Consumer protection

Law students form consumer agency

by Cleatus F. Eppe, Chairman and Hawk P.C. Kautz, Vice Chairman Professional Activities Committee

Students at the law school have implemented a new, far-reaching program which promises to be one of the most effective community services undertaken at the university: the Center for Consumer Affairs.

The community of Valparaiso does not have any form of consumer protection agency. The nearest Better Business Bureau Office is located in Gary, Indiana. This is a long-distance toll call for Valparaiso residents, and, due to the understaffing of the BBB Office, the line is normally busy for extended lengths of time.

Consumer complaints, ranging from faulty merchandise to landlord-tenant relations, are currently received by the Greater Valparaiso Chamber of Commerce. The C. of C. is neither staffed nor equipped to handle these complaints; and since the purpose of the Chamber of Commerce is to foster business and economic growth in the community, there is an implied conflict of interest in its handling of consumer complaints.

Thus, interviews with various community officials and residents have indicated both a need and a desire for a consumer program.

The Professional Activities Committee of the Student Bar Association proposed the formation of a consumer complaint bureau at the Valparaiso Law School, and requested establishing funds from the Executive Board of the B.B.A. Having received operating funds from the Executive Board for a six month probationary period, the Professional Activities Committee requested and received matching funds from the Valparaiso Law Student Division of the A.B.A. Through research an interviews conducted by Phi Alpha Delta, additional information and support for the program was arranged in the community and a student orientation and education program was established.

The Center for Consumer Affairs is designed to provide Porter County residents with a central location for registering complaints concerning local businesses, for getting aid in the resolution of their complaints, and for obtaining information concerning consumer affairs.

The format for achieving this consumer orientation consists of four operational steps: (1) receipt and verification of consumer complaints, (2) provide consumer with remedial information relative to his complaint, (3) documentation and statistical tabulation, and (4) publication of consumer education materials.

The staff of the Center for Consumer Affairs consists entirely of law students, and is open to all interested law students. The operations of the Center have been organized into four functional groups: (1) the Board of Directors, (2) Investigation staff, (3) Research and Records Management, and (4) Public and Internal Information.

The Board of Directors is primarily responsible for the direction and functional operations of the Center. Coordination of the four functional groups is provided through the Board of Directors.

The Investigations staff, which comprises the largest group of students, is responsible for manning the Center's hotline facilities. The consumer complaint is received and documented by the Investigations staff, and necessary remedial steps are initiated by them.

In most instances, this requires providing the name of the manager of the business enterprise to the consumer so that he may effectively resolve his problem himself. In some instances, however, where the problem is not resolved by the individual himself, it requires referral by the Center to one of the many state or federal agencies which have consumer protection enforcement arms.

The Research and Records Management section maintains complete files and cross-indexes of all complaints and consumer information received. This portion of the staff maintains communication with the various government and private consumer protection agencies, and provides current information to the Center.

The final, yet perhaps one of the most important, staff groups is that of Public and Internal Information. Through the use of local newspapers and radio stations, the Center will provide public information concerning consumer practices and protection. Community residents planning to purchase items or engage the services of the various Valparaiso business enterprises can call the Center for information concerning the business firm, and the Public and Internal Information will provide accumulated information relevant to the merchandise or services involved.

The Legal Aid program is restricted by state law and the local bar as to both program participants; a resident for Consumer Affairs suffers from no such limitation. Its potential will largely be determined by the effort and imagination of those students involved. If you are interested in participating in the Center for Consumer Affairs contact Cleatus Eppe at 564-1414, or Hawk Kautz at 462-9054.

The location of the Center's office will be announced shortly in the Torch.

Our man in Congress: Earl Landgrebe

by Al Trost

The representation which the 2nd Congressional District of Indiana receives in Washington is far from typical. The measures of conformity one uses to describe the roll-call behavior of congressmen, party support and presidential support scores, indicate that Valparaiso's own Earl F. Landgrebe is anything but a "party hack." The descriptive phrase "middle-of-the-road" also is not fitting.

Of all the badges of non-conformity, perhaps the best known is Landgrebe's rather extreme conservatism. His liberal vote on the budget in 1971 was just one of his more than 400 roll-call votes in Congress. The measure indicates one's subscription to the philosophies of H.B. Gross of Iowa or Durwood Hall of Missouri than of others that the John Birch Society found to their liking. Landgrebe's conservatism, like that of Gross, springs chiefly from a concern to diminish government's role in society by cutting public spending. It was this same principle that induced Landgrebe to vote with the fewest of the House's liberal Republicans.

The extent of Landgrebe's unconformity is perhaps best described by a rating which the Congressional Quarterly Weekly Reports provides, the "bi-partisan opposition score." This score indicates the percentage of votes in Congress cast against bipartisan majorities. These are usually the roll-lined votes like 383-22 or 405-10. A high score on this measure indicates one's presence in the small minority. On this measure Landgrebe was tied for sixth place among the 434. He was in this minority 32% of the time. Again, much of this record can be explained by fiscal conservatism.

As of this writing there is still some question as to whether Landgrebe will find support for President Nixon's re-election campaign with his ideological position. It is one of his ideological cohorts, the National Association of Republican Congressmen, that has been most critical of Landgrebe's voting record. The vote counts Landgrebe's support for a revenue measure. The center of the congressional fight was the occasion on which Landgrebe voted with the liberal Republicans.

The extent of Landgrebe's unlikeliness is known by his political opponents, his closest supporters, fellow Congressmen, the local Republican organizations, and probably the President. It is not a fact that is perceived by most of those who vote for him. Most would not change their support even if they knew.
by Charles E. Doyle

Want to cut the crime rate by 40% and save money too? Then close up all the prisons and jails. Tear 'em down! "They are breeding places of crime, violence and despair," former U.S. Attorney General Ramsey Clark says. 80% of all felonies are committed by repeaters. Almost any kind of alternate program for the treatment of criminals you can think of ought to be able to cut that figure in half.

Nobody would run a business like that. I mean, you set up a program to deal with criminals and you not only don't do anything positive toward alleviating the problem of crime, but you make it worse. You send already alienated, damaged, confused men, women and children into those "warehouses of human degradation" (Clark's description) for thirty days or thirty years and they come out more alienated, more damaged, more confused, and hostile and bitter besides.

The biggest reason why we got into this mess is that hardly anyone can give a good, reasonable, realistic presentation of what we are trying to do with the people we lock up. We talk about rehabilitation and yet the very nature of the correctional institution is antithetical to rehabilitation.

Let me explain what I mean. Recently Psychiatrist Willard Gaylin published a study of the effects of prison on war resisters. In it he describes the prison as a sociological community in which a large number of men must be controlled by a small number, the large number having only a potential power of their numbers.

For purposes of security, he points out, it is essential that the population remain divided. You do that in a number of ways: a sense of community is discouraged; communication among prisoners is restricted. Why can't they wear beards?

Sources of community are breeding places. They are not sand towers, not an ocean, and man-made laws but to stoop down and trace their shadows are their laws. Verily the ocean laughs with you.

So do extensive studies show what rehabilitation is all about. They are breeding places of crime, violence and despair." 

A warden's job is not the rehabilitation of prisoners; it is the main­

So don't let me hear that talk about prison reform if it means adding some vocational training programs or paying higher salar­ies to the guards or adding a couple of psychologists - what psycholo­gist worth his salt would work in an institution designed to make men sick? So I say, "tear 'em down!"

Almost any alternative is bound to be an improvement. Putting them all in deep freeze would be cheaper for society and a lot healthier.

Massachusetts has a plan to abo­lition all of its juvenile prisons. Commissioner Jerome G. Miller says, "We made a basic decision that it would do no good to pump more money and more programs into the existing systems because the system can chew up reforms faster than you can dream up new ones. It is a sick system that de­str oys the best efforts of everyone in it and we decided to look for al­ternatives."

One of the factors that brought them to this decision was the dis­covery that the per capita cost of jailing a juvenile for a year was $10,000, or, as Dr. Miller ob­serves, "enough to send a child to Harvard with a $100-a-week al­lowance, a summer vacation in Europe, and once-a-week psycho­therapy."

Most of that money was required to maintain the institu­tion and, he decided, it could be better spent for more personal work with the youthful offender in a program designed to integrate him into the community rather than to segregate him.

So what do we do? Put our measly one billion dollar budget for pris­ons and jails - and a lot more (we spend two billions on pets) in to a broad base of community ser­vice clinics for drug addiction, al­choholism, mental retardation and counseling, job training, jobplace­ment, sheltered workshops, and minimum detention units where men can be housed in dignity while still maintain constructive com­munity contacts.

Nearly all the experts agree that not more than 20% of convicts need maximum security detention. Drug addiction is a mental health and cul­tural problem. Alcoholism is a personality disorder. A high per­centage of all of the above are retro­actively retarded; 90% of the mentally retarded came from the poorest 10% of the population (Twenty-five dollars a month Indiana Welfare allowance per child isn't enough to nourish young brains).

I don't like rape, robbery and murder any more than the next per­son. But "sock-it-to-'em" isn't a realistic solution.

The Writ Room was in deplor­able condition. Its books were out­dated hand-me-downs from the La­Porte County Circuit Court. For­ instance, there was an incomplete set of Burn's Statutes. And the North Eastern Reporter consisted mainly of old advance sheets. On the other hand, there was a com­plete set of Corpus Juris Secundum.

And who is he that shall bring you to judgment if you tear off your garment yet leave it in no man's path? . . . you can muffle the drum, and you can loosen the strings of the lyre, but who shall command the skylark not to sing?"

"Then a lawyer said, But what of our Laws, master? And he answered: Whereas you delight more in breaking your yoke but upon no hand's skin, and calls all others naked and shameless? And of him who comes early to the wedding-feast, and when over­fed and tired goes his way saying that all feasts are violation and what weather-vane shall direct you to judgment if you tear off your course?"

"What of those to whom life is not an ocean, and man-made laws are not sandtowers, But to whom life is a rock, and the law a chisel with which they would carve it in their own likeness? What of the cripple who hates dancers?"

"What of the ox who loves his yoke and deems the elk and deer of the forest stray and vagrant things? What of the old serpent who can not shed his skin, and calls all others naked and shameless? And of him who comes early to the wedding-feast, and when overfed and tired goes his way saying that all feasts are violation and all feasters lawbreakers?"

"What shall I say of these save that they too stand in the sunlight, but with their backs to the sun? They see only their shadows, and their shadows are their laws. What is the sun to them but a caster of shadows? And what is to acknowledge the laws but to stoop down and trace their shadows upon the earth?"

PAD's go to prison

PAD and the local chapter of the Black American Law Students Association plan to find law books available for donation to the Writ Room.

Some of the post-tour comments indicated a feeling that the guards who conducted the tour did not pre­sent a complete picture of the facilities. This feeling came primarily from the fact that the guards would not grant a request to view the prison hospital. In response to that request, the guards said, "your group is too big."

Other activities that will be spon­sored by PAD include tours of the Chicago Police Department, the National Crime Information Center, and the Mental Health Hospital for the mentally ill, a lecture by a fingerprint expert, and a re­ception for the local bar. The dates for these events will be announced on the PAD Bulletin Board in the law school lounge.

Excerpt from The Prophet

by Doug Germann

On Monday, February 14, twenty­one students from the law school visited the Indiana State Prison in Michigan City as members of a tour sponsored by Phi Alpha Delta. The purpose of this tour was to ac­quaint the participants with In­diana's penal system. It included a two-hour walk through the cell blocks, the mess hall, the license plate shop and other vocational areas, the room where the electric chair is kept, and the inmates' law library, the Writ Room.

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In my opinion:

**Primaries, ITT, and grades**

by W. Dale Weyhrich

**PRIMARIES**

I think that the most interesting thing about the New Hampshire primary is the argument about who won. Muskie got about fifty percent of the vote and most of the delegates, so apparently he won the primary. McGovern got about a third of the votes and delegates, so apparently he lost. But then I read the newspapers and found out that McGovern really won because he got more votes than he was expected to get and Muskie really lost because he didn’t get as many votes as he should have. I guess that it’s all part of the old presidential primary game: It’s not whether you win or lose that counts, but how the newspapers say you played the game.

The next primary is in Florida. In Florida, the race is to see who can win by coming in second, third or fourth behind George Wallace. Lindsay will be a winner if he finishes ahead of George McGovern. Humphrey will win if he comes close to Muskie. Muskie will lose if he doesn’t finish second.

Of course, the big issue in Florida is busing. I think one of the most ironic things about the newspaper commentary on this primary is the charge that Senator Jackson is “risking his integrity” by “trying to steal votes from Wallace” on the busing issue. It’s ironic for two reasons. First, because although Jackson has a fairly liberal record on civil rights, he has been consistently opposed to busing for some time. Second, Jackson is the only one of the major candidates whose children attend predominantly black public schools in the District of Columbia.

Shirley Chisholm is also on the ballot in Florida. She has been running around the country asking people not to vote against her because she is black and a woman. It would seem that those are her major qualifications for the office. If Representative Chisholm were a male caucasian, the news media would ignore her as just another obscure congressman.

Actually, this year’s race for the Democratic nomination is an exceptionally good argument against a national primary. How could any rational result come out of an eleven candidate field? How could the voters be expected to distinguish among a dozen candidates? A national primary would simply boil down to a personality contest. Even if a run-off feature were added, the probabilities are that the contestants in the run-off would be primarily regional candidates. I’ll bet that George Wallace could easily get enough votes out of the south to be one of the finalists. A national primary would, however, end the newspaper guessing game about who really won each primary.

**ITT SCANDAL**

The current news coverage of the “ITT scandal” seems to me to be a fine example of irresponsible journalism. Several television and newspaper commentators have reflected on a large corporation contribution to President Nixon’s campaign fund. I’ve seen several cartoons on the same subject. In fact, rather than a large corporation giving money to a campaign fund (which would, of course, be a violation of federal law), a hotel chain had pledged to underwrite a particular portion of the Republican National Convention expenses. I might add that it is not unusual for hotels to agree to underwrite the expenses of conventions. It’s good business for them.

It seems to me that the media has either negligently or deliberately misrepresented the situation.

Second, I think that it is rather strange that the same commentators who have discussed the “fast same” of money in the Republican campaign chest could seriously consider that the Republicans could be bribed by an offer to underwrite part of the National convention expenses. It seems to me that even if the charges are proved to be completely false, the “ITT scandal” will continue to be an issue throughout the rest of the campaign.

**GRADES**

I see that the faculty has adopted the proposed Law I grading system. It seems rather strange that this law school is now adopting a grading system that many other law schools are abandoning as “outmoded” or “unfair.” The change, of course, affects only the first-year class, but it does raise a number of questions in my mind. What would the results of a referendum on this system have been, either among the first year class or the entire student body? Does next year’s first-year class get to propose their own grading system? Will the present first-year class be satisfied with this system or will they be advocating another new system next year?

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**Valparaiso Law Forum**

Editor: Nolan Rappaport
Managing Editor: Edwin Eich
Composition: Ernie Yonkers
Typesetting: Robin Schirmer
Staff Writers: Dee Bruening, Charles Doyle, Dale Weyhrich

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Colonel Erwin P. Jones

Interview

by Dee Brunening

Colonel Jones has been a familiar and impressive figure at the law school for fourteen years now. He came to Valparaiso after his retirement from the Army in 1958 at the request of Dr. Charles Pettit, former president of VU, and insists that he has never been unhappy about the move. "Contact with students keeps me young," Jones claims.

Changes in the law school within the last 14 years have been in the form of general improvements, especially in facilities, according to Jones. He described the old law school situated in DeMotte Hall as either too hot or too cold, with the average temperature of the library being about 104 degrees. Faculty members were forced to share offices even though the total student body never exceeded 65 to 70 students.

Before Dean Meyer came to Valpo, the Colonel taught Criminal Law, Contracts and Insurance. Then, in alternate years, he taught Admiralty and Legislation; and after Dean Moreland retired, Jones began teaching Tax Law, and a new, separate course in Criminal Procedure based on the changes instituted by the Warren Court.

Jones' earliest days in rural Seward, Nebraska were marked by hard work and very little money. Born the second-youngest of seven children, Jones has been self-supporting since he was 17. Jones became a truck-farmer, died when he was two years of age, leaving the family with only $2000 worth of insurance. Consequently, Jones said, "all able members of the family had to pitch in and help—and I did it.

The family gave up its rural home when Jones was two, moved into the town of Seward, thus saving the children a two-mile walk to and from school every day. While attending a Lutheran parochial school there, Jones graduated in 1922. Jones stoked coal furnaces for local businesses every day from 3:30 to 4:00 a.m. He was also very active in sports, football, and the high school band (with the baritone horn).

The social sciences, history and government were young Jones' favorite subjects: "I wasn't good in math and the sciences," he claimed. In the fall of 1922, Jones began working his way through the University of Nebraska and earned his A.B. in Government in 1926. Then he was commissioned J.D., but only two graduates of his class got jobs because at that time "lawyers were a dime a dozen," according to Jones. The Depression had just begun, but he started working for a small firm in Seward, Nebraska for $100 a month.

Jones explained that there was plenty of business then, but no money with which to pay for legal services. There were an abundance of foreclosures and estates to work on, but no fees; few suits were filed because the parties had no money to pay advance costs.

Jones and his wife were married in July of 1929, and lived on his $100 a month as well as they could. He remembers a major crisis, however, when the price of hamburger went up to two pounds for 25 cents.

In 1930-31 political appointments by Pres. Roosevelt took the senior members of the firm for which Jones was working, so at that time he took over the firm. He then ran for the position of local prosecuting attorney, won the job and stayed with it for eight years. This was quite a lucrative step as the job paid a grand total of $125 a month plus secretarial help and office space.

However, in 1940 the National Guard company of which Jones was commander, was called into service. That same year, as his company was preparing to go overseas for Christmas, the attack on Pearl Harbor came and the group stayed in active duty until 1945. After training at Camp Robinson, Arkansas, Jones was with the troops assigned to defend the west coast from attack. March, 1942, however, saw him assigned to the 93rd Infantry Division which consisted of 17,000 black officers and men, and 100 white officers.

They were stationed in the desert of southern California and Arizona before being sent to the Pacific in 1944 to "island hop." From the Solomon Islands and Guadalcanal they went to New Guinea and finally to the Philippines.

After his discharge in 1945, the Colonel accepted an appointment as Assistant Attorney General for the State of Nebraska. Several years later, though, he left that office to re-enter the armed forces in the Judge Advocate's Department (the legal branch of the Army). His first assignment was with the Pentagon in Washington, D.C.; from there, Jones was transferred to Tokyo for three years where his wife and daughter joined him for the first time. Their son remained in the U.S. to attend Van derbilt University on a football scholarship.

Before his retirement in 1958, the Colonel worked at Fort Benning, Georgia and again at the Pentagon where he was in charge of the Board of Review which heard all general court martial cases.

With his second retirement imminent, Jones said that he plans to stay here for a while and "not jump into anything." He and his wife, who is from St. Louis and was also a teacher at one time, would like to spend more time visiting their grandchildren. As possible, and enjoying the many friends they have made here in Valparaiso.

Their son is a pediatrician in Lexington, Kentucky, specializing in allergies and immunology. He and his wife have four daughters. The Joneses' daughter is married to a Navy Commander; he lives in Virginia Beach, Virginia, and has one daughter and two sons.

RAPPAPORT RAPS

This university has been my main contact with Christianity. By "Christianity" I do not mean Christian doctrines; I mean the behavior patterns of a Christian society. To me, this "living Christianity" is the real test of the value of a religious upbringing.

I am not impressed. The students here, as a group, are not even honest. They have stolen so many books from the Moeller Library that the university board had to station a guard at the entrance to that building. As students leave the library, this guard subjects them to the indignation of a search for stolen books.

With so many dishonest students in our midst, perhaps we should install television monitors in the hall to make sure that people are not pocketing change from the collection plate as it is passed from hand to hand.

Yet these same students are trusted to take tests without supervision. Under an Honor Code system, instead of leaving the responsibility for suppressing cheating with the professors, the students are charged with the duty of policing each other. In what sense is this a responsible attitude?

In the coded quotation below, each letter stands for another. In the placement of letters in the quotation, certain substituted letters, the placement of letters in the words and your own intuition.

"YWDH GXX WFSY
DAQTKKD PW
OVLIHOMTD, YWFPDSDE
EDYFOB1, WHYDSDE
OVLEHMFMTD, VXIP
MD PWD PEPFW."