It's 'a nightmare,' say crop house residents

Rachel Glas  MUSTANG DAILY

"It's like a nightmare, I just want to go to sleep and have this to not have happened," said Steve, an anguished look on his face.

Steve, whose name has been changed to protect his identity, lives at the crop house, the house that ignited a storm of controversy and protest Thursday when The New Times reported that a noose and Confederate flag were displayed on the outside of the residence, along with a table painted with the Confederate flag.

He, along with three of his housemates, disagree with the way the incident was portrayed in The New Times. The four allowed two Mustang Daily reporters to hear their side of the story in order "to come clean."

"So under the cover of darkness, several of the residents met with the reporters in a desolate shed off Mt. Bishop Road under the condition of anonymity."

For the sake of clarifying the different speakers, the sources have been given fictitious names.

"I want to get it across that no one in the house is racist," said a resident we'll call Jack. "We know it was stupid and immature and ignorant that it got put up; we're not trying to downplay it, but it does not represent who we are."

The noose, the group said, was simply a prop that came from the corn maze, an activity they all helped to put on. They claimed they didn't know the identity of the owners.

"Someone without our knowledge came to the house with the props and put them up," Steve said.

"It was up less than 24 hours," Jack added, though he later said the props were displayed from Saturday night to Monday morning. They said they didn't know who put up the props nor who took them down.

When asked why it took nearly a day for the props to be removed, a student said.

see Students, page 2

Hundreds protest, college claims acts protected

Cassandra J. Carson  MUSTANG DAILY

When news came out about a noose, a confederate flag and allegations of a sign that read racial and gay slurs, hundreds of Cal Poly students and faculty joined together wearing black shirts in response to the on-campus crop science house members who allegedly committed the offenses at recent weekend parties.

The crop house is a subsidized house for crop science students to live while they work for the campus crop unit.

Brad Popura, a student leader of the protest at University Union Hour on Thursday, addressed the crowd before a band played, informing everyone about the incident and the reasoning behind the protest. "This is on-campus property and it is hate speech," said Popura, a graphic communication senior. "They are just getting a slap on the wrist and issuing an apology. It's absurd and I'm embarrassed."

He said that Cal Poly should foster an environment of acceptance. "Cal Poly should have been proactive and not reactive. This is completely un-Leg" for it's 2008." Peter Wade, city and regional planning and chapter president for the Society of Black Engineers and Scientists, said that those protesting want a town hall meeting with Cal Poly President Warren Biker and faculty to share and brainstorm solutions.

During the hour of protest, a petition accumulated about 150 signatures for the expulsion of the student living in the crop science house and those involved with the disputed materials.

"We think that what they did was a threat and we do not consider it free speech," Wade said.

Carolle O'Byant, associate professor and department chair of kinesiology, held a sign that read "End Racism Now."

"I wasn't there, but I absolutely condemn the idea that anyone feels it is OK to write derogatory terms and post them in public," Bryant said. "People are unaware of"

see Protest, page 2

Sigma Nu races ducks for a good cause

Jennifer Titcomb  MUSTANG DAILY

The rubber ducks have escaped the bathtub and are preparing to head down San Luis Creek. Sigma Nu's first annual Ducky-Derby will be held on Saturday, Nov. 1 from 1 p.m. to 3 p.m. in San Luis Creek at Mission Plaza.

The Ducky-Derby will feature music, food, a silent auction and of course a rubber ducky race. The top 15 ducks to cross the finish line will receive prizes from the event sponsors: MoonDoggs, Vou-Vou, popchips, Sartori Pearls, Imani Warehouse, Country Culture Yogurt and Pacific Beverage.

The owner of the lucky ducky that wins first place will receive a 42" flat screen TV. Political science junior, cancer survivor, and Ducky-Derby co-chair, Alex Cusny got the idea for the race from his hometown of Napa, which used to have a similar race.

"I started thinking about how much money we could make off of it, because the ducks are so cheap, and it just kind of snowballed from there," Cusny said.

The cause is near to his heart as he was diagnosed with non-Hodgkin's lymphoma at age 16. "I started working with Relay For Life and that really inspired me to get more involved and think a little bit more outside of the box," he said. "I also get a scholarship from the American Cancer Society so I definitely felt like it was my duty to give back and definitely bring something new."

Planning for the event started in July. "Sigma Nu has a national convention every two years and we came back from it and were like, 'We really need to do something for big philanthropy to raise money for an organization,'" said Ducky-Derby co-chair and architecture senior Derrick Homer.

After the initial idea was created, they worked on graphics for flyers and logistics behind the race. One important test was to see whether all 3,000 rubber ducks could float down the creek at the same time. "We've gone out and we've actually tested it a couple times," Homer said.

see Ducks, page 2
Students

continued from page 1

we'll call Andrew said the Confederate flag's mean-
ing didn't immediately hit him.

="1 mean, the thing is, none of us are from the South. What it means to me is rebel youthfulness," he said. He said the first time he saw the flag was in the television show "The Dukes of Hazzard" when he was younger.

They said they had borrowed the table painted with the flag from a friend a party they had Saturday night.

We asked to borrow one from a friend and he brought it over, picked it up and took it off, Jack said.

The New Times also stated that the house had previously displayed a sign with racist and homophobic slurs, but the residents say this isn't true.

"We did not put it up, we didn't make it, we didn't ask anyone to make it, we never saw it, we know nothing about that sign. someone else put it up and took it down, we don't know," Jack said.

They said the only sign was one they displayed more than a month ago that read, "no drugs, no hippies, no liberals, no Obama."

Industrial technology senior Tom Sullivan, who says he attended that party and said the sign, confirmed the wording.

"It wasn't racist whatever ... it simply had a political point of view, which everyone has, whether we agree or not," he said.

Protest

continued from page 1

the multiplicity of the symbols without aware-
ess to them. That's a problem for me.

For now, Cal Poly is standing by the deci-
sion that this is a free speech issue.

Professor Robert Koonh first learned about the incident with the noose on the flag on Tues-
day evening after a reporter for The New Times called John Peterson, Cal Poly depart-
ment head of horticulture and crop science, for comments on the noose.

Koonh said that an unknown female student visiting the crop science house felt uncomfort-
able about what she saw and described and gave information to The New Times, a San Luis Obispo weekly paper.

"The incident appears to be true and we don't approve of it," Koonh said. "My first reac-
tion was: What are we going to do to punish them?"

But the Cal Poly administration will not be taking any legal action against those students involved since the First Amendment supports their right to voice their opinions.

"We learned that it's a protective element of free speech so we aren't able to take any punitive actions," Koonh said. "So what we are doing is to work with those stu-
dents to first, understand their motivation and second, to help them understand how hurtful that is to a large number of people."

Koonh said that the students have also broken the trust of the university by using the house that they are supposed to reside in for such events.

Peterson, who visited the crop science house after he learned about the event, talked to the students about what exactly happened.

"The students admitted that it was not good, stupid and wrong," Peterson said, adding that the hanging skeleton he was told was a Hal-

loween decoration. "They said it was a foolish rebellion and ruthless behavior."

Peterson said that the students living at the house were unspecified at the time, but that is going to change.

"We absolutely need to be on an enhanced level of oversight," he added, emphasizing that the students actions do not reflect the values of the department.

Peterson said that the students told him that the noose was part of the Halloween deco-

rations and emphasized that their actions do not reflect the values of the department.

"We have a high level of respect and regard for diversity in its fullest scope," Peterson said.

Rachel Glaz contributed to this report.

Ducks

continued from page 1

there was quite a bit of people just actually com-
ing out just to watch that," Cummi said.

Sgna Nia plans on hav-
ing a Ducky-Derby every year from now on. With all the plans in place Cummi said that a successful event will become Sgna Nias flagship philanthropy.

"We are definitely plan-
ing on keeping and reus-
ing the ducks and continu-
ing to put it on every year. It makes it easier when it is successful the first year and then everybody wants to keep doing it," Homer said.

Other members of Sg-
na Mu have been help-
ing out too, specifically with the sales aspect of the event.

"We have had a lot of help especially from our new pledge class selling ducks," Cummi said.

The ducks have been on sale during UIU hour, out-
side of Scorairs, at Farmer's Market and online. How-
ever, it is not too late to buy ducks for the race. They will be accepting donations up until the actual contest.

Each duck costs $5 and proceeds going to Relay For Life which benefits the American Cancer Society.

We are hoping on Sat-
urday afternoon to see a lot of the downtown crowd in and it is just put it on every year. Event you don't have to commit an entire day you can just come out and little while," Cummi said.

If that not good enough Homer asks, "When else are you going to see maybe $400 ducks floating down San Luis Creek?"
Iraq wants all US troops gone by end of 2011

Robert H. Reid

BAGHDAD — Iraq wants to eliminate any chance U.S. forces will stay here after 2011 under a proposed security pact and to expand Iraqi legal jurisdiction over U.S. troops until then, a close ally of the prime minister said Thursday.

Those demands, which were presented to U.S. officials this week, could derail the deal — delivering a diplomatic blow to Washington in the final weeks of the Bush administration.

Failure to reach an agreement before year's end could force a suspension of American military operations, and U.S. commanders have been warning Iraqi officials that could endanger security improvements.

The current draft, hammered out in months of tortuous negotiations, would have U.S. soldiers leave Iraq by Dec. 31, 2011, unless the two governments agreed to an extension for training and supporting Iraqi security forces.

But Ali al-Adeeb, a member of Prime Minister Nouri al-Maliki's inner circle, said the government wants that possibility excluded by language adding finality to the end of 2011 date.

"The Iraqi side wants to ensure any mention of a possible extension of U.S. troops, fearing that the existing clause might be subject to misinterpretation or could bear different interpretations," he told The Associated Press.

Otherwise, he said the U.S. might demand an extension "depending on their evaluation" of the security situation and the state of readiness within Iraq's army and police. U.S. officials have privately suggested 2012 is too early for Iraqi forces to be truly ready to maintain order.

The draft also gives Iraqi courts limited jurisdiction over U.S. troops, allowing them to be prosecuted by Iraqis only if they are accused of major crimes committed off post and off duty.

Al-Adeeb said the Iraqis want to add a provision for a joint U.S.-Iraqi committee to decide whether U.S. soldiers accused of such crimes were on authorized missions.

Planning Minister Ali Babau, a Sunni, added that the Iraqis want jurisdiction over all U.S. soldiers and contractors unless they are carrying out joint military operations approved by Iraqis.

— A subtle but significant change to the draft that U.S. authorities may find unacceptable. Without an agreement or a new U.N. mandate, the U.S. military would have to suspend all operations in Iraq after that.

Iraqi officials have said the changes must be made in the draft agreement before it can be approved by parliament in time for the Dec. 31 expiration of a U.N. Security Council mandate under which coalition troops operate in Iraq.

An Iraqi policeman walks in front of a damaged car from a roadside bomb in Palestine Street eastern Baghdad, Iraq on Thursday. A roadside bomb exploded Wednesday night in eastern Baghdad, targeting a police patrol, killing three civilians and injuring 14 others, police said.

Other

WORD ON THE STREET
"What should happen to the students who were involved in the 'racially charged' Crops House incident?"

"I think expulsion would be OK. Or maybe they shouldn't be allowed to live at that house. Something needs to happen."

— Lindsay Engel
business senior

"I can't even imagine this happening in California in 2008. They should be punished but I don't even know where to start."

— Carter Moar
economics sophomore

"They should be expelled straight up. There's a certain line between freedom of speech and putting a noose up there."

— LJ Lumpkin
psychology junior

"I don't think a slap on the hand is enough. That's all I'm going to say."

— Nolberto Marroquin
business administration senior

Feedback welcome

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FRI 7:00am - 4:30 pm
SUN 3:00pm - 10:00 pm

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Iraq

continued from page 3

"We are waiting for a response from the U.S. negotiators on how much they can accommodate," For­

gi­n­ier Min­ister Hoo­l­y­ar­ Zeh­ari told CNN. "I think both sides here have reached the moment of truth. The time window is closing, and a decision has to be made as soon as pos­

sible.”

But the Bush administration's hope to secure the deal while in office was fading with the new Iraqi demands, despite White House assu­

rances that an agreement was still possible.

U.S. officials in Washington re­

fused to discuss possible alternatives to securing a deal, saying they were still reviewing Iraq's proposed amend­

ments that were received Wednesday.

But officials batted at suggestions the negotiations could be reopened and said the U.S. was not yet consid­

ering asking the Security Council to extend the U.N. mandate.

"Once we have something to say on it, we will," State Department spokesman Robert Wood told re­

porters in Washington. "But for the moment, we're just taking our time in reviewing it to make sure that we've got a good sense of what it is that the Iraqis have put forward."

Privately, however, U.S. of­

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In Baghdad, U.S. military officials have urged the Iraqis to consider what could happen here if the U.S. sus­

pended military operations, warn­ing that the security gains won by the blood of American and Iraqi soldiers would be at risk.

Violence is down sharply after the Sunni revolt against al-Qaida in Iraq and the routing of Shiite mili­

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But U.S. and other coalition forc­

es also provide considerable help to Iraqis in ministries in infra­structure and quality of life projects that would have to stop — along with control of the airspace and protection of Iraq's oil export facilities in the Persian Gulf.

"There's really no area that we as a coalition operate in that is not governed by legal authority," the U.S. military spokesman, Brig. Gen. David Perkins, told reporters.

He said the American military presence enables other international organizations, including the United Nations, and private groups to do their jobs.

"These things are all interrelated," Perkins said. "You pull one pillar out, you seriously degrade the efforts of others."

Despite the drop in violence, at­

tacks are continuing daily. On Thursday, a car bomb exploded near a market in north Baghdad, killing one person and wounding five, police said.

The blast occurred about a half hour after a module bomb went off near a policepatrol at an intersection in the Fadilahya area of east Bagh­

dad, wounding six people, including three policemen, officials said.

State

SACRAMENTO (AP) — The state said Thursday it would cut water deliveries to their second lowest level ever, prompt­ing warnings of water rationing for cities and less planting by farmers.

The Department of Water Resources announced it will deliver just 15 percent of the amount that local water agencies throughout California request every year. That marks the sec­

ond lowest projection since the first State Water Project deliveries were made in 1962.

Farmers in the Central Valley say they'll be forced to fallow fields, while cities from the San Francisco Bay area to San Diego might have to impose mandatory water rationing.

Los Angeles (AP) — NASA's Phoenix Mars spacecraft regained contact with Earth more than a day after falling silent, mission managers said Thursday.

Waving sunlight and a dust storm earlier this week drained the lander's power, forcing it to go into safe mode. It failed to respond to two wake-up calls from Earth, but sent a signal late Thursday when the orbiting Odyssey spacecraft passed overhead.

Briefs

SEATTLE (AP) — Police say a 60-year-old man has died after setting himself on fire in a crowded plaza at the University of Washing­

ton in Seattle.

Authorities say the man who set himself ablaze Thursday was a former staff member but don't know what his job was, when he left or why.

The man was taken to a hospital with severe burns. Several bystanders tried to smother the flames with jackets and other clothing.

King County medical examiner's office has not identified the man.

ERIE, Pa. (AP) — Republican vice presidential candidate Sarah Palin said Thursday that Democrat Barack Obama offered few national security specifics in the infomercial that was advertised during the campaign's final days.

The Alaska governor said Obama had "wrapped his clos­ing message in a warm and fuzzy acceptance infomercial intended to soften the focus in the campaign's final days."

She said the U.S. was not yet consid­

ering the negotiations could be reopened or extended U.N. mandate.

"Once we have something to say on it, we will," State Department spokesman Robert Wood told re­

porters in Washington. "But for the moment, we're just taking our time in reviewing it to make sure that we've got a good sense of what it is that the Iraqis have put forward."

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He said the American military presence enables other international organizations, including the United Nations, and private groups to do their jobs.

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dad, wounding six people, including three policemen, officials said.
WASHINGTON — Scared and out of money, Americans stopped buying everything from cars to corn flakes in the July-September quarter, triggering back-to-back declines in the nation's economy into what could be the most painful recession in more than a generation.

With retailers bracing for a grim holiday season, the economy isn't just slowing, it's actually shrinking, the government reported Thursday. It reported that the nation's gross domestic product declined at an annual rate of 1.5 percent in the year's third quarter and consumers' disposable income rose in biggest drop on record.

In simpler words, "The main went off the tracks," said Brian Behead, economist at HIS global height.

Wall Street took comfort in the fact that it wasn't even worse. The Dow Jones industrials rose 190 points.

But economists say tougher times are still ahead. Believing consumers are cutting back even more right now, they predict a much larger economic decline — anywhere from 1.5 to 2 percent rate — during the current October-December period. That would meet a classic definition of a recession — two straight quarters of shrinking GDP.

Not that there's any real debate now.

Cluttered by pink slips, shrinking nest egg and falling home values — consumers are holding ever tighter to their wallets. The new report said American's disposable income fell at an annual rate of 8.7 percent in the quarter, the largest on record dating back to 1947.

The dismal news came just days before the nation picks its next president. Whether Democrat Barack Obama or Republican John McCain wins the White House, he will inherit a deeply troubled economy and a record-high budget deficit that could cramp his spending plans.

Each side said the new figures supported its political case.

"The decline in GDP didn't happen by accident — it is a direct result of the Bush administration's trickle down, Wall Street first, Main Street last polices that John McCain has embraced for the last eight years," Obama said.

He pledged to provide tax relief to middle class families and help people facing foreclosures.

Pointing to the economy's sad state, Doug Holotz-Ezek, senior policy adviser for the McCain campaign, shot back that "Barack Obama would accelerate this dangerous course." McCain said his tax cut, free-trade policies and lower rates would create millions of net new jobs.

"As of now, most forecasts indicate that we will experience a serious recession, perhaps comparable to the recession of the early 1980s, but nothing like the Great Depression," said Simon Johnson, former chief economist to the International Monetary Fund and senior fellow at the Peterson Institute for International Economics. During the 1980-1982 recession, unemployment topped 10 percent.

Other analysts, including Mark Zandi, chief economist at Moody's Economy.com, predicts the downturn will be more severe than the 2001-2002 recession, but not as bad in terms of unemployment or lost growth — at the 1980s one.

The unemployment rate now, at 6.1 percent, could hit 8 percent or higher next year.

The Labor Department said Thursday that new claims for unemployment benefits last week held steady at 479,000, an elevated figure that continued to point to trouble in the job market.

In the third quarter, consumers cut back on purchases of cars, furniture, household appliances, clothes and almost everything else.

Businesses cut back, too, trimming spending on equipment and software at a 5.5 percent rate, the most since the first quarter of 2002. And home builders slashed spending at a 19.1 percent pace, marking the 11th straight quarterly cutback.

Slower growth for U.S. exports — reflecting less demand from overseas buyers who are coping with their own economic problems — also dragged the weak GDP report. Exports grew at a 5.9 percent pace in the third quarter, less than half the second quarter's 12.3 percent rate.

"The totality of it could be quite a piece," he said.

Keyser appeared briefly in U.S. District Court Thursday, and the judge assigned Assistant Federal Defender Rachelle Barbour to his case.

Barbour declined comment outside the courtroom. Keyser is being held in the county jail until a judge rules on whether he can be released on bail. He did not enter a plea and is due back in court Friday.

The investigation began after The Atlantic magazine received a letter Monday in the third quarter, more media outlets reported receiving the packages, including the San Jose Mercury News, Orange County Register The Star Tribune of Minneapolis, The Courier-Journal in Louisville, Ky., The Boston Herald and the Christian Science Monitor.

Media outlets in North Carolina and Washington state also had received the letters, and Rep. George Radanovich, R-Calif., and a Sacramento police detective released a statement saying the first packets were sent to Keyser in Sacramento.

So far, none of the packets examined have tested positive for hazardous material, the FBI said.

At least some of the packages had Keyser's return address on them, and agents found 11 more packets in Keyser's car, according to the complaint.

The packages linked to Keyser contained a sugar packet labeled "Anthrax Sample" along with a bushed symbol, the FBI said in a news release. The CD was titled "Anthrax: Shock & Awe Terror," which Keyser said was the title of his new book.

Keyser's ex-wife, Terri Keyser-Cooper, a civil rights attorney in Reno, Nev., said she was shocked to learn of the arrest when reached by the Associated Press.

"Oh, my God. I have not been in touch with him for years. I have no idea what he's been up to. I cannot imagine him doing any criminal activity," said Keyser-Cooper, 61, who divorced Keyser in 1982. "He certainly was very mild-mannered. He was not in any trouble that I know of.''

Keyser had been investigated in 1998 by the Postal Service for mail fraud in regards to thousands of fake collections letters that were sent out by a nonprofit organization started by Keyser, the AIDS Action League. A postal inspector determined that Keyser's scheme didn't violate federal law because he wasn't trying to profit from it.

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UU Art Gallery
features student work

Alisha Axson
Illustrator Daily Arts

Rushing through the University Union on the way to class or studying, a student might miss a small place to escape the busy activities of life. Tucked away in the corner of the Epi-center is an art gallery especially designed for students to do just that.

The University Union Art Gallery is completely run by and design senior Kristin Savage. To make it more comfortable for students and to allow them to avoid the noisy union, she added couches and plants to the space.

All the artwork in the gallery is either created by students or pertains to them in some way. Currently, the gallery is showing architectural renderings, or representations, of the UU remodel that will be started this summer.

Photographs of the current UU are shown opposite the renderings.

“My goal has really been to get students to keep coming into the gallery to look at the different shows,” Savage said. “I think it’s interesting for students to come in and see other shows,” Savage said. “I’ve never had a gallery show before. It will be fun to see my work displayed. Just do it.”

“I kind of come down to the wire and I needed a place to show,” Sloat said. “I’m excited that (the show) is on campus because a lot of people will be stopping by. It will be fun to walk around if you’ve got time to kill.”

“Sky, Earth, Life” was chosen because its photographs deal with studying abroad, which is big for students, Savage said. The photographs feature nature scenes — also a popular genre.

Reviews of previous shows at the gallery have been positive for the most part, Savage said. She tries not to interact too much with the people who visit because she said she wants the people who visit because she said she wants to give them space to enjoy the art.

“Sky, Earth, Life” will be on display in the UU Gallery through Jan. 16 with a reception on Nov. 5 at 6 p.m. in the gallery.

Art and Design senior Becky Sloat’s senior project “Sky, Earth, Life: A Journey Through Aotearoa” is on display through Jan. 16.
Figaro, Figaro, Figaro! PAC offers night at the opera

Samantha MacConnell

An evening filled with disguises, mischief and mayhem sounds like a typical Halloween night for a college student, but tonight the Pacific Repertory Opera presents "The Marriage of Figaro," which will offer all of this and more.

"The Marriage of Figaro is best fit for Halloween because the entire story is about disguises and deceit," said Brighton Hushing-Kline, assistant to the managing director at the Pacific Repertory Opera. "It's a great way to start the evening."

"The Marriage of Figaro" (Le nozze di Figaro) is an 18th century Italian comic opera, one of Wolfgang Amadeus Mozart's most famous works.

"Opera is where classical composition in its best form meets vocal composition in its best form," said Brighton Hushing-Kline. "An opera singer is trained so well in (his or her) voice."

The opera will take place in the Christopher Cohan Performing Arts Center, the first opera of the season, for two nights only. The evening will begin with a lecture before the show by artistic director Robert Ashen, who will give audience members a history, storyline and profile of characters.

"He does it in such a way that you're connected to the opera by coming to the pre-show talk," Mikel Hushing-Kline, managing director at the Pacific Repertory Opera said. Figaro, a barber and valet for the Count, is in love Susanna, who is the handmaid to the Countess. Chaos erupts when the Count chances Susanna and the maid Marcellina chances Figaro. To add to the chaos, teenage Cherubino chases after any female. According to the Pacific Repertory Opera Web site, the plot revolves around eavesdropping, gouging, closet hiding and window jumping. "It's really funny," said Brighton Hushing-Kline.

"The director may know opera really well, but he also knows a younger audience really well," he said. "The opera is funny, well-staged, the costumes are great, and the sets are beautiful!"

Although the opera will be performed in Italian to preserve the originality and rhyme scheme, which would be difficult to retain in an English translation, audience members will have no trouble understanding, thanks to the subtitles.

Some students from Cal Poly will be performing in the show. Cal Poly music major Kristen Chot will perform as one of the lead characters, Barbarina. Other students' roles range from peasant girls to singing in the chorus.

"The Marriage of Figaro" will début at 8 p.m. today and tomorrow in the Performing Arts Center. The pre-show talk will begin at 7 p.m. Tickets cost $12.50-$32.50 with a student I.D.

Court weighs California law on violent video games

Samantha Young

ASSOCIATED PRESS

SACRAMENTO — A federal appeals panel on Wednesday considered whether California can ban the sale of violent video games to minors.

The three-judge panel of the 9th U.S. Circuit Court of Appeals held a rare hearing in Sacramento to take arguments over a 2005 state law that prohibited the sale or rental of violent video games to anyone under the age of 18.

It prohibits the sale or rental of violent video games to anyone under the age of 18 and requires that such games be clearly labeled. Video game manufacturers argue that it violates minors' First Amendment rights and won a decision in a lower court last year.

Courts in several other states have struck down similar laws.

Appellate Judge Consuelo Callahan said upholding California's law would mark a significant expansion of the kind of material that federal courts have traditionally regulated.

"Are you asking this court to go where no court has gone before?" Callahan asked the state's attorney at the beginning of the hearing.

California Deputy Attorney General Zackery Morantini urged the panel to take that step. He said states have every right to help parents who want to keep their children from playing violent video games.

The U.S. Supreme Court already has limited sexually explicit material from children. Violent video games are just as obscene, Morantini argued.

"I believe the Supreme Court has left the door wide open," he told the panel.

The Video Software Dealers Association and Entertainment Software Association say imposing restrictions on video games could lead to dangerous territory, in which states could seek to restrict other material under the guise of protecting children.

"Maybe a state will say we shouldn't let you sell, without a parent's permission, books about homosexuality or sex education or birth control," said Paul Smith, the industry's attorney, told reporters after the hearing. "I think it's a very scary prospect."

The potential for creating a slippery slope also was explored by the justices.

"Is there anything out of limits?" Callahan asked. "Are we saying that a violent video game and a violent book?" Judge Sidney Thomas. "What about games where people eat unhealthy foods and get fat?"

"What's the difference between a violent video game and a violent book?" asked Judge Sidney Thomas.

In response, the state's attorney argued that video games are interactive, requiring a child to participate in the violence as opposed to simply reading a book or watching a movie.

State Sen. Leland Lee, D-San Francisco, a child psychologist who wrote the law, cited studies that show violent games can be linked to aggressiveness, anti-social behavior and desensitization to violence.

"I am hopeful that the 9th Circuit will overturn the lower court's decision and help empower parents with the ultimate decision over whether or not their children play in a
Authors, publishers settle suit against Google

Under the Google Print Library Project, snippets from millions of out-of-print books and copyrighted books have been indexed online by Michigan and other libraries. Google has called the project, which also scans public domain works, an invaluable chance for universities, and allows readers to pay for full online access of copyrighted works.

Google must contribute: $125 million (including $34.5 million for a nonprofit Book Rights Registry) $60 per complete work of copyrighted material that was scanned

As a result of an Authors Guild lawsuit, Google is now required to pay royalties on books it provides on its Web site.

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ARTS & ENTERTAINMENT
www.mustangdaily.net
Friday, October 31, 2008

Games continued from page 7

world of violence and murder," he said in a statement released after the hearing.

The industry argued that California failed to prove there is a connection between such games and psychological or other harm to children. Smith, the industry attorney, said video game manufacturers already have a voluntary rating system for their games. The lower court sided with the industry on both those points.

At the hearing, Rozinski questioned why the industry should not be forced to label video games, saying parents could still choose to buy whatever games they wanted for their children.
Racism statements: Shocking, but protected

"No niggers, no fags, no hippies." To some these words are shocking, to some they are sadly unsurprising, and to all reasonable people they are offensive. While going about life on a campus that is relatively racially homogeneous, yet generally accepting, it is sometimes difficult to imagine that such backward attitudes still exist in the world. But they do, and they often hide among us. Although racism has become socially unacceptable in recent decades, prejudices of all types run strong and we won't get rid of them by pretending we can't see them.

The student body has shown itself in a surprising response to the actions of the students involved, rising up to demonstrate these hateful ideas and reminding the community that Cal Poly will not stand for such vitriol. However, the powers of those eager to correct a wrong often leads them, even with good intentions, astray from the judicious path. Many students are incurred at the administration's (lack of) response to the situation, and have shown up to protest the decision.

But the administration did exactly what they should have. As vile as the statements are, they are still protected by the offending word; and not just comforting platitudes too mundane to need protection.

Freedom of speech is the most vital tenet of democracy. It is the means by which ideas circulate and opinions are swayed. But this freedom is most important in times when it is reviled. People's ideas, no matter how backward or offensive, are their own property and cannot be regulated by any government or institution. A majority has no right to suppress a minority opinion under any circumstances. The founding fathers understood this and built protections into our country's government to guard against what they referred to as the "tyranny of the majority." As long as someone is not infringing upon your rights, they are (and should be) free to express any idea they choose. If the party was sponsored by an Associated Students, Inc. club or fraternity, Cal Poly would be right to revoke their charter, but as an independent group of students, their rights remain... especially on a college campus, where free exchange of thought is paramount.

It is the same freedom that allows you to criticize the government, to teach your children what you think will help them succeed in life, and ultimately to vote for such vitriol. How can it be argued that someone has a right to hate another person for singing a song that they do not like? How can anyone claim to have the right to hate another person for listening to music with profanity? Do you want other people voting on your beliefs? Who gets to decide? Should other people have say in your marriage, or the way you raise your kids, or whether you can smoke cigarettes or eat trans fats or listen to music with profanity? Do you want other people to tax your income or restrict your personal freedoms?

The only sensible course of action in a democracy is to let people retain the freedom to choose for themselves. The freedom that allows you to be a bigot is the same freedom that allows you to criticize the government, to teach your children what you think will help them succeed in life, and ultimately to vote on policies or candidates that affect everyone.

We, the Mustang Daily staff, take pride in publishing a daily newspaper for the Cal Poly campus and the neighboring community. We appreciate your readership and are thankful for your continual feedback. Please send your correction suggestions to mustangdaily@gmail.com.

LETTERS TO THE EDITOR

Disappointed

As a newspaper that prides itself on relaying the truth, I am very disappointed in the Daily that there was no mention of the recent "hate crimes" on campus. I am also very disappointed in both the administration for their lack of response to this occurrence and in the residents of the on-campus dorms who disgraced this campus. I don't understand how a sign reading "No Niggers, No Fags, No Hippies," alongside a moose and a Confederate flag can be adorncd on campus without severe reprimand. Not only is this malicious, it makes our campus and community-at-large appear racist and ignorant. To these students who did such a thing, you should be ashamed of yourselves. Grow up! And shame on the administration as well.

Kate Mesman, Journalism sophomore

We deserve an apology

In light of the recent displays of racial tension on campus, I've decided that it is time I am completely forthright with you. Because I am a minority (being half black and half white) I would truly appreciate it if everyone would racially segregate me. We could also get rid of the Black Theater (SFAV? FNE? 382w) which is the Green, Lesuean, Transgender in Media class — doesn't matter, it's only open once a year and, heck, the whole women's studies department at this point is a complete waste. Remember the incident last year with Smiley and Nod? Did not an ethnic studies teacher point out their supposedly "minor" picture was posted? I remember correctly, the theater department took away all their shows and apologized to the head of ethnic studies as well as the school as a whole. All ethnic studies teacher, where are you now? And women's studies — where are you? LGBT — I think this is a call to action.

How dare this campus merely slap the wrists of these college students who think it is appropriate to stereotype and objectify, their hard-working equal counter-part. This isn't just an attack on racism but also our sexuality and gender that is at stake here too! This is an attack on diversity — one of Cal Poly's "foundling" philosophies. I don't want an email telling me these students apologized; I want to hear it. I pay more than $17,000 like everybody else on this campus and I want to hear my desired apology.

Chelsee Brown, Theater senior

Prejudice and mistrust

Reports of two student parties recently held at Cal Poly's Crop House contained allusions of a sign displaying "No Niggers, No Fags, No Hippies," and other derogatory language, as well as the presence of other questionables.

As members of the larger university community, we found the incident disturbing and completely counter to the principle of civil discourse which the college and university mean to impart to all our students.

The potential harm to our Horticulture and Crop Science Department, CAFES, and its graduate students from these incidents should not be underestimated. Our supporters expect us to foster well-rounded graduates with a global perspective to fuel the state's workforce. These supporters include current and prospective students, their parents, alumni and friends, our donors and employers and our colleagues.

We would like to assure our stakeholders that the Horticulture and Crop Science Department, CAFES and Cal Poly strongly endorse the values of tolerance, inclusiveness and respect for all people.

John Peterson, Wyatt Brown, John Phillips, David Headrick, David Hannahs, Megan Graham, Virginia Walters, Keith Patrick, Dan Lansske, Terry Vassey, Lauren Gardner

THE MUSTANG DAILY STAFF

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Across
1 Source of troubles
12 7 of God
15 "Later"
16 What the 1939 50,000-word novel "Gadfly" completely lacks
17 Bank offerings
18 "Uh-huh"
19 Turns down
20 Spirit
21 leaf
22 Irritation suffix
23 Irritated, after "in"
25 Like most music
26 Persian, e.g.
27 Not yet delivered, after "in"
28 WWII air ace who lent his name to an airport
29 Wee hour
30 Meyerbeer output
31 ______ Day (September 19)
35 How some dares are done
36 Outline
37 Bar tenders? Abbr.
38 Places for dust to collect
39 Assn.
42 Apparently is
43 Insurance providers, for short
44 "Super Trooper" group, 1980
45 Kind of delay
46 Poke
47 Packers QB whose #15 jersey is retired
48 LAX datum
49 One end of the Welland Canal
50 Bit of chicken feed
51 Org. with the annual Eddie Gottlieb Trophy

Down
1 Eat out?
2 Hindu drink of the gods
3 Play with the line "Hell is other people"
4 Guys
5 Revolutionary patriot James
6 Start to smell, maybe
7 Union inits. starting in 1886
8 "Well, I'll bet," as it might be said on September 19
9 ______ Santiago, 1987 NL Rookie of the Year
10 City near Provo
11 Scratches, with "out"
12 "Later!"
13 200 milligrams
14 Like soldiers known as Gurkhas
15 Stick
16 Wiped out, slangily
17 "Top"
18 What debaters debate
19 Hedge word
20 "That's fine"
21 Pendant adornments
22 Some diner equipment
23 It has a long tongue
24 Dollar signs?
25 Student excuser
26 Live folk album of 1968
27 D.T.'s
28 Italian restaurant chain
29 TV newswoman Soledad
30 Doorslop numbers?
31 "This instant!"
32 "Super Trooper" group, 1980
33 Student excuser
34 Live folk album of 1968
35 How some dares are done
36 Outline
37 Bar tenders? Abbr.
38 Places for dust to collect
39 Assn.
40 TV newswoman
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Puzzle by Alex Bledsoe
Edited by Will Shortz
No. 0919

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Fantasy
continued from page 12
Ryan Torain (RB) — With the injuries and inconsistencies that have plagued the Denver running game this season, the rookie running back Torain has a good chance to make an impact toward the end of the year. Torain has been active this year due to an elbow injury, so this week will be his first crack at some playing time.

Injuries and solutions
Jason Witten (TE) — Although it looks like a game-time decision, Witten has a broken rib and is unlikely to sit out Sunday's game against the Giants. If he is unable to play, rookie Martellus Bennett should start. Even if he does end up playing, Tony Romo will still be sitting, muttering Witten's value.

Have any roster problems that were not addressed? Since I can't look at specific roster needs, I'd be happy to give any advice on your potential pick-ups, trades and start-sit decisions. Good luck this week. Here are the byes: San Diego, New Orleans, San Francisco and Carolina.

Mat Adams is a mathematics junior and a Mustang Daily sports columnist. He can be reached at madam@calpoly.edu.

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Parents Coming?

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Sports
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Fantasy Football
continued from page 12
This week you will have to keep an eye on your team's performance in the games that are coming up next week.

Heroes and zeroes
Tony Romo's performance against the Giants was much better than expected. Romo completed 17 of 23 passes for 232 yards and 14 touchdowns with no interceptions. The Cowboys' defense also played well, allowing only 12 points to the Giants.

Zeroes: LaMarr Woodley
Woodley had a quiet game against the Giants, recording only one tackle and no sacks or tackles for loss.

Other highlights
Jason Witten: The Cowboys tight end had a solid game against the Giants, catching 7 passes for 94 yards and a touchdown.

Eddie Thompson: Thompson was a key contributor on defense, recording 2 sacks and a forced fumble.

Fantasy Football
continued from page 12
Witness the incredible comeback of a player who was written off by the media. Jason Witten has been a force in the Cowboys' offense this season, catching 94 passes for 1,109 yards and 11 touchdowns. His play has helped keep the Cowboys in the playoff hunt. Jason Witten has been a consistent performer over the last few years, never missing more than one game in any season.

If you have any questions about your fantasy football team, feel free to reach out to me. I'm always here to provide advice and analysis.
Cal Poly, Idaho State defenses unlikely to rest

Four years before Jared Allen was seeking NFL quarterback, Idaho State quarterback was on all defense, he was at Idaho State working opposite backfield, and Cal Poly wasn't immune.

The current Minnesota Viking not only scored two touchdowns during a 38-31 win at Cal Poly on Oct. 15, 2003, but he made nine solo tackles, including a crucial fourth-and-goal stop of Mustangs quarterback Chris Peterson.

How times have changed.

The Bengals once feared for their defense, enter Saturday's 6:05 p.m. contest with the Mustangs at Alex G. Spanos Stadium winless and giving up 476.6 yards per game — dead last in the Football Championship Subdivision (formerly Division I-AA).

That doesn't seem too far fomenting against Cal Poly (5-1) — which is ranked third in the FCS coaches poll, fourth in the media polls and averages an FCS-best 44.8 points per game.

Their meeting comes on the heels of last year, when the Mustangs won 46-26 in Pocatello, Idaho. They held the ball for nearly 37 minutes while amassing 687 yards of total offense.

"They caught us," Idaho State head coach John Zambrielt said. "It may be the same Sat­urday. Cal Poly is coming off of a 69-41 win over Southern Utah in which it set a program Division I record for

points in a game.

"Cal Poly's playing extremely well," Zambrelt said. "They present a lot of different options."

In their last game, though, the Bengals (0-8) were within 16-13 of Portland State before losing 36-13. The Bengals defense, which starts three sophomores and a freshman, allowed just 12 rushing yards and claimed four turnovers.

"We've given up some big plays this year because we've had a lot of injuries up front and have guys playing for the first time right now," Zambrelt said. "I thought we played well enough last week to win."

Although Cal Poly's defense could say the same, its defense gave up five touchdowns in the first half which Southern Utah trailed just 35-34. Four of the scores came through the air, setting the tone for a night when the Thunderbirds completed 34 of 48 passes for 430 yards.

Welcome to Week 9 of the football season. It seems like this year has been full of play­ers sitting for non-injury rea­sons. Larry Johnson may not suit up again for the remainder of the season, while the Giants' top receiver, Plaxico Burress, has missed a game for skipping a team meeting and last week was benched for the first quar­ter after missing a therapy ses­sion. Now it looks like Deuce McAllister is going to eventually be suspended for using a banned substance. These occur­re­n­cy serve to be a good re­minder that handing over work­ers and stash­ing backups will remain important through the last few weeks.

Pickups and plays of the week

Donnie Avery (WR) — The rookie receiver has been a fantas­tic option the last three weeks and should continue his dominance this week against the Cardinals. Last week he recorded 163 yards and a TD. He's most likely off the shelf by now, but if you have him, don't hesitate to play him the rest of the way.

Ted Ginn Jr. (WR) — After grabbing 175 yards last week, it's hard not to give Ginn a roster spot. Sunday's game against Denver gives him a perfect opportunity to repeat his fantasy awesomeness and solidify himself as a serious threat in the Miami passing game. Ginn's counterpart, Chad Pennington, is also worth a look as a bye-week filler.

Marc Bulger (QB) — He re­warded owners that started him last week by throwing for 304 yards and a TD. This week he faces the soft Arizona defense (Remem­ber Brett Favre's six-TD perfor­mance?), which should give him a good opportunity to match or exceed last week's numbers.

Running backs to stash

BenJarvus Ellis-Green (RB) — The New England running back carousel continues with Sammy Morris out for at least this week, Lament Jordan still hurt and Laun­rence Maroney done for the year. Kevin Faulk is the current starter but Ellis-Green is the goal-line back and found pay dirt last week. If he continues to succeed, he could work himself into a more involved role right in time for the fantasy playoffs.

see Football, page 11