Middleton appoints interim human resources, academic affairs leaders

Saturday, December 5, 2015 at 12:00 am

University of Missouri System interim President Mike Middleton on Friday appointed two interim vice presidents: Kelley Stuck will serve as interim vice president for human resources of the UM System, and Robert Schwartz will be interim vice president for academic affairs, research and economic development.

Both appointments need to be approved by the UM System Board of Curators, according to a news release.

Stuck replaces Betsy Rodriguez, who in October said she planned to resign after working for the university for seven years. Rodriguez took a job as vice president of human resources at Barnes Jewish Hospital in St. Louis.

Stuck has worked as the associate vice president for human resources for the UM System for five years.

Schwartz is filling the role previously held by Hank Foley, who is serving as interim chancellor at MU. Former MU Chancellor R. Bowen Loftin resigned last month to take a new role as MU’s director for research facility development.

Schwartz worked as the UM System’s chief of staff from April 2012 to September 2014. He also has assisted with MU’s strategic planning and recently worked as interim dean of the MU College of Engineering.
MU library science program regains key seal of approval

COLUMBIA — The MU master’s program in library and information science recently regained its accreditation from the American Library Association.

“… The focus now is to let everyone know that we have accreditation and to have more students enroll in our program,” said Joi Moore, director of the School of Information Science and Learning Technologies, which includes the program. The school is part of the larger College of Education.

The library science program educates future librarians and information professionals. It has 136 students.

“We’re the only library science program in the state of Missouri, so it’s really critical for our state to have it,” said Kathryn Chval, acting dean of the College of Education.

Accreditation is important for students graduating, as employers look for an American Library Association seal of approval, said Sanda Erdelez, program chair of the Library and Information Science Program.

Library science, as it’s commonly known, was placed on conditional status by the ALA in 2012 and lost its accreditation in July 2015, which would have taken effect two years later so that current students could get through the program while it was accredited.

The ALA’s Committee of Accreditation had concerns about the collection of data for program evaluation and planning — for example, collecting feedback from alumni and employers, Erdelez said. Because of this, the program's status dropped to conditional.

In response, library science added several data collection activities to its program, but the ALA's accreditation committee was not satisfied. That resulted in the ALA pulling the program’s accreditation status in July. In particular, the ALA was concerned about support throughout the MU multi-site program.

“We have a uniquely organized program in a way that our faculty is situated here in Columbia, but we have students at multiple sites,” Erdelez said.

The sites are Columbia, Springfield, Kansas City, St. Louis and Omaha, Nebraska. The majority of the classes are online and taught by Columbia faculty.
Each location has adjunct faculty who live and teach at the program’s locations. The ALA "didn't understand" the distributed model, Erdelez said, and was concerned that students weren’t receiving the same quality education as students in Columbia.

After the program lost accreditation, MU appealed. Chval said she was in direct contact with the ALA and met with faculty, program administrators and leadership to try to understand the situation.

An appeal document was written, and the MU team — including former Chancellor R. Bowen Loftin, Provost Garnett Stokes, Education Dean Daniel Clay, College of Education Division Executive Director Matthew Martens, Counsel Mark Van Zandt, Erdelez, Moore and Chval — attended an appeal hearing on Sept. 24 at ALA headquarters in Chicago.

“That we were able to get top administrators to go to Chicago and support our program made a huge difference,” Erdelez said.

The meeting lasted two hours. MU made its case, and the Appeals Review Committee asked questions. Members of the accreditation committee observed and spoke. The review committee remanded the decision back to the Committee on Accreditation, which approved the reinstatement. The program was notified through email on Nov. 24, then later in an official letter, Chval said.

Moore said that throughout the process, students were supportive and didn't question the program's quality.

Faculty in the School of Information Science and Learning Technologies remained dedicated to students' needs, said Julie Blatt, a graduate assistant in library science.

“The level of support from faculty, staff and administration was invaluable to me and served as a great example of leadership and perseverance," Blatt said in an email.

Associate professor Sean Goggins said students and faculty were worried.

“It affected everybody in the school because it was a giant distraction from everything else that we’re trying to accomplish,” Goggins said.

“Now that we do have accreditation, the focus is to inform everyone and encourage students to enroll in our program,” Moore said. “We’re happy with the outcome and we are moving forward to make sure that we meet the expectations of a quality program.”
Hal Williamson returns to helm of MU Health Care

COLUMBIA—In MU's latest administrative shuffle, Hal Williamson will become interim executive vice chancellor of health affairs starting Dec. 14.

Williamson was appointed as vice chancellor of health affairs in 2009 and served as executive vice chancellor of health affairs from 2013 until he retired June 30. When Williamson announced his retirement in March, former Chancellor R. Bowen Loftin said he wouldn't fill the position.

During his chancellorship, Loftin changed the organizational structure and hierarchy of the university and of MU Health Care.

On Sept. 14, School of Medicine Dean Patrice Delafontaine resigned from his position, causing concern among faculty members. Following Delafontaine's resignation, Loftin said he had accepted a recommendation from Huron Consulting to restore the position of executive vice chancellor of health affairs.

On Friday, Interim Chancellor Hank Foley restored the position. In a news release from his office, Foley said he was reinstating the organizational structure to MU Health Care that Loftin had abolished. Under that model, Williamson will share oversight of the schools of Health Professions, Nursing and Medicine with Provost Garnett Stokes.

Williamson will also oversee the clinical operations of MU Health Care's five hospitals and more than 50 outpatient clinics. In the past, Williamson led the opening of the Missouri Psychiatric Center, the Missouri Orthopaedic Institute and MU Women’s and Children’s Hospital.

He also led the opening of a clinical and research facility for the Thompson Center for Autism and Neurodevelopmental Disorders and the expansion of the inpatient facility at University Hospital.

For almost 30 years, Williamson worked at MU Health Care and the School of Medicine, Mary Jenkins, a spokesperson for MU Health Care, said. He took a brief break to study health services in the rural U.S.

Williamson begins the job Dec. 14, according to the Office of the Chancellor release. His salary will be $600,000. Williamson will serve as interim executive vice chancellor of health affairs until MU finds someone to fill the position permanently.
MU student Tim Tai to receive First Amendment award

Saturday, December 5, 2015 at 12:00 am

The Radio Television Digital News Foundation is giving University of Missouri senior Tim Tai its First Amendment Defender award.

Tai is receiving the award after his recent confrontation with students, faculty and staff during a demonstration on campus. Tai, a student photojournalist, attempted to take photos of a Concerned Student 1950 demonstration on the Carnahan Quadrangle in November.

The student group held multiple protests because of the racial climate on campus and called for former UM System President Tim Wolfe to resign. On the day Wolfe resigned, students held a massive celebration on the quad.

In a video recorded by another student, protesters can be seen blocking Tai and pushing him away from the group’s campsite. Tai can be heard telling the protesters he has a First Amendment right to be on the quad, which is public property.

Janna Basler, MU Greek Life and leadership assistant director, appears on the video and asks Tai to leave. Melissa Click, assistant professor of mass media, can be heard on video calling for help to remove Tai from the area.

The award is new for the Radio Television Digital News Foundation. It is given to individuals or organizations who take a public stand to support freedom of the press, according to the foundation’s website.

“He stood his ground and patiently asserted his First Amendment right to stand in a public place and report on the events around him,” the foundation said in a news release.
Editorial about Mizzou just another example of media divisiveness

December 05, 2015 12:00 am

In reading the editorial "Hostility is anti-life" (Nov. 29), it became clear how the bias of the Post-Dispatch editorial board has become part of the divisive media that fuels hatred. As a one-paper town, you should be better, and St. Louisans deserve better. The Post-Dispatch is no different than Fox News or CNN. Instead of doing real journalism, all you do is regurgitate the hype of the national media to fit your own bias.

What happened at Mizzou demanded a deeper look at the state's flagship university from the daily newspaper. The real story should have been what drove the protest because racism likely was not it, but it is the one issue that would draw the attention needed. The faculty and grad students at Mizzou played the media, including the Post-Dispatch, for fools.

The cuts in tenure for faculty and insurance for grad students, the Planned Parenthood clinic, and tea party conservatism of the administration were the real reason for the protest, but no one would have cared about that. They wanted regime change and used a poop swastika and redneck in a truck to get it — a brilliant strategy they knew would go unchecked by the media and give them momentum for their real goals.

Fox News would portray the ungrateful students as takers, and CNN and the Post-Dispatch would portray them as heroes standing up against institutional racism. In the end, the media attention would force the regime change they wanted and the people of Missouri would become a little less trustful of people with different skin pigment.

Thank you, Post-Dispatch, Fox News, CNN, Concerned Student 1950, Sen. Kurt Schaefer, R. Bowen Loftin and all the other actors in this tragic-comedy for making our state worse.

The reason newspapers are dying is not because of the Internet or video. It is because they have become lazy. The bottom line is the Post-Dispatch has a responsibility to its readers, its historic past as a once great paper, and journalistic integrity to be better than that divisive editorial and failure to cover the whole story at Mizzou.

Tim O'Brien • St. Charles
Response to Waters' Nov. 15 editorial

By ALI PRICE

Sunday, December 6, 2015 at 12:00 am

Dear Hank: I’m writing in response to your Nov. 15 editorial. I wanted to respond immediately, but as a “long thinker” I needed time to work it out.

I will preface this by saying that in the past few years, I have been privy in a very personal way to the criminal justice system — a system of mandatory minimums that seem arbitrary, a system in which certain people are much more likely to be stopped and searched, the process of arrest, arraignment, jail, bail, lawyers, prosecutors, judges, sentencing … and then parole or probation time rife with limits as to where you can work and live and denial of necessities such as food stamps. The human cost of this system is staggering, and the goal of being part of mainstream society is often never achieved. I began looking into the topic of criminal justice reform, which culminated in reading “The New Jim Crow: Mass Incarceration in the Age of Color Blindness” by Michelle Alexander. It is a devastating read that reveals some hard truths about the unfairness of our criminal justice system, especially for black men. My eyes were opened to a sad and disturbing reality.

The University of Missouri student protests must be seen in this larger context. Your comment that “‘systemic’ racism sounds like some sort of conscious policy of racial bias crafted in University Hall or Jesse Hall” missed the point of what these students were trying to convey. Systemic racism is about the above-mentioned mass incarceration, racial profiling, inequities in education, employment and housing — it is broad, not limited to a certain institution; it is endemic to society. It is not only about racial slurs, but it’s the insidious nature of an undercurrent where certain people are marginalized and shut out of the mainstream. These students wanted to address the way systemic racism affects their experience specifically at MU, their place of education.

If you doubt racism exists at MU, look no further than the backlash unleashed by these protests — protests that don’t demand rights being taken away from anyone who already enjoys them. Threatening, racist tweets resulting in arrests, professors receiving racist emails and comments on their social media and television statements questioning the veracity of everything they have experienced, an MU White Students’ Union page on Facebook with hate-filled rhetoric, and big trucks circling campus while flying enormous Confederate flags. How can a black individual feel safe and thrive in a campus that can erupt in this kind of retribution?
Your comment about not having an anti-Semitic protest emerge was demeaning and dismissed the students’ concerns. The message sent was: You don’t see the Jews complaining, so what’s your problem? It was callous and unnecessary. What should have been evident from that incident is that MU is not a very welcoming place for many people.

I have included this book, “We Can’t Teach What We Don’t Know,” as a primer in teaching in a multicultural world. It is a call to educators to recognize cultural identity as an issue in teaching, not from a blaming or position of guilt, but of appreciation and comprehension.

The message I gleaned from your editorial was an unenthusiastic “Yes, but ... .” You reluctantly acknowledged the problem but then added the condition that the students will have to adopt “reasonable expectations.” Raising social consciousness is messy, and you can’t compromise until you get the other side to sit at the table and engage. Let the back-and-forth play out; the process will decide what is reasonable. You ask, “What do they want us to do?” I would say begin by suppressing the impulse to ask for one-sided compromises so early in the negotiations.

As a psychologist, I can attest to the fact that nothing is as powerful as someone acknowledging your pain. I think we can step back and learn from what is being said, refrain from “What do they want us to do?” and simply listen. To be successful, negotiations must use positive emotions of appreciation, affiliation, autonomy and status, essentially honoring the other’s situation. It is imperative to be ever aware of the tunnel vision caused by entering into negotiations with an unyielding disapproval of the other’s stance.

White privilege is real. Stay in that uncomfortable place for a while as you pay attention and observe. Sometimes we get clarity when we are quiet.

Ali Price is a licensed clinical psychologist in private practice and an adjunct faculty member at Stephens College’s Liberal Arts and Graduate and Continuing Studies departments.

MISSOURIAN

GUEST COMMENTARY: Just what has happened to journalism?

Watching the MU debacle unfold on TV, I sincerely wonder what the role of the Fourth Estate is today.

What poses as a journalist in the 21st century would have been labeled a dim-witted op-ed writer in my day as a journalist: little substance, “all about me,” almost no knowledge of history, politically biased, apparently no seasoned editors actually looking over pieces before they’re sent (I guess) by email somewhere. It’s really anathema what is referred to as “news.”
Of course I’m as old as Methuselah, so what do I know? Apparently a lot more than what I see in print and on TV.

I had to zero in on the mass communications assistant professor at MU who was apparently on lend-lease to the Journalism School. She was screeching at the top of her lungs for “muscle” to help get rid of a journalism student just doing his job and trying to exercise his First Amendment rights. And what was the “gate keeper” attempting to accomplish by prohibiting the student from documenting such a “page one” exercise in hubris in the first place? I don’t get it.

The football players who threatened to boycott and those in sympathy with them whipped up a crowd of students to protest what they deemed racial expressions on campus that offended and frightened them. What’s that all about? Good grief, when the men of Sigma Chi mooned us sorority women on the way to campus, did we start crying and bellyaching and screaming for the overthrow of the president of the university? No way. We just flipped them the bird and kept on walking. Back in the day, we were taught to take care of ourselves and fight our own battles.

Oh, and the absurdity of grown men and women begging for a “safe room” where they can repair to when they experience real or imagined hurts. Wait until they matriculate to the real world where corporate America is for the most part run pretty much “old school.” They’re not going to have cry rooms, or safe rooms or bathrooms with hand-held bidets, or, in some cases, even lunchrooms. Kansas is a fire at will state. And with these graduating seniors leaving a visual footprint behind them on Facebook, Twitter or whatever, they’ll be lucky to find a job.

So, why doesn’t modern-day news call this stuff what it is? And what exactly is it anyway? At Kansas University, according to an article in a recent Wichita Eagle newspaper, “a group calling itself the ‘Invisible Hawks’ is demanding mandatory ‘inclusion and belonging’ training for all students and faculty, the hiring of a more diverse faculty and the establishment of a ‘Multicultural Student Government,’ which would be independent from the university’s Student Senate.

“The group is also demanding the reopening of an investigation into the death of an African-American KU freshman at the hands of Lawrence police in 1970, and a ban of concealed firearms on campus — something which would be illegal for KU to do after July of 2017 because of a law passed by the state Legislature.”

Odd, that … the university kids weren’t even born in 1970. Why in the world would they care?

Something else is brewing here, and someone or some organization is pushing buttons. This is exactly what journalism is supposed to do: find out who is behind all this and why, and then expose it to the public.

The Fourth Estate exists to protect and inform the citizenry. Then why isn’t it doing its job?

As an alumna of the Missouri School of Journalism — considered when I went there to be the best in the country — I want to know what is still being taught there. Until I get an answer, I’m appealing to the high court of Tom Duffy, the best journalism instructor I ever had.
About now he’s having his third drink and 30th smoke in that great newsroom in the sky. I can imagine him looking down on what is today touted as journalism and uttering some epitaphs of his own about what he sees happening.

One morning a dense fog will settle over the plains of Kansas and Missouri and I’ll know intrinsically that Mr. Duffy has smoke coming out of his ears. Until then, I wait, wait for the Fourth Estate to wake up and do its job. It may be a very long wait.

*Pam Porvazink is a 1965 graduate of the Missouri School of Journalism.*

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**MU student accuses former minority chair of racist remarks, sues**

*Watch story: [http://www.komu.com/player/?video_id=31794&zone=5&categories=5](http://www.komu.com/player/?video_id=31794&zone=5&categories=5)*

COLUMBIA - An MU student who identifies as Muslim filed a lawsuit against a biological sciences professor, accusing him of making inappropriate remarks about her religion as well as sexual comments toward her while he was the Minority Affairs Committee chair.

Fatma El-Walid filed the 11-page lawsuit at the Boone County Courthouse Monday against Michael Garcia, who was her professor for cell biology during the spring 2015 semester.

The lawsuit states El-Walid went to Garcia's office hours on March 13 when he made "offensive and unwanted sexual comments."

El-Walid said she got to his office hours around 4:35 p.m., and by 5 p.m., most of the other students had left, and there were only about nine students still in Garcia's office hours. El-Walid was the only female student in Garcia's office hours when he started making inappropriate comments toward her.

The lawsuit said Garcia had been discussing class material but then went off on a tangent and started talking about conspiracy theories and "directing repeated and offensive discriminatory statements against Fatma."
Garcia asked El-Walid several questions like, "Have you ever been called a towel head on campus before?" and "Did your parents water board you as a child in preparation for the future?"

The lawsuit lists other questions Garcia asked El-Walid including, "I hear your people hate the gays; are you a gay hater?" and "Are you a Jew hater?"

Garcia also asked El-Walid if she would "rather be with an experienced man, like himself, for one raucous night rather than having relations with 72 virgins."

El-Walid said she asked Garcia about a certain professor's class and testing practices and he told her to go ask the professor about his testing and if he doesn't respond to rip open her jacket, exposing an explosive device and say "Allahu Akbar."

The lawsuit also said Garcia made offensive comments about the Prophet Muhammad and told El-Walid she was heading in the right direction to become a terrorist because she wants to be a doctor.

During that time, Garcia was the chair of MU's Minority Affairs Committee, as shown by the email below dated March 9.

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From: Garcia, Michael L.
Sent: Monday, March 09, 2015 10:36 AM
To: MU CHANCELLOR MAC
Subject: MAC

All,

Thanks for agreeing to serve on the Minority Affairs Committee. My name is Michael Garcia, and I have recently been invited to become chair of

I realize in the past that we have not been very active, but I hope we can change this. I know you are all very busy, and I will try and schedule meetings, we can communicate by email in between meetings.

I have asked Ms. Linda Kaufman if she knew if the MAC had ever written a mission statement. I have not heard back, and I would guess if we have
(http://committees.missouri.edu/minority-affairs/index.php). I realize that we have a charge, but I think there is value in articulating a mission statement.

Biological Sciences department. I have attached our mission statement. This document is too narrow in focus for us, but might be a good place to

Lastly, I know this is difficult, but I plan to organize a meeting with the mission statement as our first order of business. Please let me know if your

Thank you again. I look forward to working with and learning from all of you.

Sincerely,

Michael

El-Walid's lawyer, Azra Ahmad, said she didn't believe the claims at first.

"I really thought it was fabricated because it was so crazy," she said.
Ahmad said an anonymous student reported the incident to MU's Equity Office before El-Walid filed the lawsuit.

"I guess it was so outrageous that a neutral third party reported the incident," Ahmad said.

El-Walid is also suing the University of Missouri Board of Curators because the university did not allow her to switch out of Garcia's class or drop her grade from his class.

"She felt that Mizzou did not take her matter seriously," Ahmad said.

El-Walid said she asked to switch out of Garcia's class and be placed in another class so she wouldn't have to "endure further sexual harassment, discrimination and humiliation from Garcia."

The lawsuit stated El-Walid had been awarded a Missouri Community College scholarship to attend MU but lost the scholarship because her grades went down "as a result of the emotional stress."

El-Walid said she stopped going to office hours for other classes because she was afraid of being targeted by insults again.

She also asked MU administration to drop her grade in Garcia's class and let her take cellular biology again, but the university did not allow it.

Ahmad said El-Walid didn't want to file a lawsuit but feels like she has to stand up for other students experiencing racism.

"She just wants to show them that you do not have to put up with such inappropriate behavior from anybody, even a professor," Ahmad said. "No one should tolerate racist and sexist comments."

El-Walid is suing for a minimum of $25,000.

MU spokesperson Nathan Hurst said Garcia is no longer chair of the Minority Affairs Committee. His term ended Aug. 31.

Hurst confirmed Garcia was the chair for the committee when El-Walid alleged the incident during Garcia's office hours took place.

He said the committee's goals are to "examine all aspects of the minority experience at Mizzou for both students and staff."

Hurst said as far as he knows Garcia is still employed by the university.

KOMU 8 News reached out to Garcia's lawyer, Josh Oxenhandler, but did not receive a comment.
MU said it was unable to comment on the lawsuit because it is pending litigation.

Muslim student alleges MU professor made discriminatory, sexist remarks

By Megan Favignano

Friday, December 4, 2015 at 2:00 pm

A Muslim student at the University of Missouri alleges in a lawsuit that a professor used offensive language and made unwanted sexual comments toward her.

Michael Garcia, an associate professor of biological science, allegedly told the student “to go ask the Histology professor about his testing and if he does not respond to then rip open her jacket exposing the explosive device and say ‘Allahu Akbar,’ ” the lawsuit said.

In the suit, which was filed Monday in Boone County Circuit Court, Fatma El-Walid, a senior studying biological sciences, said she was enrolled in Garcia’s cell biology class in the spring semester. During that class, El-Walid alleges, Garcia used offensive language and made unwanted sexual comments to her, which created a hostile learning environment.

El-Walid also claims Garcia asked her “Have you ever been called a towel head on campus before?” and “Did your parents waterboard you as a child in preparation for the future?”

The questions came during a meeting during Garcia’s office hours, which court documents said about nine students attended. Garcia also allegedly asked El-Walid “How many virgins do you get when you die?” and “Are you a Jew hater?”

An anonymous student reported the incident to MU’s Equity Office, according to court documents. Because of the incident, El-Walid “experienced crying spells and became anxious due to the discriminatory, sexist, demeaning, humiliating comments made by Garcia,” the lawsuit said.

MU spokesman Nathan Hurst said Garcia was chairman of MU’s Minority Affairs Committee through Aug. 31, when his term ended, and is no longer on the committee. The committee, according to its website, assesses programs, policies and services for minority students, faculty and staff and makes recommendations.
Hurst said it was unclear when Garcia started working on the committee but said faculty typically serve three-year terms.

El-Walid also alleges Garcia told her she is heading in the right direction to become a terrorist because she wants to be a doctor.

The suit said El-Walid also filed a discrimination complaint to the Missouri Commission on Human Rights and Equal Employment Opportunity Commission. The Missouri Commission on Human Rights issued a notice of her right to sue in September.

The lawsuit outlines two counts of violations under the Missouri Human Rights Act, with one count specifying a public accommodation violation.

El-Walid is seeking damages in excess of $25,000. Paul Rechenberg of Chesterfield is representing El-Walid. Rechenberg did not respond by deadline to a message left by a Tribune reporter.

The suit names Garcia and the UM Board of Curators. UM System spokesman John Fougere said the university curators do not comment on pending litigation and would not say who would be representing the curators. MU spokeswoman Mary Jo Banken said the university also does not comment on pending litigation.

A lawyer was not listed in court records for Garcia.

**COLUMBIA DAILY TRIBUNE**

**Attorney: MU professor denies alleged racist, sexist comments**

Saturday, December 5, 2015 at 12:00 am

The attorney for an associate professor at the University of Missouri accused of using offensive language and making unwanted sexual comments toward a Muslim student says his client denies the allegations.

Josh Oxenhandler, who is representing Michael Garcia, said he would not comment on the pending litigation.

“Suffice it to say, my client vehemently denies the allegations,” Oxenhandler said.
Garcia, an associate professor of biological science, allegedly made racist comments and sexually harassed MU senior Fatma El-Walid during a private meeting this spring. El-Walid claims Garcia’s remarks created a hostile learning environment.

El-Walid filed a lawsuit Monday in Boone County Circuit Court that outlines two counts of violations under the Missouri Human Rights Act, with one count specifying a public accommodation violation.

El-Walid is seeking damages in excess of $25,000.

Paul Rechenberg of Chesterfield is representing El-Walid. Rechenberg did not respond to a message seeking comment.

Gov. Jay Nixon signs order aimed at balancing pay for men and women

Missouri governor orders state departments to review pay equity standards, best practices

Private businesses are urged to review pay gap between men and women

Studies suggest women are still underpaid in Missouri relative to men

BY DAVE HELLING
dhelling@kcstar.com

Gov. Jay Nixon signed an executive order Friday requiring Missouri agencies under his control to determine whether there are gender-based wage differences in their departments and to identify “best practices” to rectify the problem.

Nixon signed the order at the annual luncheon in Kansas City of the Women’s Foundation, a research and philanthropic group. A recent study found full-time women workers in Missouri earned 71 cents for every dollar paid to a man between 2008 and 2012 despite laws requiring equal pay for equal work.
“The pay gap persists,” Nixon said. “It’s 2015, and it’s time to start getting results.”

In an interview after signing the order, the Democrat said the state needs to understand the effect of different career paths for men and women.

“The merit system that we operate and hire under really does reward the number of years of service and time of service,” he said, “and doesn’t take into account … the time off for having children or other life changes.”

The executive order encourages private businesses to perform a similar review of their pay structures. But the signing won’t immediately put more money into anyone’s pockets.

“What this is, is just highlighting further that we have an issue,” said Wendy Doyle, president and CEO of the Women’s Foundation. “This is a good first step.”

**The foundation is involved in research on pay issues in Missouri. It will publish guidelines on pay equity next April in association with the University of Missouri.**

Digital publisher and editor Arianna Huffington delivered the keynote speech to an estimated 1,600 people at the luncheon at the Sheraton Kansas City at Crown Center. She urged what she called a “third feminist revolution” to bring more balance into the workplace.

“We don’t want just to be at the top of the world the way you men have designed it,” she said. “Because it’s not working.”

She also said all workers should get more sleep. Huffington said she collapsed at her home eight years ago, a victim of exhaustion.

“I had dinner with a guy the other day who bragged that he had only gotten four hours sleep the night before,” she said. “I thought to myself: ‘You know what? If you had gotten five, this dinner would have been a lot more interesting.’ ”

*Dave Helling: 816-234-4656, @dhellingkc*
JEFFERSON CITY • Candidates for Missouri governor said the 2016 race would be amicable after Tom Schweich, a contender who had criticized political bullying, shot and killed himself last year.

But two Republican candidates created a dust-up last month with the public release of a private phone conversation between the two, and Democrats last week said the demeanor of one of the candidates during that phone call shows he doesn’t have the right “temperament” to be governor.

Is attention-getting, negative campaigning inevitable?

Probably, according to some Missouri political scientists, especially given the competitive, four-way GOP primary.

Political insiders and party officials said there’s still hope that the Missouri governor’s race won’t devolve into name-calling.

But Truman State University political scientist Randy Hagerty said “it’s likely to get nasty.”

“If you ask a campaign, ‘Are you going to launch a bunch of negative personal attacks?’ Nobody’s going to say, ‘Well, you bet I am because negative campaigning works,’” Hagerty said. “Instead they’ll say, ‘We’re focused on the issues, we’re focused on the needs of people of Missouri, and unfortunately we have to respond to these negative attacks against us.’”

Hagerty said that while that’s “standard political rhetoric,” it “ignores the reality.” He said more vicious personal attacks and negative campaigning is a growing trend, and not just in Missouri.

A political action committee has slammed gubernatorial hopeful Eric Greitens as “not a conservative” on its website. The group sent out a new press release attacking Greitens’ conservative credentials this weekend.

The website led to a dispute between Greitens, a former Navy SEAL officer, and suburban St. Louis businessman John Brunner, whose former campaign staffer helped form the PAC in November, according to Federal Election Commission documents.
Brunner last month recorded a hostile phone call between himself and Greitens — Greitens called him a “weasel” — and it was later leaked to the media. Democrats last week sent out a news release saying Greitens doesn’t have the right “temperament” to be governor based on his demeanor during the phone call.

Brunner’s campaign has said it did not approve releasing the recording, and Brunner’s deputy campaign manager, Mike Hafner, said staffers don’t know who leaked it. Hafner said its release was unfortunate and said there’s no question it “decreased the tone of the campaign.”

“Our campaign has every intention of moving forward in a positive way,” Hafner said.

Greitens said he, too, wants a clean campaign.

“If you say you want to be positive, then be positive,” Greitens said. “Stop with all of these insider games.”

University of Missouri political scientist Peverill Squire said it’s not surprising that such a race would get personal.

“Although everybody may hope to run a positive campaign, that’s difficult to do when you have so many people competing,” Squire said.

Also seeking the GOP nomination are former U.S. attorney and state House speaker Catherine Hanaway and Lt. Gov. Peter Kinder.

After months of quiet, the Brunner-Greitens scuffle is the first foray into the type of negative campaigning many of the Republican candidates criticized in the early stages of their campaigns this year. Brunner, Hanaway and Kinder said months ago that they would stay away from such tactics after former auditor Tom Schweich’s death.

Schweich shot himself just moments after he told The Associated Press that he wanted to go public with allegations of an anti-Semitic whispering campaign against him by a top Republican official. Schweich, who was Christian with Jewish ancestry, also had been troubled by a negative radio ad mocking his physical appearance that was financed by a Republican consultant with ties to Hanaway, who denounced the ad.

Haggerty said a contentious GOP primary would benefit Attorney General Chris Koster, the only Democrat to say he plans to run for the office. Democratic Gov. Jay Nixon is barred from seeking re-election because of term limits.

The Republican primary is in August. The general election is in November.
MU international students learn about unionizing, activism

By Megan Favignano

Friday, December 4, 2015 at 2:00 pm

International students are allowed to participate in activism on campus and join workers unions without it affecting their visas, University of Missouri officials and students said Thursday.

An event at Jesse Wrench Auditorium was meant to let undergraduate and graduate international students know their rights when it comes to student activism.

Aashish Jagini, secretary with the Graduate Professional Council, which co-hosted the event, said Thursday’s conversation was important given the multiple protests and student issues on campus this semester.

“I have seen many of my friends who were not able to take part in this activism because they worried if that would affect their visas or anything else,” Jagini said.

Representatives from MU’s counseling office, International Center and Office of Graduate Studies attended Thursday’s information session to answer questions and discuss resources. About 25 students attended.

Sazanka Idris, senior international student from Indonesia, said she and other international students have questioned whether and how they could partake in activism on campus.

“We wanted to voice our opinions, but we didn’t know what we could say or do,” Idris said.

After Thursday’s event, Idris said she knows international students can join activism efforts on campus without it negatively affecting their visas.

Most of the information session focused on the topic of graduate student employees unionizing.

Kristofferson Culmer and Conner Lewis with the Forum on Graduate Rights, a group not affiliated with the university that started in August to advocate for better graduate employee
benefits, also answered questions about unionizing as graduate student employees. The group is collecting signatures and hopes to hold a union vote in the spring.

Lewis and Culmer said the National Education Association, a teachers union MU graduate student employees hope to align with, said international students could participate.

A union “gives graduate students a voice they didn’t have,” Culmer said. “This process is legal, and you absolutely, 100 percent have the right to participate in a union election.”

Madi Linglingue, a first-year graduate student studying geography, said he supports a union vote on campus. When he first heard about the efforts to unionize, Linglingue said, he questioned whether he was allowed to participate as an international student.

On Student Academic Freedom

December 4, 2015

By Henry Reichman

The concept of academic freedom for faculty has been more or less clearly defined over the years. Its three components -- freedom in the classroom, freedom in research and publication, and freedom of expression as a citizen -- are widely acknowledged. They have been clearly articulated in both the Association of University Professors 1915 Declaration on Academic Freedom and Academic Tenure and the 1940 Joint Statement on Academic Freedom and Tenure (co-authored with the Association of American Colleges).

Recent events at the University of Missouri, Yale University and elsewhere, however, raise anew the question of student academic freedom. The 1915 Declaration recognized that “academic freedom has traditionally had two applications: to the freedom of the teacher and to that of the student, Lehrfreiheit [to teach] and Lernfreiheit [to learn].” According to Ralph Fuchs, a former general secretary of the AAUP, “Student freedom is a traditional
accompaniment to faculty freedom as an element of academic freedom in the larger sense.”

But what, concretely, does student academic freedom entail? May students, like faculty, claim some version of academic freedom beyond their own legal rights under the First Amendment? And, if so, what kind of academic freedom is most appropriate for students?

The question was addressed nearly 50 years ago in the wake of the civil rights movement in the South, the Free Speech Movement at the University of California at Berkeley and burgeoning student movement against the Vietnam War. The AAUP and several other associations drafted the 1967 Joint Statement on Rights and Freedoms of Students. The proclaimed aim of that Joint Statement -- a kind of Magna Carta for student rights -- was “to enumerate the essential provisions for student freedom to learn.”

It's worth looking back at that seminal document in light of contemporary concerns.

The joint statement protects not only the free expression rights of students generally but also speaks specifically to student academic freedom in the classroom. It requires “the professor … [to] encourage free discussion, inquiry and expression, [and to evaluate students] solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.”

The statement also addresses students’ rights outside the classroom. “Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the academic community,” it declares. “They should be free to organize and join associations to promote their common interests.” The statement adds, “Students and student organizations should be free to examine and discuss all questions of interest to them, and to express opinions publicly and privately. They should always be free to support causes by orderly means which do not disrupt the regular and essential operation of the institution.”

Of no small importance is the statement's recognition of the right of students to participate in institutional governance: “As constituents of the academic community, students should be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. The student body should have clearly defined means to participate in the formulation and application of institutional policy affecting academic and student affairs.”

The extent of such participation was left unclear, however. Nonetheless, in 1970 AAUP’s Committee on College and University Governance and its council did issue a Draft Statement on Student Participation in College and University Governance. Perhaps reflecting then-current student demands for black and ethnic studies, that
statement proposed that “Students should be consulted in decisions regarding the
development of already-existing programs and the establishment of new programs.” It
added as well that “Student opinion should also be consulted, where feasible, in the
selection of presidents, chief academic and nonacademic administrative officers
including the dean of students, and faculty.”

The 1967 Joint Statement considers students’ freedom off campus, noting that
“students are both citizens and members of the academic community” and as citizens
“should enjoy the same freedom of speech, peaceful assembly and right of petition
that other citizens enjoy.” Moreover, the statement adds this important caution:
“Faculty members and administrative officials should insure that institutional powers
are not employed to inhibit such intellectual and personal development of students as
is often promoted by their exercise of the rights of citizenship both on and off
campus.”

The detailed provisions of the 1967 Statement, I would argue, suggest a more
systematic and reasoned view of the current wave of student unrest than the kinds of
near-hysterical reactions -- The Wall Street Journal, for instance, called Yale
protesters “little Robespierres” -- that seem to characterize much recent commentary.
It is certainly true that the rights defined by this statement surely would include the
right of students to upset other students, perhaps by wearing offensive costumes on
Halloween. But, in many ways, more important is the right of the offended students to
express their distaste as forcefully as they can without undue disruption of the
institution's mission. As Geoffrey Stone, a professor of law at the University of
Chicago, recently put it, “Toleration does not imply acceptance or agreement. The
freedom to speak does not give one the right not to be condemned and despised for
one's speech.”

In this light, despite all the hubbub, it is difficult to identify even a handful of
instances where recent student protests have actually violated the rights and freedoms
of anyone, including faculty members and other students. Moreover, as Stone also
suggests, protesting students are well within their rights even to demand that the
institution take disciplinary action against other students, faculty or administrators
who engage in odious behavior.

The real question is whether and how to act on such demands. As Bruce Shapiro,
executive director of the Dart Center for Journalism and Trauma, has written,
“Leadership matters -- not just on the substance of legislation, hiring or executive
orders, but leadership in the face of emotionally evocative symbolic and narrative
disputes.” Let’s take the incident at Yale that has aroused so much heat, in which a
faculty residence adviser sent an email to a restricted list of students criticizing a
message sent earlier by minority affairs counselors advising against offensive
Halloween costumes. The adviser’s email spurred an angry response from minority
students, some of whom demanded the adviser’s dismissal. This, I would argue, was well within those students’ rights. But were the Yale administration to accede to such a demand, it would be a different matter.

Indeed, as I’ve written elsewhere, the issue at Yale, Missouri and other institutions is largely not one of free expression but of communication, environment and values. Shapiro puts it well: “At a time of unprecedented economic inequality, students of color, immigrants and students from low-income backgrounds -- at rich, elite universities and state schools alike -- are painfully aware that the experiences they bring to campus are ill appreciated by many classmates, teachers and administrators, who come overwhelmingly from a culture of middle-class safety nets and an economy that rewards those who already have. That’s the issue.”

Here it’s necessary to credit the students for their courage and determination in addressing the sometimes unconscious but nonetheless real and persistent racism that infects our society and our campuses. In doing so, they have made and will again make mistakes. They will offend others even as they respond to deeper offenses against their own dignity. They may demonstrate indifference to the rights of others, as protesters everywhere always have. But, in doing so, they will learn. And that, it seems to me, is the essential point. Student academic freedom, in the final analysis, is about the freedom to learn. And learning is impossible without error.

What is therefore most remarkable about today’s student movements is not their alleged intolerance or immaturity. It is not their intemperance or supposed oversensitivity to insult and indifference. It is that they have begun to grapple with issues that their elders have resisted tackling for far too long. Stone is right that “a university can legitimately educate students about the harms caused by the use of offensive, insulting, degrading and hurtful language and behavior and encourage them to express their views, however offensive or hurtful they might be, in ways that are not unnecessarily disrespectful or uncivil.”

But the university, and especially its faculty, must also be willing to learn from students. Faculty members should welcome the challenges the protesting students have posed. Student movements offer countless opportunities for students -- as well as their teachers -- to learn. To approach them in this way, in the spirit of the student academic freedom proclaimed and defined by the AAUP and its collaborators back in 1967, is therefore simply to fulfill our responsibility as educators.

BIO

Henry Reichman is first vice president of the American Association of University Professors and chair of the association’s Committee A on Academic Freedom and Tenure.
How do we find the language to fight racism?

WILMINGTON, Del. — Protests erupted in Chicago after video was released showing a black teen being gunned down by a police officer and repeatedly shot after he fell to the ground.

The president of the University of Missouri resigned amid charges of racism, including accusations that his administration did not take seriously enough complaints of racial epithets shouted at the student body president, who is black.

Presidential candidate Donald Trump responded to the Black Lives Matter movement by saying a protester interrupting one of his speeches should be roughed up.

Racial tension is boiling nationwide. And as people come together to discuss the root causes, there are disputes over language used to describe the anguish felt by African Americans — some of whom feel marginalized and oppressed by society.

The debate over language was evident last month at a Wilmington town hall meeting focused on the role race plays in the criminal justice system. Supreme Court Chief Justice Leo E. Strine Jr., who formed a committee exploring ways to reduce racial disparities in Delaware prisons, encouraged fellow panelists and audience members at Tabernacle Full Gospel Baptist Church to avoid using racially charged language — specifically the term "white supremacy." He argued it makes some white people defensive, and has a tendency to shut down well-intentioned conversations.

Social activists and academics often use the term white supremacy to describe a society that favors whites over other races. White supremacy also has been used to describe the activities of the Ku Klux Klan and Aryan Brotherhood — hate groups that target primarily African Americans, but also, according to the Southern Poverty Law Center, Jews, immigrants, gays and lesbians.

Strine worried that frequent use of the term might be offensive to some, and undermine efforts to bring people together.

"When they hear this rhetoric, they somehow take it personally," Strine said. "Please try to talk to each other in a respectful way that builds bridges."

The response was swift and critical.
"I use that word because that is what it is," said Shefon Taylor, a Delaware civil rights activist and panelist that night. "I know that makes some of us uncomfortable ... but it is OK to sit in the discomfort."

In a later interview, Strine said he does not want to limit freedom of expression but hopes people understand that words are powerful — and that they can either build relationships or set back progress.

"It is a rich conversation to talk about common ground, but we cannot start the conversation with words that ... stop people from listening," he said.

This disagreement illustrates how language used to talk about race is rooted in history, and can be divisive and uncomfortable, academics say.

"There is a huge racial divide in the language we use," said University of Connecticut sociology professor Noel Cazenave. "It seems European-Americans and African-Americans are on different planets. It makes it impossible to have a serious national dialogue."

The result can be sanitized and evasive language, said Cazenave.

To avoid uncomfortable conversations, white people say they don't see color; they talk about "the race issue" when they mean racism and oppression; and they try to rewrite the Black Lives Matter movement as All Lives Matter, Cazenave said.

"Words matter," Cazenave said. "Any system of oppression is typically held together by words. African-Americans have been told what words we can use, and how to express our concerns in order to be listened to, but now is the time for people who are racially oppressed to insist we have a right to express our concerns about our condition in the terms we want."

Others, however, say progress is possible only if language is tailored based on the setting to be more inclusive of non-blacks who may want to be part of the conversation but are uncomfortable and new to it.

"We want people to stay at the table," said Larry Davis, founding director of the University of Pittsburgh's Center on Race and Social Problems. "So let's not get into the semantics."

#BlackLivesMatter

The national conversation on race has heated up since 2013. It started with the acquittal of George Zimmerman, a neighborhood watch coordinator in a Florida community, for the shooting death of Trayvon Martin, a black teen.

The social media hashtag #BlackLivesMatter emerged in response to the acquittal, and has continued to pop up in response to highly publicized cases of police using deadly or excessive force against blacks.
"It has become an umbrella that folks in different communities can organize behind," said Lecia Brooks, an outreach director at the Southern Poverty Law Center. "It came out of Eric Garner, Michael Brown — all of those cases."

Having these daily national conversations about race can be difficult and uncomfortable, many academics and social justice activists told *The News Journal*, but the conversations are vital to creating a more just society.

Just this week, the trial began in Baltimore for one of six officers charged in the death of a black man, Freddie Gray, in police custody. The city erupted in riots in April when Gray died of a spinal cord injury.

At the same time, a jury in Delaware is contemplating whether a Dover police officer is guilty of second-degree assault for kicking a black suspect in the head, knocking him unconscious. And, the Access to Justice Commission’s Committee on Fairness had the first public comment sessions in Delaware in an effort to find solutions to the disproportionate number of African Americans in the criminal justice system.

"America is being confronted with some of its sins," Davis said. "America hasn't had to do that ever."

**Racism 2.0**

This dialogue is making it more obvious that America is not a post-racial country, and that even though the president is black and the Civil Rights Act was passed more than 50 years ago, racism still plays a major role in everything from the criminal justice system to education to housing, academics say.

A recent Kaiser Family Foundation and CNN survey of Americans found that 35% of blacks and a quarter of Hispanics report experiencing discrimination because of their race, either by being denied a job for which they are qualified, being denied housing they could afford, or being prevented from voting. Only 11% of whites reported the same experiences.

The study also found that about two-thirds of blacks and Hispanics say racism is a big problem in this country, but only 43% of whites say it is.

Some scholars have started to call this Racism 2.0 — the idea that racism still exists but is far more subtle and hidden in society.

"When we talk about racism or white supremacy, the immediate image is the KKK, or the burning of a cross, or a small-town country bigot, or maybe Donald Trump these days," said Arizona State University professor Lee Bebout. "Unfortunately, that says white supremacy is unusual and over there, as opposed to white supremacy being something systemic and part of everyday reality."
Many academics, as well as Chief Justice Strine, have pointed to growing research that says everyone has unconscious biases, even if few are willing to admit to them.

Rev. Patricia Downing, of Trinity Episcopal Parish in Wilmington, said society can begin to correct its wrongs by people becoming more aware of these unconscious biases, such as by having judges, prosecutors and public defenders in the criminal justice system undergo bias training or having people take a Harvard University online test that gauges implicit biases.

"When we are more self-aware, we can be more compassionate and empathetic," she said. "Then we can take steps to break down those systems that cause suffering."

'The Problem of Whiteness'

Unconscious biases can make it difficult at times for some people who are white to discuss privileges they have been afforded throughout their lives because of their race, Cazenave said.

"European-Americans want to think that what they got they earned, and they didn't get it from white racial privilege," Cazenave said.

Bebout agreed, saying white people often find it easier to talk about black oppression, but not its counterpart, which is white privilege. Bebout was condemned in January by a Fox News commentator and attacked on the Internet over a course he taught called "U.S. Race Theory & the Problem of Whiteness."

Even under fire, he has continued to teach the class because he believes certain words in the race dialogue, such as "whiteness" or "white supremacy," should not be sanitized or banned. Instead, people who are uncomfortable with those words should listen and be open to understanding, he said.

"You cannot just say here are the linguistic ground rules, and now let's talk. You have to go at it with a willingness to talk and come with an open mind and open heart," said James M. Jones, director of the Center for the Study of Diversity and a professor at the University of Delaware.

'We grow, we evolve'

Most agree that the ongoing conversation about race is positive, as long as people are allowed to speak freely.

"This national conversation forces us to confront our own relationship," said Jennifer Stollman, of the Winter Institute for Racial Reconciliation.

The Winter Institute hosts race conversations for communities in Mississippi, and during those conversations, works to ensure everyone is listening, suspending judgment, and speaking their truths while respecting the truths of others.
"If you are really interested in solving problems with the legacy of racism, you don't get to control the language," she said. "People of color have a right to frame the perspective in the way they see it, they have a right to be angry and they have a right to have their voices heard, even if it causes discomfort."

Many say when there is controversy or disagreement over language, it shouldn't be interpreted as a setback. Strine agreed that these conversations are difficult but important.

"We've got to keep coming back to the table," Stollman said. "Each of those conversations reaches us closer and closer to reconciliation."

Rev. Donald Morton, associate pastor at Tabernacle Full Gospel Baptist Church in Wilmington, which hosted the town hall meeting Strine participated in, said he agrees that uncomfortable conversations need to continue.

"We have to learn to be comfortable with being uncomfortable," Morton said. "These conversations are uncomfortable because most times we are unwilling to embrace the horrific history of America and present of America."

Yasser Payne, a professor at the University of Delaware who was on the panel last month with Strine, said finding common language begins with these conversations.

"Through that tension, we grow, we evolve, we find common language that makes sense," he said.

THE CHRONICLE OF HIGHER EDUCATION

Students Abroad: First, Do No Harm With Your Camera

By Lise Saffran December 06, 2015

Programs that send American students to developing countries for practical service in the health sciences and medicine are proliferating, both under the auspices of universities and in connection with commercial organizations such as Projects Abroad, which advertises among its offerings, "Exciting opportunities at Ho Leprosy Village, Ghana." Examples abound of students or volunteers "practicing" medicine beyond the limits of their own training or good sense in underresourced communities.

On a recent visit to Cape Coast, Ghana, with my family, I was greeted in a restaurant by an American high-school student who, having embraced one of those exciting opportunities, said he was in Ghana for two weeks, "treating lepers and painting houses."
Myriad regulations, conventions, and guidelines address patients’ rights to privacy in health care, and these have evolved rapidly to include the widespread use of social media by health-care workers and trainees. While there is ample documentation that students violate these guidelines both at home and abroad, recent findings by researchers at the University of Florida suggest that these lapses may be more likely to occur on foreign medical "missions" in developing countries.

Perhaps this phenomenon is merely another expression of students’ applying different medical standards abroad than they would find acceptable at home — unfortunately, it happens all the time — but my colleagues and I believe there may be something additional at work. In their article "#Instagramming Africa: The Narcissism of Global Voluntourism," Lauren Kascak and Sayantani DasGupta observe that "photography — particularly the habit of taking and posting selfies with local children — is a central component of the voluntourism experience."

We agree that social-media narratives exert a powerful tug on would-be volunteers to seek their own versions of the images they’ve seen; they might even be a factor not just in medical trainees’ violating the patient privacy but also in their temptation to operate above their level of training while overseas. After all, health education is not nearly as photogenic as giving an injection or drawing blood.

Research in health humanities suggests that narrative strategies can be useful in prompting students to reflect on ethical and professional questions. So rather than discourage health-sciences students from bringing their cameras on study abroad, my colleagues and I at the University of Missouri have begun incorporating student picture-taking into our discussions of social and cultural factors in health and health equity.

I begin before my students’ departure with an examination of the photos they already have on their phones. Choosing photos to represent both positive and negative aspects of their own lives, they write captions from their own point of view, with the background knowledge that implies, and again from the point of view of an imagined character of a different gender, age, race, or economic situation. This is an example of what social psychologists call "perspective taking." Students going to India in our pilot course began to understand an important fact about the pictures they might choose to post from there: The perception of something as "negative" or "positive" largely depends on the assumptions that the viewer holds.

In India recently, one of my colleagues asked the students to reflect further on their picture taking — for example, to consider how a caption might be written by someone in the photograph itself. Asking for permission before photographing someone is a minimum requirement, but does that level of consent precipitate ethical engagement? Did the students know the names of the people they photographed? Did they engage with them enough to be able to see if any assumptions the students held were true? Do students realize how their photos may be reinforcing stereotypes about developing nations and about other cultures within their own communities?

Travel is a powerful teacher, and photography is a potent storytelling tool. Young people in the health sciences are unlikely to abandon either one in the near future. Nor do we believe they
should. That said, it is not necessary that the narratives they travel with and build from their experiences represent what Teju Cole calls the "White Savior Industrial Complex."

Not a health-sciences teacher? Instructing students in the principles of ethical photography — including the right of potential subjects to decline to be photographed; and the responsibility to avoid harm to the subjects as a result of the photographs, to avoid misrepresentation of the photographs, and to respect individuals and communities abroad — might lead them to consider principles of equity that they have not considered before. We are all engaged in telling stories to others through our pictures when we travel. It would serve us well to consider what stories we are telling ourselves.

*Lise Saffran is director of the master-of-public-health program at the University of Missouri at Columbia.*

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**Was homeowner's decision to shoot at boys rifling through car, killing one, reasonable?**

12/7/15
By Jeremy Kohler

**ST. LOUIS •** In a week full of gun violence and heartache, the killing of Martinez Smith-Payne proved painful and divisive.

Prosecutors in St. Louis are sorting through a case in which a 60-year-old homeowner shot and killed the 13-year-old boy on Nov. 29. The homeowner was arrested but released after prosecutors refused to file criminal charges.

Police and prosecutors gave only a broad outline of the facts: The homeowner shot Martinez after catching him and two other boys searching his unlocked car in the 5900 block of Riverview Boulevard. One of the surviving boys said the homeowner fired on them without warning and kept firing as they fled. The homeowner did not talk publicly about the shooting.

St. Louis Circuit Attorney Jennifer Joyce said she was reviewing the case because the “Missouri law regarding a homeowner’s right to protect himself and his property is complicated.”

The latest so-called “Castle Doctrine” case has polarized the St. Louis area, with many supporting the right of the homeowner to defend his home, and others saying the homeowner’s rights are being stretched to justify murder.

Joyce said she was reluctant to discuss all the factors under consideration.
“We are looking for some kind of way that we would not have to be barred by the Castle Doctrine here,” she said. “But I’m pretty uncomfortable getting into specifics because I’m afraid … I’m going to give someone a cookbook about how to kill someone and get away with it.”

**What is the Castle Doctrine?**
Missouri had a defense of habitation law, based on common law, that allowed people in their homes to use lethal force against someone who entered and threatened death or serious physical injury.

In 2007, Missouri was one of several states to beef up its statute to allow deadly force in self-defense if the homeowner holds a reasonable belief it was necessary to defend against the use or imminent use of unlawful force.

Now Missourians at home could fight nonlethal force with lethal force.

In 2010, Missouri’s law was extended to include a person’s property, not just his or her house.

Supporters of the Castle Doctrine say it allows people to protect themselves and their property while its detractors say it’s contributing to gun violence and justifying murder.

**Can a person kill a thief on his property?**

Not exactly.

Stealing alone does not justify the use of lethal force. A homeowner has to believe that there is a threat of “unlawful” harm.

And that belief has to be reasonable.

Take James Crocker, who owned property in Steelville and grew tired of seeing canoeists float down the Meramec River and stop on his property to urinate or party.

On July 20, 2013, he caught a man about to relieve himself on a gravel bar by his yard and shot him to death.

His lawyer argued that he was protected by the Castle Doctrine, but prosecutors charged him with second-degree murder, he was convicted and sentenced in 2014 to 25 years in prison.

The Castle Doctrine did not apply because there was no reasonable belief that the trespassers posed a threat of harm.

**Can a person kill someone to protect his property from trespassers or vandals?**

Not exactly; not simply to stop theft or vandalism, or trespassing.

Not in the absence of a reasonable belief that unlawful harm was imminent.

However, a confrontation over a theft could lead to a justified killing.

A homeowner has the right to defend his property. If he discovers a trespasser spraying graffiti on his property, he couldn’t just shoot him. But he could confront him, or scare him.

If witnesses saw a homeowner shooting a vandal as he was running away, it would be hard for the homeowner to claim there was a threat of harm, experts say.

It would be up to prosecutors to decide if the belief was reasonable.

“It’s a fact-specific consideration by the prosecution,” said Peter Joy, a Washington University law professor.
**Does the Castle Doctrine apply outside the home?**

Yes, it also applies to your car when you are in the car.

In 2012, St. Charles County prosecutor Jack Banas said that under Missouri’s Castle Doctrine law, he could not charge a driver who shot a motorcyclist who had reached into his car and punched him.

The motorcyclist thought the driver had cut off his wife, and the driver thought he was the one who had been cut off. The driver yelled at the motorcyclist, and they began arguing.

Banas said the motorcyclist punched the driver, and the driver shot him in the chest. The motorcyclist recovered.

**What does unlawful harm mean?**

The law doesn’t say, exactly. That leaves it wide open to interpretation.

And in cases where legal concepts are left open to interpretation, prosecutors or juries often look to other cases.

The problem is that when the Castle Doctrine is raised as a defense in a killing — when prosecutors believe they can’t disprove the defendant’s claim there was a threat of unlawful harm — it often leads to no case being filed.

The concept of unlawful harm would be central to the shooter’s claim of self-defense.

A mere theft would not be enough to justify a killing.

*If a homeowner catches a thief running away with his car stereo, and hopping the fence to get away, for example, lethal force would not be justified, said Philip Peters, a law professor for the University of Missouri.*

“He still has to show a reasonable fear that he was in danger from the imminent use of unlawful force,” he said.

Joyce said her staff was hard pressed to find cases in Missouri that could guide them in the Martinez case. So they were looking for cases in other states, although they would not qualify as precedents in Missouri.

There isn’t a lot of case law, because “in a lot of these cases, the prosecutor will say, ‘looks reasonable enough to me,’” said St. Louis University law professor Chad Flanders.

**And what is reasonableness?**

That’s also up to the prosecutor to decide, or a jury, if criminal charges are filed.

Reasonableness is a judgment call, experts say.

For example, a property owner could claim that shooting an intruder in his home would be reasonable. It might be somewhat less reasonable if the intruder was outside. Or on the other side of the property.

If the victim was a utility worker, for example, that would not be deemed reasonable at all, Joy said.

But other factors could work the other way. If the homeowner had recently received death threats. If it was dark.

Different prosecutors with same set of facts might come to different conclusions, Joy said.
It will be up to Joyce and her staff to determine whether the homeowner’s justification for shooting Martinez was reasonable.

Gallagher: December cheer can lead to January jeer

December 06, 2015 4:45 am • By Jim Gallagher

Too much Christmas spirit can lead to a big headache in January when the credit card bill hits home. So, let’s look for ways to keep spending sane after downing lots of eggnog.

A rule of thumb is to spend no more than 1.5 percent of your gross income on holiday gifts — less if you’re already struggling to pay bills, says Suzanne Gellman, who teaches family finance at the University of Missouri’s extension division. So, someone making $50,000 per year would spend $750 on the holidays.

Decide what you can afford before you make your gift list, and stick to it. Gellman recommends getting an envelope for each person on the list. Put inside the amount you want to spend — in cash.

“People overspend when they use credit,” she says.

Don’t move money from envelope A to envelope B unless you’ve already bought A’s gift and have money left over.

Lots of people will be shopping in their pajamas, and Washington University has a hint for them.

After filling up the online shopping cart, grab a cup of coffee before hitting the “purchase” button. A little hesitation can remove the urge to splurge.

“Those who took a break, as short as 10 minutes, were less likely to give into temptation,” wrote Selin A. Malkoc, an associate professor of marketing, who studied online buying behavior.

The Internet allows easy price comparisons, and that can save a lot of money. My wife, Susie, spotted some towels she wanted in the Hammacher Schlemmer catalog a couple of weeks ago. They cost $39. Ouch.

She searched online for the same brand and found them for $23 at Amazon.

In some cases, although not all, an online buy can avoid sales taxes. But watch out for shipping charges.

Gellman thinks people should leave their credit cards at home, and limit spending to the cash in their wallets. There’s a counter-argument: Lots of credit cards pay rewards — cash back is usually the best choice. Credit cards also let you dispute a purchase if problems arise. Cash in the wallet can make a purse-snatch very expensive.

But credit and debit cards make it easy to lose track of spending. So, bring a pencil and paper, or use the notes app on a smartphone to keep track of what you’re paying.
It’s tough to manage children’s expectations — especially if they think Santa is bringing the gifts. One strategy is to buy a single big-wish gift for each child, then a few smaller things for the stocking.

Gellman, who teaches adult classes, sometimes asks her students what they remember about Christmas growing up. “They don’t remember the gifts. They talk about family expeditions — things they did with the family.”

So, go ice skating, or take a family trip to the Winter Wonderland lights display at Tilles Park or Wild Lights at the St. Louis Zoo. That should produce more good memories than the Galactic Planet Zapper under the Christmas tree.

“Sometimes we see people working overtime to get these big gifts. What they’ll remember is the time you spent with them,” Gellman says.

Gellman remembers chocolate. “We used to make chocolate chip cookies and we ate them for breakfast on Christmas morning,” she says.

To liven up the family gathering, try a “white elephant party.” Everybody brings something from home that they don’t use, such as the dumb gift from last year. Wrap it up and put it in the pile. Everyone takes turns picking one. Then the next person in line gets to “steal” the gift from the one before. “It ends up being hilarious,” says Gellman.

Sometimes, the best gift for old folks is a card saying, “I’ll clean your house for you,” or “One mowed lawn.”

“You get to spend an hour or two changing light bulbs, or just have lunch with them,” she says.