scrupulous in their respect of each other's rights as scholars and as human beings. Dagmar Barnouw WAS a lecturer in the Literature department, and her story indicates that this idealistic description of the University is false. She has brought her case to the Fair Employment Practices Commission (FEPC) because the University's channels and procedures have proven to be an inadequate means of handling her grievances. The fact that the FEPC is handling her suit against UCSD shows that it is not just a matter of a disgruntled individual striking out against the institution, but rather a matter of institutional failure.

BACKGROUND INFORMATION

In 1968, Dr. Barnouw and her husband, Jeffrey, applied for positions in the German and Comparative literature sections of the Literature Department. At the time of Jeffrey's appointment to the Comparative literature section it was agreed among members of the department that nepotism would not be an obstacle to offering Dagmar a position in the regular ranks of the German section. Upon their arrival here, Dagmar was told that she would be offered a full time position as an Assistant Professor when one became available. In the fall of 1970, a position opened up. Instead of receiving the automatic recommendation she had been led to expect, her candidacy became a source of contention.

The German section was urged by the Literature department to propose one candidate as unequivocal choice and initially, on December 11, 1971, they were unanimously in favor of Dr. Barnouw. Three days later, this unanimous vote was recalled, allegedly because at least one member had reconsidered the issue of nepotism (husband and wife in the same department). Dagmar was required now to include her book in her portfolio (previously not required, as the position for which she was being considered did not demand publications). She was considered to be "competition" with someone who had not even finished his dissertation.

Dr. Barnouw received her PhD at Yale University, having had a straight A average. The extent of her scholarly and critical publications exceeds that of any male candidate appointed to an assistant professorship in her department, as well as that of the two males advanced to associate professorships with tenure in 1970-71. The nature of her scholarly interests corresponds closely with the announced aims of departmental degree programs. She had been offered a position on the Berkeley campus in 1968 when she and her husband were looking at job opportunities. However, she was

Dr. Dagmar Barnouw-- A Case Study in Affirmative Action, UCSD

Lynn Heising

promised a position here informally, and she decided to come to UCSD. Could it be that UCSD's Literature department has higher or different standards than the Berkeley campus? The male candidate without his PhD was nominated, if that is any indication of an answer. When he turned the offer down, Dagmar's appointment was sent to the Senate Budget Committee. By this time, the Administration had ruled that nepotism was not an issue in Dagmar's case. She was understandably surprised to learn that she had been approved for a lectureship rather than the assistant professorship for which she had been nominated. She was told that she would be reconsidered for the regular faculty position the following year (1971-72) and was told by the Literature department chairman that as far as the department was concerned, the position was hers.

THE SECRET FILES

In preparation for this reconsideration, however, a file on Dagmar was prepared by the acting head of the German section who had openly stated his intention to keep Dr. Barnouw from getting the position. This file reportedly contains one solicited

negative report on her teaching from a student and a five page negative evaluation of one of Dagmar's articles. These were kept secret to everyone except the tenured members of the department and were apparently enough to allow them to reverse their previous decision that she should be appointed Assistant Professor. The secrecy surrounding the file has been defended adamantly by Vice Chancellor of Academic Affairs, Paul Saltman, who kept the files in his office. He has met personally with Dr. Barnouw's legal consultant, Grace Ritoff, from the Fair Employment Practices Commission on several different occasions. He has consistently refused, as representative of the UC system, to hand the files over to her in their entirety. He has made the argument that he is defending "academic freedom" by not letting Ritoff and the FEPC look over the files. Whose academic freedom?

Ritoff was told by Saltman that excellence in the University dependent upon such secrecy. "The reason the Civil Service doesn't have excellence is because it doesn't have secret files." Is Paul Saltman insinuating a public, "apolitical" University should conduct itself more on the order of the Secret Service?

SALTMAN SUBPOENAED

On August 31, the sheriff's office tried to reach Mr. Saltman. Since the Attorney General of California has determined that such secrecy is illegal, and advised the General Council of the University in Berkeley to advise Saltman to hand over the files to the FEPC, the Sheriff came to visit Paul to see what was taking him so long. Could the University refuse to hand over the files, even under legal pressure? The Sheriff had a subpoena for Paul when he came to visit, but was informed that Paul had just that day begun his two week vacation, and that although he wasn't scheduled to leave town, he was going to be hard to get a hold of. According to one of Saltman's associates, Kathleen Douthitt (Business Administrator of Academic Personnel), Paul was

subpoenaed at home the following Saturday. She also stated that there was a meeting scheduled the Friday afterwards between Saltman, some other UC officials, and the FEPC.

In an interview conducted by the NORTH STAR, September 13, with Saltman, he had very little to say about his experience, but he added to our information that he, Kathleen Douthitt, and Tom Hull, plus some other unnamed Berkeley people, had met with the FEPC to discuss the subpoena matter. Saltman claimed that he has not heard recently from the FEPC, and at this time it is hard to figure out what or where the files are and why.

CASE JUST OPENING UP

According to Ritoff, the case is "just opening up." Dagmar, however, will soon be leaving to Germany with her husband to conduct research under a grant. The outcome of all this should be interesting.

One aspect of Dr. Barnouw's case clearly points out the hierarchy of relationships in U.C.S.D.'s academic realm. The junior faculty is kept in line after they are hired, first by the knowledge that their contracts expire in a period of less than five years, secondly, that their department peers decide whether to renew their contracts or not, and thirdly by the threat of the secret files which department bosses can use to oust or discredit them. The tenured faculty is the only group safe from this kind of intimidation.

Dr. Barnouw's case represents the general pattern of discrimination, derived from an entrenched men's club mentality which not only undermines the processes which sustain shared professional values, but also works make a liability of individual professional commitment and the desire to be judged by one's achievements and abilities. Instead, faculty are judged more on the basis of friendship, personality and such stereotyped qualities.

"SALTMAN

A few months ago, a new secretarial position was opened for people to apply for. The person hired in this position was to be secretary to the Vice Chancellor of Academic Affairs--Paul Saltman. It has been confidentially reported to us by a person who applied for this position that the way the interview was conducted and the questions asked were rather peculiar. According to her, she was told to forget about thinking too seriously about getting the position since "Paul likes them very young, and very pretty." Soon after, a secretary was hired--actually transferred from the History department. Not to question her personal qualifications for the job, we must add that she IS very young and very pretty.

I attended the June graduation exercises at UCSD. I had always thought that graduation exercises were a way of showing respect for the graduates and to be used to celebrate their achievements. However, Paul Saltman's speech was a celebration of Paul Saltman's achievements and abilities, and not of the graduates. People sitting near me were overheard to ask, "who is this man," and "when are we going to get to the graduates?"

SHORTS"

UNION-TRIBUNE

AN ALTERNATE PRESS

RAOUL CONTRERAS

The NORTH STAR is the newest member of the news media reporting local, national, and world happenings to the people of North County. Publications with styles similar to the NORTH STAR are frequently categorized as part of the "underground press." Of course, this is a misnomer. Because freedom of speech and press are guaranteed by the First Amendment, non-establishment publications haven't literally been forced underground.

Well, anyway, those freedoms are guaranteed most of the time. Periodically, conservative do-gooders succeed in shackling the American people with their moral concepts and an Allan Ginsberg will find himself in jail for expressing his own. And it is not infrequent that an incumbent administration, be it Republican or Democratic, in its bureaucratic quest for self-perpetuation will try to suppress the people's right to know. An example is last year's Pentagon Papers prosecution by the Nixon administration.

Nevertheless, there is no real "underground press" in America. Newspapers categorized as such, like the NORTH STAR, really represent more of an alternate press.

Is there a need for such a publication? What purpose does the NORTH STAR intend to serve? These are legitimate questions a North County resident might ask, considering the flood of printed material one is already subjected to. The answers to these questions are essentially two-fold.

First, a true news vacuum exists in the coverage of local events provided by already existing North County publications (like the Coast-Dispatch) and the city

newspaper (the Union-Tribune). With respect to local affairs we intend to serve the traditional journalistic function of reporting the social, political, and economic interactions of general interest to North County residents.

With respect to national and international events, the NORTH STAR won't be able to provide much legitimate reporting. The emphasis will, in fact, be on interpretation and analysis. Nevertheless, even on this level, there is a news vacuum to be filled by the NORTH STAR. Because of tradition, financial and political commitments and obligations, and simple inertia, the established mass media is unable or unwilling to print certain truths.

A prominent example of this is the media's treatment of the war in Indochina. A year ago, the New York Times, generally conceded to be the best daily newspaper in the country, printed the Pentagon Papers. These documents, drawn up by officials in the State and Defense Departments, showed conclusively that the present war in Indochina began as a civil conflict among the Vietnamese people. And that the parties most people believe to be the opponents, North Vietnam and South Vietnam, are in reality fabrications of American foreign policy. The Papers show that Vietnam is one country, one country arbitrarily divided by the French and American governments, and a country which has remained divided only because of American military intervention.

But if anyone picks up today's N.Y. Times, he is still likely to run across terms like "North Vietnam" and "South Vietnam," and descriptions of northern

"invasions" and "invaders." This is the newspaper which let us know that these terms were deliberate fabrications by the American government, designed to drum up support for the war!

Another example of the vacuum in news coverage by the regular media can be derived from the lead editorial of the San Diego Union on September 12. This editorial condemned the killing of the Israeli Olympians in Munich and proposes that the solution is strict sanctions on countries where terrorists base themselves.

This simplistic view of one of the gravest problems in the Middle East makes it appear that all that is involved are Israelis (and all civilized people) on one side and cold-blooded terrorists on the other. This article is not condoning the assassination of the Olympic hostages, but any legitimate exposition on finding a way to deal with Palestinian terrorists should at least make a passing mention of the Palestinian people, a very small minority of whom are terrorists. The Palestinians, who were uprooted and displaced when the state of Israel was created in 1948, have a number of justifiable claims on the government of Israel. The treatment of the Palestinian people by the Israeli government roughly parallels the United States government's treatment of the American Indians. Any attempt to find a long-lasting solution to Palestinian terrorist attacks will also have to deal with the plight of the Palestinian people.

This column will be committed to periodically pointing out some of the more prominent news omissions and editorial distortions in the local media.

INTERVIEW

Paul Saltman, Affirmative Action Coordinator for Faculty Women

As the Dagmar Barnour story shows, Paul Saltman has done an excellent job of upholding "academic freedom" for tenured faculty in his capacity as Vice Chancellor of Academic Affairs.

Saltman has been appointed earlier this year by Chancellor McElroy to have the additional responsibilities of Affirmative Action Coordinator for women and minorities on the faculty. How well has he succeeded in this capacity? What sort of attitude does he have concerning this new job? The following excerpts from a meeting held April 27, 1972 with UCSD women should indicate his "adequacies" in this field:

UCSD WOMEN SPEAKERS:

- OLENA BLACK—Third College grad
- HELEN HAWKINS—History graduate
- ALLANA ELOVSON—PhD Psychology
- KAREN LEONARD—PhD History
- JANE FRAZIER—PhD Biology

ELOVSON: Could you tell us in a general way what you plan to do as Affirmative Action Coordinator for faculty women?...As you know, Revised Order 4 delineates a great many duties and we were interested in knowing...I'm sure you've read it.

SALTMAN: Which is Revised Order 4? I'm lousy on numbers.

BLACK: It's the federal law which is the affirmative action law.

SALTMAN: I'm not familiar with it. (This Order requires appointment of an affirmative action coordinator and describes the duties. Saltman had been appointed to this job several months prior to this meeting.) ...Now if you want to sit and hassle me on the basis that I haven't read all the documents you have, you can go hassle yourself up a wall. I will read them in time. I have been trying to operate for the last 8 or 10 weeks as a professor of biology, as a provost of Revelle College, and as an academic Vice Chancellor. I've tried to do these jobs with some degree of effectiveness. If I don't walk on the water, it's because the last guy that did that is no longer with us.

LEONARD: This is an exact illustration of the difficulties... We wonder if we couldn't ask for another person. Many of the duties called for in this job description are statistical analysis.

SALTMAN: (referring to Jack Douglass, a part-time PE instructor, as central coordinator charged with keeping statistics on affirmative action) He does it as of now.

FRAZER: When did he become coordinator?

SALTMAN: Sometime within the last ten weeks. I don't know the day.

FRAZER: When we raised the question with McElroy that we thought there should be a woman coordinator and that was why there would be no coordinator, and that was why there would be no woman coordinator.

SALTMAN: Well, I don't know. What's the name he puts in the box? Maybe I used the wrong name.

FRAZER: It's monitor.

SALTMAN: He's the monitor.

HAWKINS: There needs to be someone born into the female ghetto putting an input where it counts.

SALTMAN: Fine. You have an input where it counts and you are putting it into where it counts and things are going to happen. All right?

VOICES: We'll have to see.

SALTMAN: All right, if it doesn't come to pass then you can have my ass. Hang it up on the wall, and I'll go back and suck on a pipette in the lab and not mess around...And if I feel I can't do it, I'm gonna go get someone who can.

GREGERSON: Girl or boy?

SALTMAN: I'm not prejudiced. I'll take the person who can get it done. OK?

GREGERSON: We've got a lot of girls on campus.

SALTMAN: Terrific. (Subsequently Saltman appointed Tom Hull to a position as his assistant for affirmative action, without publicizing the job and holding open interviews as required by affirmative action programs.)

HAWKINS: Well, let me ask you another question. When you deal with high school counselors, do you make an effort to impress upon them that they ought to be counseling their female students to make the same kind of efforts?

SALTMAN: Mutam as the provost of Revelle College, I assure you that I do.

BLACK: As provost of Revelle College, which is the only college of the three which does not have equal representation of men and women?

SALTMAN: The reason being that the women, unfortunately, have so little sense of themselves due to the racist society in which they grow up that they feel they are unable to study the calculus, physics, chemistry, biology, as well as the humanities, social

North Star Editorials

During the Summer, The **CRAZY TIMES** officially changed its name to the **NORTH STAR**. The change was part of a continuing effort on our part to develop a more 'credible' news coverage and analysis.

Along with the new name, we are developing and expanding our coverage of local newsworthy events. We will include campus and local news as well as commentary on the rest of the world. We feel it is our duty to avoid isolation and stagnation and therefore we have chosen to move toward a more encompassing, serious format.

Our coverage of North County news should not be construed to mean that we are no longer oriented toward student interest. We are still a student newspaper.

The proper place for any medium is to present news on a relevant level. We feel these changes are in step with the developing U.C.S.D. community.

Of course, for those old **CRAZY TIMES** readers who may be wondering, No! our staff has not lost its sense of humor; we've just changed its context.

science, foreign languages, and arts...You know, I feel much the same way with women as I do with the minorities, the chicanos and blacks, in the sense that I go down and try to recruit the minorities and say, 'My God, you want to have the liberating education? I got it for you!' And they say, 'Well, listen, all that math? That's not for chicanos. All that science? That's not for blacks. If anybody is prejudiced against themselves, it's the individual who says, "That's not for us, that kind of education."'

(In closing, the discussion turned again to increased recruitment of faculty women and the collection of vitae of qualified women in the area by UCSD women.)

SALTMAN: ...I think if you can give those vitae to me...if you don't feel like taking them to the chairmen, take them to me and I'll hustle them for you. That's a whole new role for me--pimping for female academics--but I'll take it on!

These excerpts are from the 25-page transcription of the tape recorded meeting.

AFFIRMATIVE ACTION — WHAT IS IT ?

"UCSD is engaged in an aggressive affirmative action program to redress past discrimination against ethnic minority members and women. This is our institutional and personal commitment. Undercompliance will not be considered satisfactory and zero-compliance will not be tolerated. All of us must share in its realization, especially those who have the most share in its realization, especially those who have the authority and responsibility to accomplish the objectives." --William D. McElroy

During the summer of 1971, the Department of Health, Education, and Welfare (HEW) visited UCSD to review the amount of inequity existing within the ranks of faculty and staff in regard to the employment of women and minorities. Finding an incredible amount of discrimination especially against women, HEW made several recommendations to UCSD's administration. It was made clear that if these recommendations were not acted upon, certain government contracts would be either held back, discontinued, or made unavailable.

What has been done in the past year at UCSD to implement these recommendations? What best summarizes the current situation in the Affirmative Action area are the following nine points from an August 21, 1972 communique between UCSD Women and Chancellor William D. McElroy. UCSD Women met with him seven months before the letter was sent. At that time, McElroy said that they should "come back and see him" if they did not see real progress at the end of six months. The communique:

"We see no real progress. Let us summarize the situation."

1. Although HEW required a year ago that a person be appointed, the major portion of whose time would be devoted to affirmative action, only now are attempts being made to hire such a person.

2. We have been assured that the Affirmative Action Program dated June 23, 1971, is still in effect, yet there has never been any attempt to implement this plan.

3. Much has been made of the number of women recruited for the faculty, but almost all of the women hired are at low

levels. The most recent hiring statistics available to us reveal that the university has more than met its commitment to HEW for minority faculty hiring at almost all faculty levels, but the ranks of Lecturer and Acting Asst. Professor are the only ranks in which women make up the promised 25% of new hires.

4. In spite of the expressed intention of the administration to announce all job openings and recruit women for high-level administrative positions, this is still not being done. As the new Affirmative Action Program of July 28 has been applied so far to management positions, there have been more "exceptions" approved by Vice

Chancellor B. Sisco than positions filled in the prescribed manner.

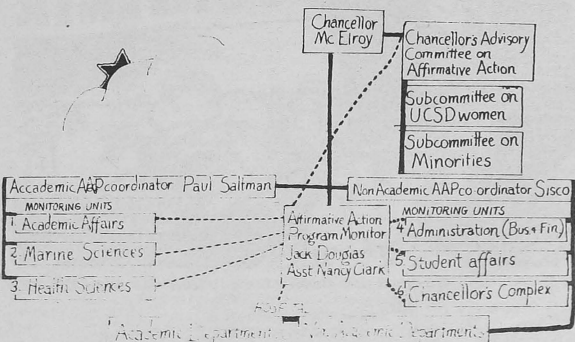
5. Apparently affirmative action is to be limited strictly to hiring. The affirmative action coordinators have refused to discuss curriculum changes, student admission and support, retirement benefits, day care, or any other areas affecting the status of women.

* 6. It is well known on campus that the affirmative action coordinator for academic personnel believes affirmative action means lowered academic standards, and he frequently makes statements that disparage women and minority persons.

7. On April 27 both of the affirmative action coordinators promised to meet with our group and others "within two weeks" to discuss our written comments on a proposed affirmative action program. The meeting has not yet taken place.

8. As an example of his concern for just treatment of women academics, Dr. Saltman has steadfastly refused to turn Dagmar Barnour's file over to the state Fair Employment Practices Commission, in spite of the opinion of the university counsel.

9. It is clear that the "affirmative action coordinator" who is now being recruited is to be merely an assistant to Dr. Saltman with no independent authority. When hiring minority persons for a position of this type, the university has in the past tried to recruit persons who have rapport with their communities. In contrast, the recruiters are pointedly avoiding announcing this job opening to feminist groups.



And indeed they'll all do time,
That yellow mob that riots in the street,
Traishing the banks and breaking windowpanes:
They will do time, they will do time
The mug shots are prepared, I'll know their faces
when we meet;
They will do time for murder, crossing state
Lines with intent, their idle little hands
Will do time punching out my license plate,
Time for throwing and overthrowing,
And time for a hundred conspiracies,
And a hundred tricks and treacheries,
Plenty of time for that where they're going.

The agents call and call again
Talking of Daniel Berrigan.

Yes indeed, they'll all do time,
Those Commie symps who talk behind my back,
For every liberal sneer and dirty crack,
For every smear and bleeding heart attack—
(They all say: "Look, his arse is getting fat!")
They criticize my shapeless suits and snappy G-man hat,
My collars all a size too small, my simple string cravat—
(They all say: "His neck is thick, his head is fat!")
Do I dare

Wiretap the universe?
I look forward to a time
Of decisions and convictions the Supreme Court
can't reverse.

For I know them all already, I have dossiers on
them all.
Have them cold for tax evasion, graft or rape,
I've span out my life on little spools of tape;
I have their voices lying, have each spying call,
Have dates, names, places, everything I need.
Now how shall I proceed?

Wouldn't better go quietly, you and I,
When the evening is smeared against the sky
Like a witness before a house committee.
We'd better tail each other through the streets
The undercover beats
Of stakeout nights in Mafia hotels
And restaurants that front for mob cartels:
Streets that follow like a DA's argument
Establishing intent
To overwhelm you with a leading question...
Oh, let's go and bust a traitor
And restaurants that front for mob cartels:
Streets that follow like a DA's argument
Establishing intent
To overwhelm you with a leading question...

The agents call and call again
Talking of Daniel Berrigan.

The Love Song of J. Edgar Hoover

by Sean Kelly

And I have known the spies already, known them all—
They fix the courts, the CIA was formed by
Commie spies,

It has all been infiltrated, crawling with those reds,
I'll pin the buggers up against the wall,
Me and my trusts, Feds,
Will stick the butt-ends of our forty-fours between
their thighs!
But how shall I proceed?

And I have known the arms already, known them all—
Arms away morn has the right to bear
(But in the lab light, fingerprints are there!)
Thinking of a gun or rifle
Makes me digress a trifle.

Along with dope and marked bills, I'll plant pistols
on them all,
And then should I proceed?
And when should I begin?

My dreams of glory, my ambition, slipped from my hands
Shall I say, I have gone disguised through littered streets
And smelled the smoke that rises from the joints
Of long-haired party-members throwing rocks

through windows? ...
I should have been a pair of rugged cuffs
Closing upon the wrists of Eldridge C.

My dreams of glory, my ambition, slipped from my hands
Smothered by long intrigue,

Plots... subterfuges... they fatigue
My old brain, codes, commands and countermands,
Should I, after Dillinger, in my finest hour,
Have made my move, sought office, taken power?

Though I was supercop, and every reader of the Digest
knew it,
Though I have seen my face (ferocious toad) on every
cover and front page,

I never took the lead—remained backstage;
I have seen the moment of my greatness flicker,
And I have seen Life's Cameron focus on me,
and snicker...
And in short, I blew it.

And after all, would it have been worthwhile,
Behind the pictures, underneath the rugs,
In every nook and cranny to have placed my little bugs,
To have them all, the victims and assailants,

In me they trust, one nation under surveillance:
To have squeezed the universe into a file
To open at my whim and/or discretion,
To say: "I am Jehovah, strict but fair,
My eye is on the sparrow, and on you!—
If one, sticking a finger in the air,
Should say back to the microphone: "Fuck you!"
Should say: "Fuck you." And smile.

And it would have been worth it, after all,
After the shootouts and the setups and the incriminating
leads,

After the columns, after the speeches, after the trials
that dragged on for years—
The TV show on which "the Chief" appears?—
It's just impossible to say how mean I am!
But if I had the nerve to let them screen the truth about
this sham:

Would it have been worth while
If all my agents, breaking cover, dropping their disguise,
Should suddenly surround me, and say it my surprise:
"There is a plot. What's more, we're all
in on the plot, investigate us all!"

No! I am not Efram Zimbalist, nor was meant to be:
Am an attendant pig, behind the arms,
Stupid, and so not easy to embarrass,
Useful for busting dealers at the borders.

Reading St. Paul to whitened congregations,
Arranging suitable defenestrations,
And casting demons out from demonstrations:
Sometimes I interrupt assassinations—
Sometimes I give the orders.

I grow old... I grow old...
Some who I sent up for life have been paroled.

Are my agents wearing sideburns? Who dared to say
impeach?

I shall give communion breakfasts my Commie-member
speech,
I have heard canaries singing, each to each.

I don't think any more will sing for me.

I have seen them burning flagpoles in the park
Burning the files of bureaus and committees,
The wind is black with burning flags and cities.

We have played with fire, bringing down the heat
To smother reds and blacks in screens of smoke
Till human torches touch us, and we crack.

FREE CLASSIFIEDS

ED. NOTE—For a limited time we will be running free classified ads available to the people of North County. Send your ads to P.O. BOX 661, Del Mar, Ca. Address them to the NORTH STAR Free Classifieds

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*Campus Activities	#1391	453-3362
City Information		236-5555
State University Switch		286-6551
Gay Information Center		263-1411

EMERGENCY:

* University Police	#1333	453-2871
Ambulance		232-6981
Fire Dept.		232-8191
Calif. Highway Patrol		283-6331
S.D. Police (North Division)		238-7373
San Diego County Sheriff		232-3811

DRUG & MEDICAL HELP:

* Student Health Center	#1346	453-2697
Scripps Hospital		453-3400
University Hospital		291-3330
Beach Area Free Clinic		488-9275
The Inbetween		223-9784
S.D. Poison Information Center		239-3018
DEFY		239-7711

GROUPS:

* Asian Amer. Students Ali.	#1049	
* Black Students Union	#1167	
* MECHA	#1917	
* Women's Liberation		755-3006
* Jewish Students Union		753-6693
* United Native Americans	#1918	
* Young Socialist Alliance		755-7210
Non-Violent Action		234-5071
Zero Population Growth		291-4650
People's food co-op		755-3863
Indo-china Action Committee		234-8231
S.D. Veterans Union		286-6460

LEGAL HELP:

Beach Area Free Clinic	488-9275
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Legal Aid	232-8109
ACLU	223-3863
Welfare Rights	264-3434

HELP FOR WOMEN:

Abortion and Pregnancy Inform.	276-3320
Planned Parenthood (men, too)	273-7473

SCHOOLS AND DAYCARE:

* UCSD Day Care Center	#2891	
Pepper Canyon School		459-2719
Del Mar Hills Nursery School		755-8338
OB Community School		222-2255
Exploring Family School		263-5249

DRAFT & VETERANS & GI'S:

* Selective Ser. & Vet. Aff.	#1945	
Draft Information		276-8866

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O.B. PEOPLES RAG	extension 256
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S.D. Public Library		236-5818

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