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## O'Connor Opponent Withdraws

Sen. Sandra O'Connor, R-Maricopa, is the District 20 winner despite the fact the general election is still 13 days away.

Her Democratic opponent for the Senate seat has moved out of the state.

Jim Shumway of the Maricopa County Elections Department said word of the Democratic withdrawal came from Secretary of State Wesley Bolin and the name of Daniel F. Langenwaller, 2351 E. Fairmount, will not appear on the ballot.

Langenwaller's name was withdrawn 10 days after the primary. He has been transferred to Schenectady, N.Y., by General Electric, his employer.

## REPUBLICAN Women's lib programs

OCT 20, 1970

As an outgrowth of an ongoing women's liberation movement, two programs for the public will be presented this week.

The first, sponsored by NOW, will feature John Varlandingham, Democratic candidate for judge of the Arizona Court of Appeals, and State Sen. Sandra O'Connor.

District 20. It is to be held 7:30 p.m. tomorrow at the YMCA, 350 N. 1st Ave.

The second, offered by Phoenix-Tempe Women's Liberation, will present Mrs. Eloise Banks, editor of the Arizona Tribune, at 8 p.m. Thursday in the great hall of the law college at Arizona State University.

2 women lawyers gavel man's world

"One definition of 'Women's Liberation,' said Mrs. O'Connor is that it's a 'tempest in a B cup.' However, she said she prefers a definition that says: 'Women should be treated fairly, given equal opportunity in employment and pay, and should not be discriminated against because of their sex.'"

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"However, she said the amendment would not really be needed if the Supreme Court would apply present amendments in the U.S. Constitution to the plight of women."

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"Mrs. O'Connor said 'Women liberration means different things to different people,' She pointed out that the radical element in the movement could 'create upheaval' if it succeeded but that the more conservative wing of the movement would have only the beneficial result of creating equal pay and jobs for women."



## 2 women lawyers gavel man's world

Contractive pill for men suggested to protect working woman

By JACK CROWE

Two women lawyers agreed yesterday that women need more jobs, better pay and less discrimination because of sex in this man's world.

Mrs. Grace Gil Olivarez, first woman law graduate at the University of Notre Dame, and state Sen. Sandra O'Connor, a Paradise Valley, met to discuss Women's Liberation in the Phoenix Press Club. They agreed more than disagreed.

"What's needed might be a contraceptive pill for men," chuckled Mrs. Olivarez, lashing out in good humor at current methods being suggested for solving the maternity problems of the working woman.

Sen. O'Connor pointed out that women compose 35 per cent of Arizona's total labor force and 37 per cent nationally. But she said women are forced mainly to work as secretaries, domestics, waitresses, bookkeepers and teachers—earning on the average 58 cents to every \$1 earned by a man.

One definition of "Women's Liberation," said Mrs. O'Connor, is that it's a "tempest in a B cup." However, she said she prefers a definition that says: "Women should be treated fairly, given equal opportunity in employment and pay, and should not be discriminated against because of their sex."

Mrs. Olivarez, with apologies to newsmen, suggested that a good start toward job equality for women would entail restructuring the news media.

"The news media must be changed," she said. "All of it. Frankly, I think we've got to do away with the Women's Section (of the newspaper)."

She explained that women must be given goals and interests other than those of the homemaker. She said she has the same complaint about television and that medium's version of the woman.

"It's interesting that Julia (in the TV show by that name) is not a doctor," she pointed out. "She's a nurse."

Speaking of the demands made on women by a man's world, Mrs. Olivarez had few advice for working women in the audience. "Men can drop out because it's their pay check, that's so precious. But you'd better not drop and sag."

Mrs. Olivarez observed that the Equal Rights Amendment, which would guarantee women's rights, has been "promoted to death" in the



Sen. Sandra O'Connor, left, and Mrs. Grace Gil Olivarez discuss women's liberation problems at Phoenix Press Club.

U.S. Congress since it was introduced in 1923.

However, she said the amendment would not really be needed if the Supreme Court would apply present amendments in the U.S. Constitution to the plight of women.

Mrs. Olivarez disagreed. She expressed doubt any relief might come through court decisions without the amendment.

The speakers also disagreed on "rights" women might lose through passage of anti-discriminatory legislation. Mrs. O'Connor contended women might lose out on such benefits as alimony and not having to go into the armed services.

Mrs. Olivarez countered that drafting women might not be so bad, since they'd have many benefits without getting into the service.

"I really don't know what protection (for women) are," she said.

"Unless they protect men from competition from women."

Mrs. O'Connor said "Women liberation means different things to different people." She pointed out that the radical element in the movement could "create upheaval" if it succeeded but that the more conservative wing of the movement would have only the beneficial result of creating equal pay and jobs for women.

She said the anticipated shorter work week for the Arizona worker will provide opportunities for creating more jobs for women.

Mrs. Olivarez told women's liberation outlines four main major complaints. "It's not making enough money and there will always be many women who will be stuck being housewives and mothers, and I have no quarrel with that."

Jean Stanley Taylor, associate editor of The Arizona Republic, moderated the discussion.

ON POINT



SEN. SANDRA O'CONNOR

Sen. Sandra O'Connor today became the first woman to be named to the board of directors of the First National Bank of Arizona in the bank's 92-year history.

Sen. O'Connor will fill the vacancy created by the death of Henry H. Haupt last September.

The announcement was made by Sherman Hargrave, board chairman in making the announcement. Hargrave said, "Mrs. O'Connor brings to the board a wealth of legal and legislative experience along with a thoroughly candid woman's point of view and we are delighted to have her."

Mrs. O'Connor, a Paradise Valley, is currently a member of the State Council and Municipal Affairs Committee and a member of the Legislative Council, Probate Court Division Committee and Arizona Advisory Council on International Relations.

A native of Arizona, Mrs. O'Connor is a practicing attorney and a member of both the Arizona and California State Bars.

She is a member of the Senate and House Judiciary Committee, the Arizona Academy, a director of the first Museum and a member of the Stanford Club of Phoenix.

Mrs. O'Connor is a graduate of Stanford University and the Stanford University Law School. She is the mother of three sons.



Ariz. - B. G. - O'Connor, Sandra  
**Candidates hail turnout  
of 200 at Camelback High**

ARIZONA VERTICAL FILE

ARIZONA REPUBLIC

SEP 30 1970

An estimated 200 persons, reportedly the largest Phoenix turnout in the 1970 election campaign, crowded into Camelback High School cafeteria last night to hear 23 political candidates.

"This is the largest crowd I've seen (at a political gathering) in two months," Republican Frederic W. Heineman, challenging Judge Thomas Tang, Democrat, in Maricopa County Superior Court Division 10, said.

"This is the largest group we've talked to," seconded Judge Howard Thompson, Democrat, seeking re-election in Superior Court Division II.

The rally, sponsored by the Camelback High School Parents-Teachers-Students

See picture on Page B-4

Association, was a happy contrast in the eyes of the candidates to a turnout two weeks ago in Sunnyslope, where the candidates outnumbered the audience.

Heartiest applause last night was sparked by Sen. Sandra O'Connor, R-Maricopa, seeking re-election in District 20. Asked her opinion of the women's liberation movement, Sen. O'Connor replied in dead earnest:

"I come to you tonight wearing my bra and my wedding ring."

John Roeder, GOP candidate for secretary of state, implied that incumbent Secretary of State Wesley Bolin, Demo-

crat, had been "just an administrator" for the 22 years he has been in office. Asking voters to be a Roeder Rooter, the GOP challenger promised to make the office the "right arm of the governor" and one that is "one of the opinion makers of the state."

Conducting his usual low key campaign, Bolin commented: "If you have any questions about my integrity, ask any of the past governors. I'd like to continue as your secretary of state. I've made this office a career."

Touching on last week's decision by the Arizona Supreme Court concerning revocation of bail bonds for repeat offenders, Judge Charles Hardy, running for the high court, declared: "We are now armed with the tool needed to solve this problem (repeat offenders being continually released on bond)."

Democrat Walter Holliday, challenging incumbent Republican Weldon P. Shofstall for state superintendent of public instruction, asserted he favors state financed kindergartens and free textbooks for all school children.

Gus Harrell, speaking in behalf of Shofstall, said the superintendent also favors free textbooks for elementary and high schools.

*Ariz. - Doug - O'Connor, Sandra*

ARIZONA VERTICAL FILE

**Sen. O'Connor**

PHOENIX GAZETTE

**Authors Bill To**

**FEB 8, 1972  
Equalize Status**

By ANN GEROW

Sen. Sandra O'Connor, R-Paradise Valley, taking up the scarf of women's equalization, has introduced a bill on the status of Arizona women.

If approved it would accord married women some of the legal rights and financial autonomy that their single counterparts enjoy.

Purpose of the act is to eliminate "certain provisions of law that discriminate against or favor, without adequate justification, the female sex."

The measure's greatest impact may be the clout it levels on the state's community property laws.

According to Sec. 25-211 of the Arizona Revised Statutes, "All property acquired by either husband or wife during the marriage, except that which is acquired by gift, devise or descent, or earned by the wife and her minor children while she lives separate and apart from her husband, is the community property of the husband and wife."

Sen. O'Connor would add, "The husband has the management and control of the community personal property, except the earnings of the wife for her personal services and the rents and profits of the her separate estate."

"A wife may receive the wages of her personal labor and maintain an action therefor in her own name and hold the same in her own right, and she may prosecute and defend all actions at law for the preservation and protection of her rights and property as if unmarried."

Another section of the bill would remove certain women from an exemption from punishment for acts or omissions, except in case of felony, when acting under threat, command or coercion if their husbands.

Property rights surface again in the bill with regard to disposition of property. Current law instructs that when real property cannot be divided without prejudice or inconvenience to the owners, the court may assign the whole to one or more parties, "always preferring males to females, and among children preferring the elder to the younger."

Sen. O'Connor believes that the preference clause should be deleted. The same philosophy follows in a compatible proposed removal of state statutes that provide a preferential clause in disposition of property by equalization in cash payment.

Women are included in other new areas such as the military's without-fee discharge papers provided for officers and enlisted "men." The new statute would be changed to read "personnel."

The bill would make rural women under 25 eligible for financial assistance from Arizona rural rehabilitation corporation's funds. Formerly a strictly male proviso, the extension would include all past or present students of vocation agriculture or young farmers in organized agriculture classes.

The last women's benefit in Sen. O'Connor's bill would lower minimum age at which a man may marry without parental consent from 21 to 18.



PHOENIX

Arizona Bill - O'Connor, Sandra

# Senate Maneuvers Into Equal Rights Debate

By ANN... Arizona joined other states taking prompt action on the proposed Equal Rights Amendment to the U.S. Constitution yesterday when Sen. Sandra O'Connor, R-Paradise Valley, rose unexpectedly in the upper chamber and urged colleagues to pick up a dawdling legislative pace and approve the measure.

Prepared with copies of the Citizens' Advisory Council on the Status of Women's memorandum on the ERA, Sen. O'Connor said the amendment "stands in the tradition of other great amendments to the U.S. Constitution." The new freedoms, she added, also will impose new responsibilities.

The Stanford University law school graduate enumerated expected changes:

- Women no longer would have to meet higher educational standards than men to obtain academic posts.

- Laws would be abolished that require different sentences for men and women convicted of identical crimes.

so-called "protective" statutes limiting women functionally and economically would be illegal.

Describing the ERA as an historic step in a tradition of women's liberation that commenced in the 19th cen-

tury, she lightly anticipated a day five years hence when U.S. women would sit around a bridge table complaining about alimony they had to pay exhusbands.

Sen. Clovis Campbell, D-Peoria, women's legisla-

tion crusader endorsed the measure, adding, "Now everybody is going to get on the bandwagon."

At a later interview, he cautioned, "Few people really understand what this is going to mean." There

should be a massive public education project about it, or the middle class American is going to bump into the results of this two years from now and not know what is going on.

The ERA was approved

by the U.S. Senate Wednesday by an 84 to 8 roll call vote with both Republican Arizona Senators Barry Goldwater and Paul Fannin opposing it.

Language of the proposed 27th Amendment reads:

"Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex."

"The Congress shall have the power to enforce by appropriate legislation, the

provisions of this amendment. This amendment shall take effect on the date of ratification.

Not all states approached the limely. Co they mused, bution of the wealth of pockets and into men's? cancel the seven-year advantage?

Sen. Har Yuuna minor tioned a list did not want he would opening door and saying it to. He a supported

Women used to call ington's best which Congress should for

Action can dental elect able for Rep olm's serious fort and pro list groups a

Turn to SEN



ARIZONA VERTICAL FILE

ARIZONA REPUBLIC

MAR 17 1972

Ariz. - Biog. - O'Connor, Sandra  
Ginger at the Capitol

# Equal rights laws being considered

By GINGER HUTTON

Sen. Sandra O'Connor, R-Paradise Valley, who proves daily that a woman can be both liberated and feminine, goes quietly and efficiently about the business of improving state conditions for women.

This year she was one of the main sponsors of Senate Bill 1125, which liberalizes child labor laws and takes out sex restrictions. The bill has passed the Senate and has been sent to the House.

Sen. O'Connor also sponsored Senate Bill 1321, which cleans up some other sex discrimination in state law.

THE BILL, passed Wednesday by the Senate Judiciary Committee, would, among other things, make women responsible for their crimes — whether or not their husbands commanded them to commit the crimes. The law presently exempts women from blame if they were threatened by their husbands.

It also deletes the clause that says inherited property should go to men first, women second and makes the minimum at which a boy can marry without parental permission 18 instead of 21. It also allows either parent to consent to a marriage under 18, where the law now says the father must give consent.

But struck from the bill on the request of Sen. O'Connor was the most important section, which would have given the wife control of her own earnings and personal property. The law now states that during marriage, only the husband can dispose of personal property.

"WE NEED TO DO a better and more thorough job in this field," said Sen. O'Connor, explaining her request and asking for summer interim work on the subject of community property.

"But you've given us no immediate relief," objected Janet Andress, legislative chairman of the Central Arizona

Women's Political Caucus, at the Judiciary Committee meeting.

"Not by choice, not by choice," responded Sen. O'Connor. "What we do must be very carefully done and I will personally dedicate myself to putting together a complete revision of the law in this."

CAWPC members had earlier objected to the property section of the bill because it still left the husband in control of joint property.

NEXT SESSION, Sen. O'Connor hopes to remedy that — following the example of a law passed last year by the Texas legislature which gives the wife control of all her earnings and property and puts property belonging to both under the management of husband and wife equally.

The Texas law also allows a wife to purchase property under her own name and be responsible to creditors for it, whether married, divorced or widowed. The husband, too, would be solely responsible for what he has purchased and his wife would not have to pay for it, should he renege.

Partly responsible for Sen. O'Connor's decision to strike the property portion for further study was Mrs. Alice Bendheim, a second-year law student at Arizona State University.

Since September, Mrs. Bendheim has studied community property laws for an article she is writing for the ASU Law Journal.

AS STATE LAW STANDS now, Mrs. Bendheim pointed out, the husband and wife each own half of the property, but the only time a woman gets to control it is at the end of the marriage, upon divorce or the death of her husband.

She cannot borrow against it, even against her own salary. Her husband has to countersign. However, said Mrs.

Bendheim, some company credit unions do loan money to women employees, but the credit union is taking a risk because if she dies and her husband decides not to honor the loan, he can do so because his name is not on it.

"But," added Mrs. Bendheim, "if my husband took out a loan or bought a sports car and didn't tell me about it, they could garnish my salary to pay for that."

SHE ADDED that the purchase of any real property — land and anything on it — requires the signature of the wife as well as the husband.

Mrs. Bendheim, however, doesn't favor the Texas legislation entirely, because it makes each spouse responsible for his own earnings and thus discriminates against the housewife.

"For example," she said, "the woman who does her neighbor's laundry is allowed to manage money; the woman who does her husband's, can't. My contention is that the wife is as important in earning any income as the husband is. She keeps the house, makes the social contacts, babysits and is just as responsible as he for the well-being of the family."

"Where sociologists are recommending joint decisions for husband and wife, the law is not doing that. I'd rather see

the joint management of income. Separate management negates the whole idea of partnership in marriage. While I don't believe a woman's identity merges with the husband's, I do think marriage should be a 50-50 arrangement.

AT THIS POINT, Senate Bill 1321, without the property clause, shows good chance of passage in both houses, partly because it is sponsored by 18 senators and representatives, both male and female, Republican and Democrat.

Next year's legislation, which should give women completely equal property rights with their husbands, will have as good a chance of passage, said Sen. O'Connor, because "the legislators, both male and female, are very fair-minded on this subject."



State Senator Says

21 APR 72

## Equal Rights Amendment Misunderstood

By CYNTHIA BANERJEE  
Star Staff Writer

The woman who sponsored the resolution to ratify the equal rights amendment in the Arizona Senate says the amendment is greatly misunderstood by the public.

"There is a lot of public misunderstanding about what it will do and a lot of people disturbed concerning it," said Sen. Sandra O'Connor, R-Paradise Valley, in a telephone interview with the Arizona Daily Star yesterday.

She said she had not voted to hold ratification resolution in committee for further study, as an Associated Press story claimed, but she understood why some of the other members had. "There is an overwhelming feeling among committee members that they do not know enough about it," she said.

The resolution would ratify the proposed Constitutional amendment barring discrimination on the basis of sex.

Sen. O'Connor said she didn't know whether the Arizona legislature eventually would pass the amendment, but it probably would not come up for a vote until next year's session.

"Congress took 40 years to debate and pass the amendment. You can't expect Arizona to pass it in one hour," she said.

She said the opposition "somehow has the feeling that the amendment will affect personal relationships in the home." In her opinion the amendment "would not have any affect on these relationships."

"The news media can fulfill a great role in educating the public about the measure," she said.

Women who want the amendment to pass should see that there are as many public discussions as possible, she suggested, and read all they can about the amendment.

State candidates should be asked about their views on the amendment, Sen. O'Connor said. But writing letters to state senators and representatives would have more effect "next year, when the composition of the new legislature has been determined."

The Senate Judiciary Committee vote Wednesday to hold the measure for further study was taken after a two-hour hearing in which some women cried as they gave their views opposing the equal rights amendment.

Among those who testified were Mrs. Oscar Ewin and

Sherry Nimsky of Homemakers United Efforts (HUE), a new group which they said will soon be nationwide.

"Women are physiologically different and they require different laws," Mrs. Ewin said. "How can they give women maternity leave without giving men maternity leave? And how can they give men maternity leave?"

Janel Andress, legislative chairman for the Arizona Women's Political Caucus, testified there was a need to get away from emotionalism and down to the facts.

"What the bill actually does is provide that when a law confers a benefit or privilege to one sex, it would be extended to the other sex. When a law discriminates against one sex, that law would be eliminated. Laws applying to one sex because of reproductive differences would not be changed," she said.

The amendment, which won

final Congressional approval March 22, has since been approved by 14 states. Opposition has developed in California, Florida, and Michigan. Vermont turned back a ratification attempt and deferred further action. In order to become law, a constitutional amendment must be ratified by 38 states within seven years.

**Catalan**

Thurs. & Fri.  
Friday and S

**FRUIT**

**Chucked F**

Every bite a sure thing  
A treat for the whole  
(For a lunch box treat that can  
Sue, Momma)

They're so Good... Blith

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Sandra O'Connor

# Senate Majority Leader Discusses Her

By CYNTHIA LANEWEE  
Star Staff Writer

Sandra O'Connor, Arizona's first woman Senate majority leader, said in Phoenix Monday that she doesn't see herself as having a special "women's role" as majority leader.

"The post of majority leader is nowhere defined in statute or rules. It is a position that has evolved. In practice, the majority leader takes a very active role in handling of legislation which the majority has decided it wants to enact," Sen. O'Connor said.

An Arizona senator from Paradise Valley since 1969, Sen. O'Connor was named to the post by Republican leaders shortly after the general election in November. She is a Stanford University law graduate, and her prelegislative experience included work as a deputy county attorney in San Mateo, Calif., private practice and assistant attorney general of Arizona.

"I don't think we can define

issues that interest the housewife as A, B, C and D or that an issue will appeal to women overall as such," said Sen. O'Connor.

"Perhaps the Equal Rights Amendment (ERA) is one issue about which women should inform themselves — what it would mean. They should consider, for example, that drafting women would be a conceivable result of ratification."

Other issues the senator sees as important to both men and women. "Community property laws should interest anyone who is married. The uniform probate code should concern older people and all those concerned with the way we administer and probate estates," Sen. O'Connor said.

She also mentioned flood control as being a concern of all home owners, public school education an interest to all parents and property owners, and no-fault insurance of interest to anyone who drives a

car and pays insurance premiums.

In addition, she said, many Arizonans have expressed concerns about the environment — statewide land use and air pollution control.

Although she expects to sponsor very few bills herself this session because of her leadership position, Sen. O'Connor last week met with Sen. Scott Alexander, R-Tucson, and others interested in problems caused by Arizona's community property statutes.

She cited a class action filed in Tucson challenging the constitutionality of Arizona community property statutes that give the husband sole management and control of the couple's personal property.

Sen. O'Connor explained that at present transactions in real property, such as land or buildings, require signatures of both husband and wife. But personal property — money, savings accounts, bonds, securities, furniture and automob-

bles — is controlled by the husband.

"In many families, the only property they own is personal. The husband may legally manage the wife's earnings," Sen. O'Connor said.

She said Arizona's community property laws have worked a visible hardship on wives of Vietnam POWs — problems faced previously only by wives whose husbands deserted them or disappeared.

According to a memorandum prepared for Sen. O'Connor by the research division of the Arizona Legislative Council, "Because of the community property law, the wives of missing or captured servicemen have a difficult time in making purchases and selling property. Businesses are reluctant to accept only the signature of the wife on contracts. Consequently, the wife frequently must seek court action to make a business transaction.

"The result is that the wife

is burdened with legal fees and, at times, even when she has obtained power of attorney to act in her husband's absence, some title companies still have refused to process a mortgage. Even though the POWs are expected to be released in the immediate future, this problem will remain for those wives whose husbands do not return."

The object of any legislation in this area, Sen. O'Connor said, would not be to nullify community property statutes "which are very advantageous taxwise" but rather to "make the law in accordance with the feelings of the majority of married people."

"My guess is that the majority of married couples would like to consult with each other on major sales and purchases," she said.

Speaking of the ERA which she helped sponsor in the last session, Sen. O'Connor said she has heard considerable sentiment among other

Continued From Page 1D  
city of Arizona and an expert on constitutional law, said two cases might make Arizona legislators pause before deciding to take the referendum route.

public opinion, then take legislative action "for the record." This, however, might pose further problems if the legislature didn't act as the referendum is structured.

Asked about the constitutionality issue, Sen. O'Connor said, "Informally,



# Leader Discusses Her Role

car and pays insurance premiums.

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"My guess is that the majority of married couples would like to consult with each other on major sales and purchases," she said.

Speaking of the ERA which she helped sponsor in the last session, Sen. O'Connor said she has heard considerable sentiment among other

legislators to put the proposed U.S. Constitutional Amendment to the voters in a referendum.

"Frankly, I think it is healthy. On basic issues such as 18-year-old voting, I'm not sure but what the electorate rather resents it when the legislature takes the decision out of their hands," Sen. O'Connor said.

However, some Tucson lawyers have expressed doubt that a referendum would be a valid way to ratify the amendment.

Article V of the U.S. Constitution says that state ratification of amendments shall be by the legislature or a convention, "as one or the other mode of ratification may be proposed by the Congress." The mode proposed in the preamble to the ERA is ratification by the legislature.

Dr. G. Kenneth Reiblich, professor of law at the Univer-

(Continued On Page 40)

Continued From Page 10

ity of Arizona and an expert on constitutional law, said two cases might make Arizona's legislators pause before deciding to take the referendum route.

In one, in 1919, the Supreme Court declared invalid the part of the Ohio constitution that called for submitting an amendment to the people (referendum) for ratification. The ruling said, "It is not the function of courts or legislative bodies . . . to alter the method which the Constitution has fixed." A later case said it was up to Congress, not the Supreme Court, to decide if an amendment is validly ratified.

Reiblich said a possible solution in Arizona might be for the legislature to use the referendum as a barometer of

public opinion, then take legislative action "for the record." This, however, might pose further problems if the legislature didn't act as the referendum instructed.

Asked about the constitutionality issue, Sen. O'Connor said, "Informally, our legal advisers tell us that a referendum would be all right." She noted the same issue was raised when ratifica-

tion of the 18-year-old vote was pending. The 18th amendment was ratified by the Arizona legislature.

In any case, she said, she intends to use her influence as majority leader to suggest that joint hearings on ERA be held, perhaps in the evening. This, she feels, would give a better chance for large numbers of people to present their views.

STATE AID TO RELIGIOUS SCHOOLS



PHOENIX GAZETTE

NOV 18 1967

Girl's Home Payment Withheld

"Mrs. Sandra O'Connor, assistant attorney general, said her recommendation to withhold the \$2,300 was accompanied by a suggestion that the board clarify a recent court ruling which excluded payment of state funds to a religiously oriented organization for administrative purposes."

## Girl's Home Payment Winfield

The state board of directors for juvenile institutions voted to hold up payment to Good Shepherd Home for Girls in the case of eight teenagers who have been staying overnight in foster homes.

Dr. C. L. Harkins, executive secretary of the board, said payment of \$2,000 will be held up until the board and Good Shepherd approve changes in its contract and get an opinion from the attorney general regarding the "day student group" program.

Harkins said changes were made yesterday in a contract proposed by the home.

FINAL ACTION on the issue is expected at the December meeting "after which we will submit the contract of the state legal department for approval," said Harkins.

Mother Mary Bermidine, administrator of the Catholic operated Good Shepherd Home, said she met last week with members of the board regarding the program. She said there had been no objection to the program, but whether the project would fit within the legal framework of the contract and responsibility of the board.

Board officials previously explained the state pays the home \$200 a month while at least one girl's parents paid \$20 a month plus clothing for a total \$220, even though the girl spent nights with foster parents. The home, in turn, paid \$17.50 a month for the overnight care.

HARKINS SAID THE new contract would stipulate that payment to the home could not exceed the exact limit of \$200 for the girls who participated in the home plan.

He indicated that approval by the attorney general would allow the home to continue to collect the full fee even when overnight care is sub-contracted.

Mrs. Sandra O'Connor, assistant attorney general, said her recommendation to withhold the \$2,000 was accompanied by a suggestion that the board clarify a recent court ruling which excluded payment of state funds to a religiously oriented organization for administrative purposes.

## Flood Duty Unpaid for Guardsmen

MAJ. GEN. Joseph Abbe, state adjutant general, may not draw extra pay for flood emergency duties during the Christmas and New Year crises, the attorney general's office has decided.

And the opinion from the flood duty board of officers and their salaries from the National Guard will depend on their individual duties.

The opinion was given by Mrs. Sandra O'Connor, assistant attorney general, at Abbe's request.

IT DOES NOT MEET the \$12.92 in flood duty pay already authorized for National Guardsmen who do not get a state salary and who were called to duty by Gov. Goddard.

Abbe, who is paid \$9,800 a year salary, said it was clear to him he could not be paid extra for the five or six days involved.

But he said he still does not understand the opinion involving about eight other officers and men and will ask for clarification from Mrs. O'Connor.

Mrs. O'Connor held generally that double pay is out if the flood duties were roughly the same as the men would have performed in their regular jobs.



# SANDRA

Femininity  
and fact-power  
characterize Arizona's  
pretty state senator.

By Dickson Hartwell

**A**RIZONA'S BEAUTEOUS senator, Sandra O'Connor, is a lively, lissome creature who in January of 1970 drew appreciative but sub-sonic wolf whistles from her new colleagues. Last May she was named with respected veteran Senator Harold Giss as one of the outstanding political performers of the session.

Cracked admiring Democrat Giss, a political rival: "She's trying to take over my job." For years Giss, called the Great Amender, has been noted for prodigious feats in rewriting legislation.

It is doubtful if any fledgling legislator in Arizona's history contributed as much to key legislation last year as Mrs. O'Connor. She vigorously pursued a bill to free women from outmoded job restrictions. She provided public protection in the so-called "Model Cities" bill which started out as a land exploitation scheme threatening the quality of Arizona municipal bonds. She cautioned against pollution hysteria, arguing that reasonable controls should be adopted promptly. She tackled the complicated water resources bill and was almost alone in opposing publicly state aid to private schools—she is a trustee of Phoenix Country Day. "Clearly unconstitutional," she said.



Sandra at home, with husband John and three sons, Scott 13, I., Jay, 8, and in the foreground, Brian, 11.



Obviously Mrs. O'Connor's senate colleagues were totally unprepared for such replacement for esteemed Senator Isabel Burgess, who was appointed to the National Transportation Safety Board in Washington. As one summed up a general reaction:

"When you first meet Sandra you think, 'What a pretty little thing.' Next you think, 'My, it's got a personality, too.' After listening a bit you begin to wonder how that quietly feminine voice can pack so much fact-power. From then on it's but a step to discovery that this pretty little thing carries a disconcerting load of expertise."

What impressed most during the session, though, was her imperturbable cool. "She didn't have to get all hot and bothered," said a Senator watcher. "She had the facts."

"Absolutely unflappable," says Attorney General Gary Nelson. Mrs. O'Connor served as an assistant attorney general for five years. "She operated on the policy making level," Nelson adds. She is a third generation, ranch raised Arizona. The first generation came here 90 years ago from Vermont. The second, third generation, ranch raised Arizona ladies is, alas, quite small. Those likely to be seen dancing with equal happiness with a thirteen-year-old son or forty-year-old husband at the Arizona Biltmore or turning out birthday party cupcakes or serving a dozen beef fondue is less even than the most population of ghost town Jerome, Arizona.

Such qualifications move Sandra O'Connor quickly out of the ordinary, right plus useful, class of mortals, into something exceptional, even for Arizona. Citizens of district 8E made their own judgment this past November, when Mrs. O'Connor handily won her first election campaign.

The O'Connor family—three boys, 11, 11, and 8—can spend a summer of intellectual enrichment with friends hidden away in remote and beautiful Miguel de Allende as easily as they can raft down Idaho's Salmon River.

It makes for a nice balance, part of which likely results from the O'Connor capacity for making it on their own. Newcomers think the daughter of a pioneer ranch family is automatically an Arizona reality, ranch life is constant and even a family spread of some 200,000 acres may pay slim dividends.

When Sandra and John settled down straight from bar examinations he

earned only \$300 a month. In addition to having babies, Sandra worked part time practicing law in Maryvale. Part of Mrs. O'Connor's strong concern about women having the right to jobs of their choice in Arizona stems from this intimate awareness of the importance of work. She is also aware of the importance of women in getting work accomplished.

What arouses Mrs. O'Connor's inner resentment—she never permits such feelings to surface—is the barefaced discrimination against women practiced in Arizona.

"A woman with four years of college earns typically \$6,694 a year while her male counterpart earns \$11,795 for the same job," Senator O'Connor says. "The more education a woman has the wider the gap between men and women's earnings for the same work."

Some legislators find such purposeful conversation a bit austere. Often Senator O'Connor sticks to the point of a topic with the tenacity of bloodhounds trailing a fugitive. The habit of logical discussion stays with Sandra O'Connor even at parties. Since most social conversation nowadays skips about from phrase to phrase like Eliza hopping from floe to floe, a single topic seldom survives for more than a few seconds. Older gentlemen particularly find this disconcerting. When meeting Mrs. O'Connor at a party for the first time, they are likely to hang on to her conversationally like a shipwrecked sailor clinging to a spar.

This empathy with more mature people stems in part from a habit of respect formed in the close-knit Day family in her growing up days at the Lazy B Ranch at Duncan. In Mrs. O'Connor it reveals even more. She is people positive. She reacts to any age at first meeting, casting out a welcoming glow to which strangers respond like a petted puppy.

"That's the velvet lining to the steel trap," not the closest of her friends once remarked. However, it is characteristic of Mrs. O'Connor to pick up strays, including lonely older gentlemen, sometimes at a substantial sacrifice. When a husbandless girl who helped with house-keeping became pregnant, Mrs. O'Connor not only stood by with sympathy; she provided essential work through confinement. When an illiterate cowboy—no one she'd known—from the family ranch showed up in Phoenix sick and epileptic she arranged treatment,

*continued on page 41*



A dinner party for twenty guests on the occasion of her husband's recent birthday was just another item on the agenda for Sandra, an accomplished cook. Last year's party, a surprise celebration, went on without her when she was unexpectedly detained in the senate.



## GARDENING TIPS

### YOUR OWN OASIS

Now is the time to add some flowering trees to your landscaping while they are available as bare root stock. A flowering peach is a giant bouquet of pink, red or white. Redbud is a deep rose cloud of bloom. Purple-leaf plum is pink when blooming, wine red the rest of the year.

Winter weeds often pop up in lawn and garden this month. Get your exercise by digging or cutting them out with a weed-lifting tool, or use a spot weed-killer spray. Prevent spring weeds by using a pre-emergence weedicide spray to kill weed seeds—but not where you plan to plant flower or vegetable seeds!

Prune roses now if you have not already done so. Floribunda roses need less pruning than hybrid teas, but floribunda borders will be more attractive at blooming time if bushes are trimmed to an even height and thinned out a little.

Deciduous shrubs such as vitex, crape myrtle and others should be pruned while dormant. Branches that are in the way may be cut back to a lateral or removed at the base. Thin out to encourage flowering wood.

Feed established citrus trees this month. Ammonium nitrate, which is 33% actual nitrogen, is best for cool weather feeding. Apply one and a half to two pounds to a mature grapefruit tree, about three pounds to a mature orange tree.

Feed annuals that you planted last fall, with fertilizer containing phosphorous to encourage bloom.

Pansies, petunias, phlox, snaps, stock, Alyssum and verbena can still be planted if you failed to start spring flower beds in the fall.

Flower beds should be prepared now for the summer-flowering annuals you will plant in March and April.

This is the last month to plant gladiolus bulbs for late spring bloom.

Remember that west windows exposed to full sun can be extremely hot in summer. Right now, plant a fast-growing mulberry tree on the west side for quick shade.

## SANDRA from page 37

chauffeured him around during convalescence and got him a job after he recovered.

This consideration for people has carried into public life. Mrs. O'Connor has won many friends in the legislature by her refusal to expose colleagues who got caught with their factual pants down. Having the facts right makes it easy to nail an underinformed legislator to the wall. Even in hot debate she refuses to do so. "What matters is not whether somebody is right or wrong," she says, "but whether our final legislation is best for the people."

In fact, the strongest criticism Senator O'Connor has made of the legislature is a mild "I've observed a certain carelessness in drafting bills." This from a perfectionist who is intolerant of incompetence on any level.

Colleagues who express astonishment at Senator O'Connor's grasp of complex legal matters have likely forgotten that she was a whiz kid before there were any whiz kids. She seemed to float through school at El Paso and suddenly, at age 16, discovered she was the only one in her class who expected to attend college. So unusual was this ambition school administrators forgot to give her the required college entrance examinations. In competition with the thousands of G.I.'s pouring out of the service, she faced the prospect of storming Stanford University under-age and without even essential paper work.

Typically, it never occurred to her to attend any other college. Her father was headed for Stanford, when her grandfather's death required him at 19 to work the family ranch instead. So Stanford was for Sandra.

It was personality that broke the barrier. Stanford admittance people, unimpressed by whiz kid high marks, discovered that Sandra had aided, led or abetted a variety of extracurricular activities in secondary school, including the Drama Club, Pan-Am, and other class projects. They took a chance on the pretty little thing from an Arizona ranch. She justified their faith. Three years later she had whizzed through the tough four-year economics course. This was an astonishing achievement, even at Stanford. With a surplus year and no place to go, Sandra decided to try law school.

When Mrs. O'Connor talks about law school her eyes light up with excitement, just as they do when she describes German lessons taken when she and husband John lived for three years in Frankfort am Main where he completed military service. They light up similarly when she describes a winter of skiing in the delightful Austrian Alpine town of Kitzbuhel, living with her husband in a gingerbread cottage where a baker boy bicycled up with hot stollen every morning.

"It was heaven," she told a friend.  
*continued on page 61*



Scott and Brian work off a little excess energy on the backyard trampoline. The O'Connors are an active, sports-minded family.



# 16 SANDRA from page 41

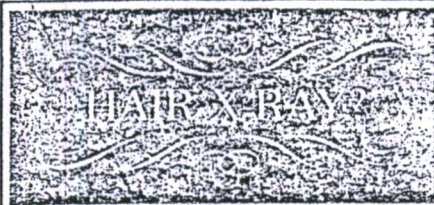
John had finished his Army service, we decided to stay the winter until either money or the snow ran out. To be we bought our tickets home. Then we skied. Who could believe you could ski every day for three months? Then our money and the snow ran out together and we came home." John and Sandra's first encounter as a law journal editor was prosaic enough. Editing an article, they continued on to dinner. Something caught her eye. For the next 45 evenings they had dinner together, with perceptibly diminishing interest in the law journal, until exhausted from the marathon, they agreed to spend an evening apart. They were married at the Lazy B Ranch at Tucson. While husband John finished his final year at law school, Mrs. O'Connor became deputy county attorney at nearby San Mateo. When she went abroad for military service in Germany, Sandra got a job as a legal eagle for procurement and army surplus contracts, an experience which did not raise the level of her faith in her new man.

Since moving to Phoenix 13 years ago, her diverse interests have included the presidency of the Junior League and work with the Phoenix Community Council, the Heard Museum and the Arizona Personnel Commission, which has a tricky job, among others, of recommending salary rates.

Her career capabilities have been clearly demonstrated in her five years as assistant attorney general, a job she gave up to become a senator. She handled some of the most difficult and controversial cases of the decade. First, though, she had to win respect. The court hereabouts is strewn with the skeletons of women lawyers who have died for lack of nourishing appreciation.

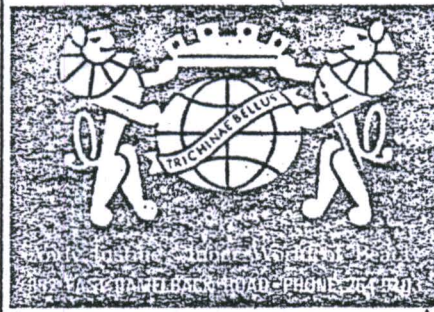
Like most businesses, law firms have avoided any female contamination. Mrs. O'Connor started boring into that were both politically hot and ended with hardscrabble digging, even lawyers around town began helping her, some so warmly militant that they have accused her of being a kind of legal Uncle Tom. She stepped into the Salvation Army case in which she posed the ticklish issue of tax support for religious organizations. She helped amplify the sordid record of Arizona's restrictive penny pinching welfare laws.

Of this and her brilliant senate record, a former close colleague commented recently, "Even in losing, Sandra looked great. She was on the side of humanity. I don't know where she goes to go, but wherever it is she has the talent to get there."



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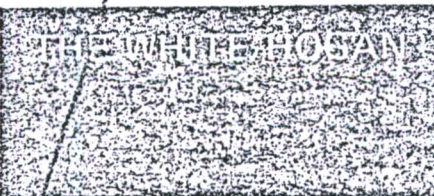


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OBSCENITY REGULATION

# 4-bill smut 'package' mires in Senate panel

By BERNIE WYNN

Senate Judiciary Committee yesterday took up the first bill of a four-bill House package attacking pornography but immediately found several potential flaws in the measure.

House Bill 301 seeks to make unlawful public display of certain explicit material including movies, X-rated movies, outdoor theater screens.

It also would ban such displays in windows of bookstores or on theater marquees.

In addition, the bill refers to HB 302, a companion measure, which would require the Arizona Commission on the Arts and Humanities to grade all movie theaters and review their films.

Theaters which showed hard-core pornography would be required to pay a quarterly tax of \$2,500. Those that fell short of depicting such scenes would be taxed \$1,500 and those who showed only regular films would pay \$100.

Sen. Sandra O'Connor, R-Pinal, Valley, questioned the wisdom of turning the arts and humanities commission into a censoring body to decide between "Category 1

(hardcore) and Category 2 (just nudity).

Rep. Sam McConnell, R-Williams, sponsor of the anti-pornography package, said commission chairman Lewis Rusk had indicated the commission was willing to take on the chore.

"All I've heard are anguished cries from the commission," Mrs. O'Connor declared. "I can't imagine the symphony ladies going down there to view dirty movies."

While the entire committee expressed concern over the

increase in pornography, Mrs. O'Connor said legislators must be "reasonably confident" that the laws they pass will be sustained by the courts.

For lack of time, the committee did not get around to HB 302, which would impose a \$500 tax on every film or videotape viewing device for which a charge of any kind is paid by the public.

Nor did the committee take up HB 304, which would make it unlawful for any person to sell pornography or pornographic devices within a mile

of any public school or public park.

Appearing before the committee in support of the anti-pornographic package were Mrs. Cora Kober and Mrs. Jenne Robb, representing the decency committee of the Citizens Crime Commission, and Robert Donovan, lay vicar of the Episcopal Mission at Payson.

Sen. John Conlan, R-Phoenix, committee chairman, said the panel would resume discussion of the bills next Wednesday.



G U N   C O N T R O L



ardized

# 5 speed law

## big I-10 job

CITN MAR 21 1974

There is \$20 million projects which will lift the speed limit to 100 for interstate highways, \$600,000 for highways, and \$1 million for boundary, highways and projects.

largest single project is \$6.7 million for reduction of 10 miles of to 10 in the Wilcox area.

Tucson area, the project include \$300,000 for a over Brawley Wash to 900 for work on Aloum 6th Ave. to the junction Interstate 10.

area projects include million for 5 miles of construction from Wilcox to Bonita and \$1 for road construction from Naco.

eral funds not allocated Arizona this fiscal year be distributed to other

that would lower 100 is bogged down in the committee. The House and the Senate are still

provision that would keep auto insurance companies from having access to names of violators of the lowered speed limit. Speeding convictions often increase a driver's insurance premiums.

House leaders are confident of enough Democratic support to pass the bill.

Senate Majority Leader Sandra D. O'Connor, R-Paradise Valley, said she would attempt to secure passage of the bill this week. But in order for the measure to be effective as soon as it is signed by the governor it needs approval of two-thirds of the legislators.

# Ulm's bill on guns defeated

Citizen Phoenix Bureau

PHOENIX — A bill that would have set up competency tests for handgun owners died a fast death in the Senate Judiciary Committee yesterday.

The measure was sponsored by Sen. John Scott Ulm, D-Tucson, and would have set up written tests covering the safety, handling, cleaning and range firing of handguns.

"America should cool its love affair with the handgun," stated Sen. James McNulty, D-Bisbee, who supported the bill. "Handguns account for more violence in our society than any other weapon."

The tests would have been prepared by the Department of Public Safety and administered at least once a month in each county by DPS or Sheriff's officers.

Present owners of handguns and newcomers to Arizona would have been allowed up to a year to obtain a certificate, and violators could have been punished by jail terms or fines up to \$300 each.

Senate Majority Leader Sandra D. O'Connor, R-Paradise Valley, said many cowboys on the ranch where she was raised "couldn't read or write, but knew how to use handguns safely."

Ulm also criticized Arizona law enforcement officials because, he said, "Not one law officer responded to my correspondence about this bill." He said unless the states adopt some form of certification, "the federal government will act."

The bill was defeated on a 12-1 vote, with Ulm and McNulty supporting it.



B U S I N G

# Sandra O'Connor fought hard for ERA

CITN JUL 2 1981

By THOMAS P. LEE  
Citizen Staff Writer

State Appeals Court Judge Sandra O'Connor, being considered for appointment to the U.S. Supreme Court, was a backer of the Equal Rights Amendment and of tougher air pollution laws, her legislative record shows, but she also has cast a vote against forced school busing.

She compiled the voting record after she was appointed to the state Senate in 1969 after serving as an assistant state attorney general. She was elected to two consecutive terms and was voted majority leader in 1973 before leaving the Senate a year later.

In the Senate, she hammered away at the men who dominated Arizona's Legislature, urging them, in vain, to pass the Equal Rights Amendment. However, in 1972, Arizona's two Republican members of the U.S. Senate, Barry Goldwater and Paul Fannin, voted against the amendment, prompting Mrs. O'Connor, a staunch Republican, to admit that she

was somewhat bewildered by their opposition.

By 1973, Mrs. O'Connor, faced with a Legislature that was overwhelmingly opposed to the ERA, asked the State Attorney General's Office to determine whether the measure could be put to a popular vote in Arizona. The answer was "no," and after that she never again raised the issue.

Soon after her appointment to the Senate, Mrs. O'Connor persuaded her colleagues to abolish an old state law that limited women to working eight hours a day. In her maiden speech on the Senate floor, she said, "The theoretical reason for the law was to protect women from being overworked by employers. Today this law, far from protecting women, impedes them in their efforts to seek and keep employment."

In 1972, as a member of the Senate Judiciary Committee, Mrs. O'Connor voted with the majority to urge Congress to find a way to end forced busing to achieve racial balance in

public schools. She offered an amendment that requested that Congress find any means, not just a Constitutional amendment, to stop forced busing.

"I think there are other ways equally valid with which Congress could deal with the problem," she was quoted as saying at the time.

Mrs. O'Connor was unavailable for comment today, but her husband, John, a Phoenix lawyer, confirmed that she is being considered for the Supreme Court position.

If she were named to the court, she would be sitting with a colleague whom she has admired for years. Justice William Rehnquist, considered one of the most conservative members of the court, was a classmate of hers at the Stanford law school.

When Rehnquist was being considered by the Nixon administration as a possible Supreme Court justice, she said Rehnquist would be an outstanding justice and added, "He al-



Sandra O'Connor

ways was head and shoulders above the other students."

When pollution-control laws were being drafted in 1971, Mrs. O'Connor worked to strengthen the government's enforcement powers against polluters. She led an effort to free the state and counties from having to prove criminal intent

against polluters and to give the state Health Department the right of appeal to the courts on any adverse ruling by the state Air Pollution Control Board.

Once, she turned against the rest of her Republican colleagues and joined the Democrats in opposing a resolution that would give state more powers in dealing with welfare recipients.

The measure, a proposal to amend the U.S. Constitution, called for giving states the right to set their own residency rules for welfare recipients. At the time, she said the proposal was based on a mistaken interpretation of a U.S. Supreme Court ruling on residency requirements by states. "Since I believe the language of the resolution to be inaccurate," she said, "I must vote no."

On other matters, she once introduced a bill that would earmark a portion of gasoline taxes for bicycle paths and another bill that prohibits closed meetings at which public agencies take official action.



CRIME AND

CRIMINAL JUSTICE POLICY

Death penalty bills advance

PHOENIX -- A bill to reestablish the death penalty in Arizona was approved today by the Senate Judiciary committee and may be debated on the floor this week.

The only opposing vote came from Sen. John Scott Ulm D-Tuscon, who said the intent of the committee "was well-intended but misdirected."

Under the amended bill, the death penalty would be mandatory for murders committed by a person while serving a life sentence, or in connection with rape, kidnaping, robbery, burglary, arson or hijacking, or for the killing of a peace officer, prison guard or fireman acting in the line of duty.

The bill also defines all other types of deliberate murder as first-degree murder, and provides a minimum 15 year sentence before parole can be considered.

An amendment offered by Mrs. Sandra O'Connor R-Paradise Valley, to provide a three-member panel of judges to pass sentence was defeated when committee members feared it would introduce a discretionary clause.

The O'Connor amendment was similar to a provision outlined by Atty Gen. Gary Nelson and is included in another death penalty bill in the House.

The House Judiciary Committee today quickly approved the lower chamber's capital punishment bill. It provides the death penalty for basically the same crimes as the Senate bill but requires automatic review by a three-judge panel of any conviction.

Sen. Leo Corbet, R-Phoenix, said that the final version will probably be determined in a joint conference committee.

Sen. John Roeder, R-Scottsdale, predicted the Senate bill if passed would be found unconstitutional because of a clause providing for a mandatory life sentence in case the death penalty itself is ruled unconstitutional by the courts.

The U.S. Supreme Court last June declared that existing death penalty laws were unconstitutional because the punishment was applied in a discretionary manner.



# Death penalty bills advance

CITN FEB 1 1973

Phoenix Arizona

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## for

WASHINGTON (AP) — U.S. Office of Marine and Budget today requested \$11.9 million to construct the Central Air Project, pushing the amount available during next 18 months to about \$10 million.

Sen. John Rhodes (R-Arizona) said the firm's work from the 1972-73 fiscal year and gave the way for it to call for back pay and obtain rights of way.

Rhodes said he would contact the Bureau of Reclamation to determine whether more than \$10 million could be used at that time. If additional money is needed, Rhodes said he would push for an increase in the 1973-74 budget.

That budget includes \$10 million for the Central Air Project, but only \$2 million included for CAP construction. About \$2.5 million would be used to finance the government's share of the new Power Project. The remainder would be allocated primarily at places.

The \$11.9 million was by the Nixon administration last year in an inflationary manner.

The money will go for obtaining rights of way for the Central Air Project. The course that would run about 10 miles north of Phoenix to the west of the Salt River.

That change has been approved by the U.S. Army Corps of Engineers. The project is being handled by the Phoenix Valley Water Agency.

The Army Corps of Engineers will bring the project to the

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are based on  
bill.



Ariz. - *Birm - O'Connor, Sandra*  
*Firm and even-handed justice*

## Sandra O'Connor new judge

ARIZONA REPUBLIC

By JANE ESTES

It's hard to catch Sandra O'Connor, what with her giving speeches and seminars for new judges, campaigning for the post of Division 31's Superior Court Judge, winding up affairs as Senate majority leader, and getting Levis and shoelaces for three sons.

But Women's Forum did manage to catch a few minutes with the newly elected judge on her way to lunch with young politicians visiting from Russia.

Is she going to be a get-tough judge? she was asked.

"Everybody is going to get tough. It's the thing to do," she said half jokingly.

But she didn't sound soft about sentencing.

"The man up for the fourth or fifth offense has to be put away," she said. "All writers on the subject will tell you that some people have sociopathic personalities and will always be in trouble. They can be spotted."

Sen. O'Connor expressed concern for a lack of uniformity in sentencing.

"A life sentence can end up being shorter than a shorter term sentence," she said. "There has been a heavy reliance on probation and it hasn't worked. When we have something that hasn't worked, we have to try a new approach," she said.

"I hope there will be an increase of interest in the problem so the courts will be able to have more uniformity and we can find better yardsticks."

The incoming judge said she believes we need to take a closer look at plea bargaining.

"It's a necessary tool to the prosecutor," she said. "I wouldn't want to see it done away with, but it is abused and we need to work to eliminate the abuse. We need to know when it can be used and when it can't. We need to establish guidelines."

Sen. O'Connor said she sees no prospect for easing case loads.

"In Maricopa County we don't have as many divisions as our population allows," she said. "The criminal load is increasing as the civil load is decreasing. It is more difficult for a person to have a civil suit if he can't



Republic Photo by Mike Smith

### Sandra O'Connor, another challenge

afford it. Once he's in court his treatment is just as good as anybody's, but the question is how to afford it to begin with."

"I have real concern for people who serve on juries," Sen. O'Connor said. "They want to serve. They want to do their part, but they have to wait such long intervals of time to be selected. So many can't afford to wait long periods of time away from their jobs," she said.

The root cause in a high crime rate, Sen. O'Connor believes, is a breakdown in the family unit.

"As difficult as it is," she said, "everyone on an individual basis has to work for higher standards in his own

life and in his own family."

Watergate has improved the public's attitude toward the courts, Sen. O'Connor said.

"Men have been arrested and tried and have served sentences for their crimes," she said. "We are having a Watergate trial right now. People are more aware that the system does work."

Does a new judge approach the responsibility of sentencing people to prison, perhaps for life, with trepidation?

"Sentencing is of grave concern to any judge," she said, "but it has to be imposed in a fair and even-handed manner which society expects and believes in."



trator Gordon Allison to make sure that regular courthouse cleaning crews include the tank in their work.

The deputy on duty said the reason the holding tanks are not cleaned is because the sheriff's office keeps them purposely locked at all times. "We don't want the cleaning people in there. They could leave contraband — guns or drugs — for

deputy to open the tank and take her in. He did, and a few minutes later she hurried back to her office and told her secretary she wanted to dictate a letter to the

Sandra O'Connor

Retention: 85 percent  
Integrity: 97 percent  
Health: 98 percent

The judge is reportedly diligent in her efforts to monitor plea bargaining and to control unnecessary motions and delays, according to her record.

# Judge Says Restitution Forces Probation Ruling

By EDYTHE JENSEN  
Gazette Courts Reporter

If the court wants a criminal to pay restitution to his victim, the judge has to give him probation.

Superior Court Judge Sandra O'Connor said she wishes it were possible to send a defendant to prison and still make him pay back his victim for a theft or damages.

"The new criminal code (which goes into effect in October) does emphasize restitution. This is part of an overall concern for the victims of crime," said the judge.

"But the judge still does not have the alternative to order restitution and prison."

Rep. Peter Kay, chairman of the House Judiciary Committee which worked on the new code, said he believes prison and restitution to be possible under the new law.

He also said there is currently a bill in the Senate which has been passed by the House that provides that some inmates may obtain salaried jobs while they are in prison. Money they earn can be designated as their restitution payments.

Judge O'Connor, however, said that in her study of the new code she sees no rule that would allow her to combine prison and restitution as a possible punishment.

"We realize that some crimes are so

serious that a defendant can't be let out on probation, yet he is capable of paying restitution," said Steve Twist, attorney for the House Judiciary Committee.

Judge O'Connor said that in cases where restitution is a possibility, she spends a lot of time determining both the amount of damage inflicted on the victim and the financial capabilities of the defendant.

"The focus now is to make the victim whole again as well as seeing that the defendant is punished," she said.

According to both the new and the old law, she said, a defendant may be sentenced to up to a year in the county jail as a condition of probation and still have to make restitution.

The jail has a program whereby some inmates may work at outside jobs in the Phoenix area during the day and spend their nights behind bars.



...record and excellent per-  
sonal background. Most gave much  
harsher sentences without the proba-  
tion officer's report.

Earlier, Judge O'Connor had asked  
the group's opinions about the lenien-  
cy of judges and found that most felt  
other people believed judges were too  
lenient but that they themselves did  
not hold this view. In addition, almost  
all wanted to preserve the practice of  
judiciary discretion in sentencing.

Nature of the defendant's conduct  
at the time of the crime, business  
of the offense, defendant's state of  
mind at the time of the crime, whether  
provocation was a factor, likeli-  
hood of recurrence, general charac-  
ter and attitude of offender and his  
probable response to probation, and  
whether confinement of the offender  
would prove a hardship to his family.

Judge O'Connor asked Family Serv-

Judge O'Connor pointed out that in  
an economic climate which makes  
getting a job difficult for anyone, the  
man who has a criminal record finds  
it almost impossible. "If he has no  
money and cannot get a job, how can  
he get money except through  
crime?"

"We all have an obligation to solve  
this problem. We are not doing an  
effective job now in the community to  
help offenders avoid their criminal  
pattern in the future."

tested the judges' fami- ples of how closely they should be retained.

Sandra O'Connor

REPUBLIC

OCT 26 1978

Sandra O'Connor, 48,  
began her term on the  
bench Jan. 13, 1975. She  
has been assigned to  
the civil courts begin-  
ning next month after  
serving two years as a  
criminal court judge.

Judge O'Connor con-  
siders herself "reasona-  
bly" conversant with  
the new criminal code.  
Nonetheless, she was  
able to offer detailed  
observations of what  
she feels are significant  
weaknesses in the new  
laws that could hinder  
judges in making deci-  
sions.

In her view the new  
second-degree murder  
and manslaughter stat-  
utes are vague, and sex  
crimes such as sexual  
assault, child molesting  
and sexual abuse are  
encumbered with over-  
lapping provisions. This  
could result in unfair  
prosecution, she said.  
The judge also ex-  
pressed concern that  
some of the new jury  
instructions are confus-  
ing.

She had no particular  
criticism of judges'  
having much less dis-  
cretion in sentencing  
under the new code. In  
general, however, she  
was pessimistic about  
the new penalty struc-  
ture, fearing that "the  
net effect, in some  
areas, will be lesser  
sentences for severe  
crimes."

Judge O'Connor con-



Mrs. O'Connor

siders herself "very  
strict" in granting  
attorneys' request for  
delays in both civil and  
criminal cases and dis-  
courages delays re-  
quested for the purpose  
of fashioning a last-  
minute plea deal. She  
reports a "noticeable"  
amount of unwarranted  
motions and requests  
for delays throughout  
the civil and criminal  
courts."

A tendency to hand  
down a "median" sen-  
tence in most criminal  
cases to avoid paper  
work depends on the  
individual judge, ac-  
cording to Judge O'C-  
onnor. She said she cus-  
tomarily cites her rea-  
sons for each sentence  
because "defendants  
are entitled to know the  
substance of the judge's  
thinking."

She presided at the  
first-degree murder trial

of Jeannie Holsinger,  
convicted in October  
1977 of hiring a hit  
man to kill Dr. Harry  
Schornick for a share  
in a \$24,000 deposit  
certificate. The hired  
gunman killed the  
wrong person — the  
elderly physician's  
housekeeper. Judge  
O'Connor sentenced  
Mrs. Holsinger to 25  
years to life in prison  
last January.

Currently, the judge  
is presiding at the  
murder-sodomy-arson  
trial of James Ato-  
manczyk, accused of  
burning his children to  
death in a trailer fire.  
She has suppressed key  
evidence in that case on  
grounds that Peoria po-  
lice obtained a search  
warrant by making al-  
legedly false state-  
ments.

Judge O'Connor said  
she spends approxi-  
mately two hours each  
night preparing for her  
daily courtroom work  
and reserves weekends  
and vacations to catch  
up on significant trends  
and changes in the law.

She said she deserves  
to be retained on the  
basis of her record. She  
declined to say why she  
is more qualified than  
others who might run  
for her seat if it were  
available under an elec-  
tive system, however,  
contending such a dis-  
cussion amounts to  
"campaigning," which  
merit-selection rules  
forbid.



Former Phoenix City Councilman  
rry Lewkowicz offered words of wel-  
come to all — and specifically to Gov.  
d Mrs. Raul Castro.

THE SPEAKERS touched on God's  
pecial gifts, which range from faith to

provides a means of practicing God's  
will. Through service we can pay for the  
space that we occupy."

TANNER REMINDED diners that  
many Americans gave their lives 35  
years ago today when the Japanese

get recognized is the most potent force  
of all and it does not require health  
professionals, hospitals, isotopes or  
medicine."

Turn to **OP-AYER**, Page B-2

## Too many crimes settled out of court, judge says

Superior Court Judge  
Sandra O'Connor said  
Tuesday that too many  
criminals are going free  
without ever going inside  
a courtroom.

She spoke to 125 persons  
at a Phoenix Kiwanis  
Club meeting. She said  
she favors mandatory  
minimum sentences for  
some crimes.

Mrs. O'Connor said 3  
per cent of the felony  
cases filed in the past  
year went to trial in Mari-  
copa County.

She said 48 per cent of  
the accused criminals  
went through plea bar-  
gaining to get charges re-  
duced. She said cases  
were dismissed against 17  
per cent, and 18 per cent  
pleaded guilty to the  
original charge. The rest  
of the cases were dis-  
posed of in other ways.

Mrs. O'Connor said long  
sentences apparently have  
no effect on crime, but  
"there is a deterrent ef-  
fect in the certainty of  
sentencing."

Therefore, she said,

"We should talk about  
removing some of the  
judge's discretion in sen-  
tencing," because 60 per  
cent of accused felons  
were placed on probation  
here last year.

Judge O'Connor also  
urged support of a legisla-  
tive bill to combine the 89  
Justice of the Peace  
Courts and 80 City Magis-  
trate Courts into a num-  
ber of intermediate courts  
to handle minor crimes  
and law suits.

Maricopa County Su-  
perior Court Judge San-  
dra O'Connor told the  
group of the values of  
teaching as a means of  
personal growth.

This will lead to a bet-  
ter understanding of  
religious principles and  
"enable us to sup-  
port our families," she  
said. **DEC 8 1976**

The judge told a story  
of two men, one rich and  
college educated and the  
other poor without time to  
read because he had to  
work hard.

The rich man said he  
would give the poor man  
\$1 million if he would lock  
himself in the house for 10  
years and read masses of  
literature.

The poor man accepted  
and began to read. He  
was bored at first and  
then became consumed  
with the great literary  
masters.

When 10 years were  
over, the rich man, who  
earlier had lost his for-  
tune went to the poor  
man's house with a gun.

The poor man was  
gone, but he left a note  
saying that he stayed in

orce, doc

the house for 9 years and  
364 days and that "what I  
got was worth more than  
\$1 million."



# Arizona

## Prisons chief wants to try rehabilitation

GRAND CANYON (AP) — Rehabilitation is a myth in the Arizona prison system, says Corrections Director Ellis MacDougall.

MacDougall told the Arizona Town Hall that Arizona State Prison does little more than "teach inmates to become better criminals." He said a "paltry" 3 percent of the prison budget is going for training programs.

Rehabilitation programs, he said have "never really been tried and if you ever visit the Florence Institution, you'll know what I'm talking about."

Most Town Hall participants appear to agree with the need for more rehabilitation programs in state prisons.

MacDougall said only 30 percent of the inmates are now working, and only 80 of 1,750 get any vocational training.

"The inmates simply are bored to death," he said.

The corrections chief told a Yarnell farmer who complained of "coddled" inmates that "if taking a person who is totally illiterate and teaching him to read and write... is coddling, then maybe it's time we started doing that on a full-scale basis."

About 83 percent of the prisoners do not have "saleable skills to keep them out of trouble," MacDougall said.

He also defended the television sets afforded inmates, calling them "the best security system we have. It keeps the inmates occupied and out of our hair."

U.S. District Judge Walter Craig said conditions at the Arizona State Prison are so disturbing that he would hesitate to send someone there if he was a Superior Court judge.

"We have a segment of society that is completely amoral and there are no programs to change that," Craig said. "These people should be placed in maximum security custody for the rest of their lives."

"However, the remaining prison population has the potential for being rehabilitated or reactivated. We shouldn't give up on these individuals. They're human beings — all of them."

Maricopa County Superior Court Judge Sandra O'Connor said she would like to see both practical demonstrations at the Florence facility and more programs for prisoners.

"I'd like to see citizen volunteers work with ex-offenders to draw them back into society," she said.

CIN OCT 24 1978

# Eavesdropping kills evidence in murder case

CITIZEN SEP 1 1978  
By CHERYLE RODRIGUEZ  
Citizen Staff Writer

A Fort Huachuca man, accused two years ago along with his lover of murder in a plot to kill the woman's husband, may never be tried because the evidence against him was first gathered by eavesdropping telephone operators.

Last May, Maricopa County Superior Court Judge Sandra O'Connor ruled that evidence against Edward Dwyer, 56, was obtained by a wiretap deemed illegal under the Wire-Interception and Interception of Oral Communications Act passed by Congress and, therefore, could not be used against him. Recently, an appellate court upheld the ruling.

On May 6, 1976, six Bisbee operators plugged into a phone conversation between Dwyer and his lover, Sandra Austin, 31, of Bisbee, and, according to authorities, heard the two plotting to have her husband killed.

Two days later, Mrs. Austin was a widow. Jesse Austin was discovered dead with 28 stab wounds in his brother's Scottsdale apartment.

Anthony Ridings, 27, a Fort Huachuca soldier from Kirkwood, Mo., was charged as the man allegedly hired to do the killing. Ridings pleaded no contest to second-degree murder and agreed to give incriminating testimony before Dwyer's lawyer, David S. Hoffman, argued successfully to

suppress the illegally obtained evidence.

Afterwards, Ridings tried to change his plea but Judge O'Connor would not let him and instead sentenced him to serve 20 to 30 years in prison for conspiring to kill Austin and 30 to 60 years for the murder.

Mrs. Austin, who since the murder has married someone other than Dwyer, had made arrangements to plead to a lesser charge and to testify against her old lover, but the deal never went through, and charges still are pending against her.

And Dwyer, who originally was charged along with the other two with first-degree murder and conspiracy, has been out of jail on his own recognizance since Hoffman convinced the judge to toss out the evidence.

Odds are that all charges against him and Mrs. Austin will be dropped if there are no more appeals in the case.

The three judges assigned to Division 1 of the Arizona Court of Appeals unanimously upheld Mrs. O'Connor's ruling on the inadmissibility of the evidence, but one did so with great reluctance and open distaste.

"I have searched in vain for a legal premise upon which to dissent from this bizarre result," wrote Appellate Court Judge Laurance T. Wren in a specially concurring opinion. But because of the "invidious" law limiting eavesdropping, Wren

said, he joined in the opinion "simply because I have no other course. Never have I felt more strongly, the need to right a wrong or more strongly the lack of tools to do it with."

"Notwithstanding the obvious guilt of the (defendant) to the crime of murder, this court has struck down evidence that plainly makes it impossible to convict him."

Most of the tossed evidence was compiled by operators who listened in on a private conversation for, as Attorney Hoffman put it, "no purpose at all, other than to fill a bored telephone operator's day..."

According to court paperwork:

On May 6 Dwyer phoned a Bisbee operator saying he had to put in an emergency call to Mrs. Austin, but she wouldn't get off the phone.

An operator broke through and Mrs. Austin assured her she would hang up in a minute and take the emergency. Eventually, she and Dwyer were united by wire, the assisting operator checked the line briefly to confirm that the call was an emergency and then she went about picking up her other routine calls.

Shortly after, she was told by another operator to "go into a Bisbee light." She plugged back into the line, as had five other operators, and listened to the plotting for about 15 minutes.

The operators then called the Scottsdale Po-

lice Department anonymously and tipped them that Jesse Austin, who was about to be released on a weekend pass from the Arizona State Hospital, was in danger. The police apparently did not follow up.

The day after Austin's body was found, one of the operators told her husband, Cochise County Sheriff's Lt. Douglas Knipp, of the telephone conversation and a month later arrests were made.

"This case," wrote Judge Wren, "brings to public gaze a spectacle of the complete frustration of justice-suppression of truth in the search for truth. Only a system with limitless patience with irrationality could tolerate the fact that where there has been one wrong, the defendant's, he will not be punished; but where there have been two wrongs, the defendant's and another's, the defendant will go free."

Wren concluded, "The public telephone plays a vital role in private communication, and surely the person placing the call is entitled to assume that the words he utters into the mouthpiece will not be broadcast to the world. Today, however, Arizona must release a man charged with murder; not because it has deprived him of his constitutional right of privacy, but because in its haste to give force to distasteful eavesdropping Congress had adopted a bad statute."

One of the operators said about the same: "It just didn't turn out the way it should have."



## RAPE CONVICTION UPHeld

# Court Overrules Judge

The State Court of Appeals has ruled that a Superior Court judge abused her discretion when she ordered a new trial for a convicted rapist who was sentenced to 30 to 50 years in prison.

The high court granted an appeal filed by prosecutor Deputy County Attorney Barry Silverman and upheld Paul Valenzuela's conviction for rape.

VALENZUELA, 31, was convicted in the October 1977 sexual assault of a woman he met through a dating service. The woman testified she contacted Jack and Lou's Referral Service after she read an advertisement in custom shopper.

She was sent on a date with Valenzuela, who had recently been released from prison after serving time on another sex offense. The defendant raped and sodomized her, the victim testified.

Judge Sandra O'Connor granted Valenzuela a new trial on the basis that the defendant's attorney gave "inadequate legal assistance."

Testimony at a hearing on the request for a new trial revealed that Estrada failed to prepare for trial and had withheld the name of a defense witness from the prosecutors the day before the trial was to go to the jury.

That key defense witness was not permitted to testify at the trial because the prosecutor had not been informed about it. The witness

which had matched Valenzuela with the victim for a date.

Other testimony at the hearing disclosed that the defendant's mother had approached several female jurors in a restroom during the trial and had urged them not to find her son guilty.

Deputy Public Defender John Rood, in his motion for a new trial before O'Connor, said Valenzuela was denied a fair trial because of Estrada's conduct and

the behavior of the defendant's mother.

SILVERMAN said it is unusual for the state to ever file an appeal on a criminal case and "it is even more unusual for the state to win an appeal."

The prosecutor said Valenzuela was arrested Friday in Southwest Phoenix and will be transported to Florence to begin his prison term. He has been out on bond since the judge ordered the new trial in October 1978.

## Radio pact bid for ASU sports allowed to stand

Maricopa County Superior Court Judge Sandra O'Connor refused Friday to order Arizona State University to rebid its 1979-80 radio sports broadcast contract.

The judge made her ruling in a lawsuit filed by KOY radio challenging the May 15 award of the football, basketball and baseball contract to KARZ radio, formerly KOOL.

KOY attorney Andrew Gordon argued during a six-hour court hearing Thursday that the contract should be rebid because ASU officials violated state antitrust laws by requiring stations to bid on broadcast rights to all three sports.

KOY had submitted a proposal to broadcast all football games and some basketball contests. KARZ bid on all three sports.

O'Connor ruled, in effect, that any harm to KARZ, if the contract were rebid, would outweigh any harm to KOY, if the motion were denied.

The judge said KOY had other adequate legal remedies. She also said she

## Jury award is denied in girl's death

The Arizona Court of Appeals on Thursday upheld a court decision denying a \$400,000 award to the father of a Tolleson girl who was murdered five and one-half years ago.

The appellate court agreed with Maricopa County Superior Court Judge Sandra O'Connor's 1976 decision vacating a \$400,000 jury award to Antonio Chavez, the father of Regina Chavez. The girl was slain Sept. 17, 1971, after she had wandered away from a Tolleson elementary school. The child's body was found three months later.

Chavez sued the school district for negligence. John Cuffie, who admitted abducting the girl, is serving a life term at Arizona State Prison for her murder.

## Radiologists accu society signs state



F E D E R A L   E N V I R O N M E N T A L   R E G U L A T I O N S



State senator criticizes proposed EPA controls

PHOENIX - Proposed new Environmental Protection Agency (EPA) rules could have a potentially devastating effect on jobs in Arizona, Senate Majority Leader Sandra O'Connor, R-Paradise Valley, has warned.

"This is a more serious attempt to impose federal controls over local government than the confrontation with EPA in September," she said in remarks on the Senate floor Friday.

She urged Arizonans to attend EOA hearings on the proposed new rules starting today in the Phoenix Civic Plaza.

The proposed rules cover pollution from indirect sources and propose a review of any new developments, plus a permit system to regulate approved projects.

Mrs. O'Connor said "indirect sources" include "highways and roads, parking lots and garages, shopping centers, recreational areas, sports stadiums, airports, commercial and industrial projects."

"Perhaps the greatest objection is the proposed rule that requires the dispersion of future commercial and housing projects," she said.

"If we are to have a mass transit system, we must have greater densities in our urban areas," she said.

Mrs. O'Connor said these proposed rules "fly in the face of our efforts in land use planning to prevent urban sprawl."

"Perhaps EPA should have some communication with land use and urban planners so the efforts of each can be compatible," she stated.

She said the confrontation between Arizona officials and EPA last September "resulted in adoption of the Arizona plan for transportation control strategies."

"Now we must again confront EPA," she added.

"The highway department says the rules could prohibit building new highways and streets, and even repairs of existing roads," she said.

"The health department is questioning the data on which these rules are based and says Arizona can meet the standards without additional controls," she added.



# 'Impose federal controls'

## State senator criticizes proposed EPA controls

CITN DEC 10 1973

Phoenix, Arizona

PHOENIX — Proposed new Environmental Protection Agency (EPA) rules could have a potentially devastating effect on jobs in Arizona, Senate Majority Leader Sandra O'Connor said today. O'Connor said the rules would harm the Phoenix area, particularly the Paradise Valley area.

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STATE GOVERNMENT

SPENDING LIMITATIONS



# State to study plan to restrict spending

SEP 7 1973

ARIZONA REPUBLIC

State legislative leaders Thursday named a citizens committee to study California's plan of restricting state spending to determine if such a plan could be implemented here.

Senate Majority Leader Sandra O'Connor, R-Paradise Valley, and House Majority Leader Burton Barr, R-Phoenix, recruited a citizen panel composed of attorneys, certified public accountants and economists.

Their task will be to investigate the so-called Reagan plan, inaugurated by California Gov. Ronald Reagan, to place a total tax limit on state government spending.

The Reagan proposal, opposed by some California legislative leaders and other government officials, still must be approved by the voters in an action referendum.

Mrs. O'Connor, prime sponsor of the current investigation, said the Reagan proposal is complex but basically it attempts to "gear the total tax hike in all forms to a percentage of the state's total personal income."

Personal income includes all earned income, corporate income, including nonprofit groups, and rental property proceeds, welfare and social security payments, she explained.

Economists agree, she added, that this yardstick is as accurate a measure of a state's economic welfare as has been devised.

Barr agreed that something must be done to curtail government spending "in relation to what the people can afford to pay." He said government now is "taking too much and not giving back enough in the way of reasonable services."

"But how do you stop it?" Barr asked. "This answer will take a lot of thinking from people like yourselves," he told the citizen group.

The two legislative leaders will head the committee, which will be composed of about a dozen members. It may be expanded later if additional expertise is needed, the legislators said.

The citizens group was broken down into two subcommittees initially to study specific aspects of the California plan.

Phoenix lawyer Edward Jacobson, a committee member, asked if the group was merely assigned to investigate the Reagan proposal, or was it free to recommend other methods of resolving the problem.

Mrs. O'Connor said the group, in addition to checking out the Reagan plan, should recommend any alternate plan it believed would work in Arizona.

"We should make it clear in our responses that we are not wedded to this program (the Reagan plan)," Jacobson warned. "We simply are investigating its merits."

Attorney Clarence Duncan was named to head the subcommittee studying what might be needed in way of a constitu-

## More about Tax limit plan

Continued from Page A-1

tional amendment if a tax restriction plan were adopted.

Lyman Davidson, a certified public accountant, was chosen to head the statistical committee to check out what yardstick can be best used for measuring the state's income, the economy and likely trends.

Mrs. O'Connor said two or three California experts would be brought in at a second meeting later this month to answer committee questions on the Reagan proposal.

Continued on Page A-18



# Retardation Home

## Funding Advances

14 MAR '74 /B  
By KENNIE HELLSTLEY  
Star Phoenix Bureau

PHOENIX — The Joint Legislative Budget Committee Wednesday approved the transfer of \$166,000 to prevent cutbacks in mental retardation programs at Tucson's Arizona Training Program.

Bob Maccon, an aide of Gov. Jack Williams, said, meanwhile, that an order placing the State Department of Mental Retardation under the State Department of Economic Security was being prepared but would probably not be issued until later.

Paul Vulkan, director of the Tucson program, admitted to the committee that he overhired and allowed admission of too many clients for care at the facility, thereby causing the \$164,600 shortage of funds. The remaining \$13,000 must be made up at the Tucson facility by not filling employee vacancies as they occur.

Sen. Sandra O'Connor, R-Paradise Valley, called for an opinion from the state attorney general on whether anyone presumably Wilkman — is liable for civil action for \$70,332 allegedly overpaid during the first six months of fiscal 1973-74.

Gayle Hodges, manager of the state accounting office, and Jack Kekau, JIBC director, said later that they did not believe there was any civil liability.

State Auditor General Ira Osman, who audited the Tucson facility last month on orders from the JIBC, reported that Vulkan's office had hired 44 more employees than the 300 authorized by the Legislature.

Rep. Charles King, R-Tucson, said he supported the transfer "very reluctantly." He praised Vulkan's handling of retardation programs over the past four years, but accused

him of "gross mismanagement in running the financial affairs of that institution."

King also said the Legislature has had no cooperation from the Mental Retardation Board or from the department. (The department has had three directors in the past year and been under threat of reorganization for several years.)

Kokar said he felt DES Director William Mayo "has enough problems already" without adding the mental retardation program. DES is a one-year-old reorganized department itself.

Roland Pratt, acting director of the Mental Retardation Department, recommended that fiscal 1974-75 funds be appropriated to the central office for greater control of the spending. Training programs also are operated at Scottsdale and Phoenix.

Public hearings on the bill will be held at 9 a.m. Wednesday and at 8 a.m. Thursday in the House Judiciary Committee hearing room.

Goodwin said he wants the bill amended to raise the bid to "at least 8.5 per cent," and allow only a simple majority to override the limitation.

holds the key to the bill's success, said Thursday in a floor speech that he hoped "realistic" amendments would be offered when he brings the bill for a vote next week.

Sen. O'Connor was out of the city Thursday and not available for comment.

In a 3 1/2-page letter distributed recently to each of the 30 House members, Sen. O'Connor said that over a 10-year period, from 1963-73, appropriations increased 200 per cent — from \$167 million to \$503 million. She said that justifiable increases in spending above 10 per cent annually are "few and far between."

Rep. Tom Goodwin, R-Tucson, who as chairman of the Appropriations Committee

From Star Phoenix Bureau  
PHOENIX — Senate Majority Leader Sam O'Connor, R-Paradise Valley, was accused Thursday of using unfair tactics and propaganda to get a bill limiting government spending passed.

Rep. Sam McConnell, R-Williams and member of the House Appropriations Committee, said he is "bombarded almost daily" with what he termed misinformation and propaganda about the merits of Sen. O'Connor's measure.

He said he believed it is necessary to limit government spending in some way, but that "some of us are fed up with her propaganda" and they resent the tactics used on "a piece of legislation that is misunderstood by the taxpayers of the state, and by the congressional delegation."

McConnell said he has been telephoned about the bill from all over the state, Washington, D.C. and California.

He said he asked Congressman Sam Stigler, R-Ariz., "Who is pushing you on this?" and Stigler replied: "The governor of California (Ronald Reagan) and Sandra O'Connor."

The bill, which already has passed the Senate by a 10 to 9 vote and is awaiting House action, would limit by constitutional amendment state appropriations in 7.9 per cent of the total personal income of Arizonians. Only a two-thirds vote of the Legislature could override the limit.

Opponents say the limitation would not allow for normal growth of necessary programs in a rapidly growing state.

## Sen. O'Connor Accused Of Using Propaganda' On Spending Bill

APR 74 /B



## Mayo: 'I am begging'

# Welfare funding increase sought

CITN FEB 9 1974

By THEODORE A. RUSHTON

Citizen Phoenix Bureau

PHOENIX — An impassioned plea for full funding of state welfare programs was made to the Senate Appropriations Committee yesterday by Department of Economic Security Director William Mayo.

"I very seldom beg for anything," Mayo said. "But I am begging this committee to fund these programs 100 per cent."

Full funding would provide a welfare family of four with \$214.64 a month. Nationwide, a family of four is considered below the poverty level if monthly income is less than \$258.11.

Gov. Jack Williams has recommended a \$147.04 payment to a family of four, and legislative budget analysts say the existing \$150.24 per month should be kept.

Sen. Bess Stinson, R-Phoenix, blasted Mayo's proposed increase with: "Do all of these people sit at home and live off the people who work?"

"Many are honest people who work hard to try to earn their support," Mayo replied. "The figures include 55,375 children and 17,199 mothers."

Mayo was strongly supported by Sens. Scott Alexander and Douglas Holsclaw, both Tucson Republicans, who criticized former welfare department officials "for showing no concern or effort to help the poor."

Mayo requested \$157.7 million for his department next

year, of which \$40 million would come from federal funds. The budget this year was \$125.7 million, including \$39 million federal funds.

The governor recommended a \$2 million cutback for next year from this year's budget, and legislative budget analysts recommended a \$2.7 million cutback.

State tax limitation and no-fault auto insurance also were in the legislative limelight today.

Senate Majority leader Sandra O'Connor said she will introduce legislation limiting the amount of taxes the state can collect.

The proposed constitutional amendment is patterned after one defeated by California voters in a heated and sometimes partisan election last year.

Mrs. O'Connor's proposal says state taxes shall not exceed 7.9 per cent of total personal income in Arizona.

Since the estimated collections now total 6.4 per cent of total personal income, the plan would allow expansion and revision of state tax programs but would also place a limit on taxes.

The approach drew a large number of co-sponsors in the Senate.

No-fault auto insurance legislation with injury benefits of \$10,000 and a maximum weekly compensation of \$200 to make up for lost pay was introduced today in the Senate.

A total no-fault package cleared the House last year but died in committee.

## State spending would be limited by amendment

CITN FEB 12 1974

Citizen Phoenix Bureau

PHOENIX — A limit on state spending has been proposed in a constitutional amendment introduced in the legislature. It is co-sponsored by 58 legislators.

If approved by the legislature, the proposed amendment would be on the general election ballot in November.

It would limit annual state spending to 7.9 per cent of the total personal income of all Arizona residents.

California voters turned down a similar measure last November despite strong support of Gov. Ronald Reagan.

"This is an excellent manner of controlling the amount of state taxes we pay," said House Majority Leader Burton S. Barr, R-Phoenix. "I think this bill has an excellent chance of being approved."

Senate Majority Leader Sandra O'Connor, Paradise Valley, who organized the special citizens' committee which researched the bill, said she thought it "would have a reasonable chance of passage."

Arnold Friedman, of the state Office of Economic Planning and Development, said if the legislature adopts the \$178 million school finance bill the state will collect \$887 million in taxes next year.

"Under this amendment the state could spend only \$60 million," he explained. Mrs. O'Connor said taxes would have to be reduced to equalize the income level to the allowable spending level.

The spending limit would change automatically due to changes by the federal government in federal-state programs.



# County Merger

## Tentatively OK'd

By JOEL NILSSON  
Star Phoenix Bureau

PHOENIX — A special Supreme Court advisory committee on lower court reorganization gave tentative approval yesterday to the consolidation of municipal and justice courts into a county-wide lower-court system, operated and paid for by the counties.

Under the proposal, as the revenue-producing municipal courts are consolidated, 50 per cent of the revenues primarily from traffic citations would go to the county, providing a cushion for operating expenses. The other 50 per cent would be distributed to cities in the particular county on a population basis.

During the all-day meeting, committee members also appeared to favor increasing the new court's jurisdictional limit up to \$10,000 in civil cases and permitting the judges to handle misdemeanor criminal cases, and preliminary hearings. The constitutional limit of lower courts now is \$2,500.

Sen. Sandra O'Connor, R-Paradise Valley, and chair- man of the blue-ribbon panel, said that many of the proposals being discussed since July are "fuzzy," adding, "I think we're moving along some lines toward a consensus."

Mrs. O'Connor said she hoped that rough-draft legisla- tion would be decided how many judges would be needed, where they would be located, and how to deal with the 12 rural counties in Arizona.

Rose Silver, an assistant Pima County attorney, said that the state should assume the financial burden for the new longer-court system. "The constant jockeying be- tween judges and the Board of Supervisors is almost unbearable," Mrs. Silver said.

Mrs. O'Connor said it would be "politically undesirable" for the state to finance the system because county taxes could remain constant and then the state would have to raise taxes.

# Goodwin Attacks O'Connor Ceiling Bill

16 APR 74 2A  
Notes Her Seat  
On Bank Board

From Star Phoenix Bureau  
PHOENIX — Rep. Tom Goodwin, R-Tucson, Monday accused Senate Majority Leader Sandra O'Connor, R-Paradise Valley, of pushing a bill to benefit "the banks and big industry" while she is a member of the board of directors of a bank.

Mrs. O'Connor, a member of the First National Bank Board, is sponsor of a bill to limit state spending to 7.9 per cent of the personal income of Arizonans. Overrides would be permitted on a two-thirds vote of the Legislature.

Goodwin, in a House floor speech, also lashed out at Arizona Republic political columnist Ilermie Winn, of Phoenix, who accused Goodwin in a column last Friday of

opposing the bill because he wishes to protect his employer — the University of Arizona. Goodwin teaches a UA government course when he is not in legislative session.

Goodwin charged that Winn was ordered to write a story discrediting him and other members of Goodwin's House Appropriations Committee who oppose Mrs. O'Connor's

bill. He said he was never interviewed by Winn. The bill is assigned to the committee, but has never been brought up for a vote.

"When he tries to make a conflict of interest case of me because of the university he'd better check the proponents of this bill and what bank boards they sit on," said Goodwin, in obvious reference to Mrs. O'Connor.

"He's very mistaken about the origin of this bill," Mrs. O'Connor said in an interview.

She said she and Reps. Jim Skelly, R-Phoenix, and Peter Corpestein, R-Paradise Valley, fashioned the bill from Gov. Ronald Reagan's measure that was defeated last year by California voters.

Goodwin said that because of the recent \$172 million education refinancing bill in which the state assumed a greater share of local property owners' tax burden, the

state budget will increase to about \$750 million next year.

He said this would mean the 7.9-per-cent limitation level would be reached by fiscal 1979-80, with no provision for an estimated \$45-million-a-year increase in education costs in addition to other state expenses. He said school enrollment normally rises 3 per cent annually.

Goodwin said he has wondered why the banks and big industry are "pressuring me, and pressuring members of my committee."

He claimed that large surpluses of state funds would be built up for the benefit of the banks, where the funds are deposited.

Big industry would also benefit if state property tax rates were cut to reduce the surpluses. Large taxpayers like the utilities, railroads and mines, are taxed at 50 and 60 per cent ratios of the assessed valuations.



## Insurance Bill To Begin Trip In Legislature

From Star Phoenix Bureau

PHOENIX — A bill to require competitive bidding on insurance for the state and the three universities will start through the Legislature, legislators agreed Tuesday.

Sen. Sandra O'Connor, R-Paradise Valley, said she will start moving the bill, which requires competitive bidding to reduce insurance costs in the Senate State, County and Municipal Affairs Committee.

She and House Majority Leader Burton Barr, R-Phoenix, labeled the bill "must" legislation to be passed before they can shut down the 1974 special session.

The agreement followed a 1 1/2-hour meeting of a special House-Senate committee set up as a result of the controversial awarding of a university insurance management contract in 1972 and a renewal of the contract last year without bids.

The committee revised a bill introduced earlier by Sen. O'Connor.

Either bill would stop the Arizona Board of Regents from continuing a policy of awarding its own insurance contracts on university buildings.

## Bank Women Plan Four-Day Regional Meeting In Phoenix

Eleven Tucson bankers will attend a National Assn. of Bank Women conference in Phoenix Thursday through Sunday.

The regional conference, being attended by bankers from Arizona, California, Colorado, Hawaii, New Mexico, Nevada, Wyoming and Utah, is being coordinated by association members from Tucson and Phoenix.

Representing Tucson banks will be Evelyn McDonald and Pat Ilg of the Arizona Bank, Betty Flesher of Great Western, Lene Hortense to Southern Arizona Bank, Sharon Hopstetter and Myrl Pierce of Union Bank, and Sally Lewis, Evelyn Lynch, Grace Connelly, Betty Plank and Esther Raiha of Valley Bank.

The keynote speaker for the meeting will be State Sen. Sandra O'Connor. Other speakers will include Gov. Jack Williams and D.W. Clifford, president of the Arizona Bankers Assn.

## Bankers Deny Pushing Bill On Spending

From Star Phoenix Bureau

PHOENIX — Arizona's banking industry Friday denied being the prime mover behind a government spending limitations bill so that banks may gain from larger surpluses in public funds.

Peter Dunn, attorney and lobbyist for the Arizona Bankers Assn., said in a prepared news release: "It is not true that banks will receive larger deposits from the state if the 7.9 per cent spending limitation bill is passed."

Dunn responded to published claims by Rep. Tom Goodwin, R-Tucson, that the bill would create a large surplus in state money that could not be spent and would have to be left idle in the banks. Goodwin is chairman of the Arizona House Appropriations Committee.

Dunn denied that the banks were "selfishly interested" in the bill sponsored by Senate Majority Leader Sandra O'Connor, R-Paradise Valley.

## Nelson Rules Against State Vote On ERA

PHOENIX (AP) — Atty. Gen. Gary Nelson advised senators Wednesday that they could not refer the Equal Rights Amendment to a statewide vote.

His opinion came in response to inquiries by Senate Majority Leader Sandra O'Connor, R-Paradise Valley, Sen. Leo Corbett, R-Phoenix, and Sen. John Scott Ulin, D-Tucson.

The Legislature has refused to bring the proposed constitutional amendment to the floor of either House on the ground that it is an issue which should be decided by the voters.

In rejecting such a referendum, Nelson cited 1920 cases involving both Ohio and Maryland, where similar attempts were rejected by the U.S. Supreme Court.

Nelson's opinion, citing those cases, noted that the Constitution provides for acceptance of such amendments by three-fourths of the state legislatures and does not provide for a decision by the voters.

## Senate Panel OKs Utility-Rates Bill

From Star Phoenix Bureau

PHOENIX — A controversial House-passed bill to permit automatic increases in utility rates was approved Wednesday by the Senate State, County and Municipal Affairs Committee.

The vote on HB 2221 was 5 to 3, with Republicans voting for it and Democrats opposing it. It now goes to the Rules Committee for consideration of a floor vote next week, according to Senate Whip Fred Koory, R-Glendale.

An amendment sponsored by Arizona Public Service in Phoenix was tacked to the bill by Senate Majority Leader Sandra O'Connor, R-Paradise Valley, to create a revolving fund of \$500,000. The fund would be used by the Arizona Corporation Commission to investigate rate increase petitions.

Sen. Delos Ellsworth, R-Mesa, exempted himself from voting on the rate bill because of his ownership of Quail Hollow Water Co., in Pinal County, which is under regulation by the ACC.

Voting for the bill were the committee chairman, Sen. Scott Alexander, R-Tucson, and Sens. O'Connor, John Roeder, R-Phoenix, Hal Runyan, R-Litchfield Park, and Bess Sinson, R-Phoenix.

Opposing it were Sens. Sam Lena, D-Tucson, Jim McNulty, D-Bisbee, and Bob Stump, D-Tolleson.

The bill would allow utility rates to go into effect under bond after 120 days if no ACC hearing was held. If the ACC eventually granted no increase or one of a lesser

amount the difference would be refunded.

The ACC spokesman at the meeting was Barry Aarons, aide to Chairman Al Faron.

TGE, which took a neutral stand on the bill, according to spokesman Joe Wilcox, has an ACC hearing scheduled for April 15 in Tucson on a petition for a 31 per cent increase in rates. He said TGE opposed the combining of the rate increase bill and the revolving fund bill, formerly HB 2048. TGE and the ACC said they believed the bills should stand alone. ACC members unanimously opposed both bills.

McNulty assailed the bill as one the public turned down at the polls in 1972 by a 3-to-2 vote margin and one to "use public money to make it easy for a utility to get rate increases quicker." "That's the kind of a poll we ignore at our peril," he added.

Mrs. O'Connor said the present regulated monopoly system Arizona has adopted requires that the state protect the public from exorbitant rates and allow the corporation to get a fair return on his investment.

The human eye weighs about one-quarter of an ounce.



MISCELLANEOUS STATEMENTS

OF PHILOSOPHY





Sen. Sandra O'Connor addresses fellow senators

## Arizona - Biography - O'Connor, Sandra New woman legislator

FEB 8 1970

### tries to improve laws

ARIZONA VERTICAL FILE

ARIZONA REPUBLIC

By JANET BURKE

"Hey mom, if you're finally finished with your smog bills, will you please do something about minibikes?"

That's not the average demand a 12-year-old makes of his mother. But then, Sen. Sandra O'Connor, R-Maricopa, is not the average homemaker, although it was her son who asked the question.

Mrs. O'Connor, the mother of three, is one of two women senators in the 9th legislature. To this, her freshman year, she brings a quick legal mind, a woman's concern for details, and a great deal of enthusiasm.

The legal mind has been developed by her law school training and years of legal practice, both public and private.

From her first position in the county attorney's office in San Mateo County, Calif., to her most recent post in the Arizona attorney general's office, she said she has thoroughly enjoyed the legal and administrative sides of government.

It is this fascination with things governmental that drew her to the legislature. She used to review laws and now she makes them.

"It's a turn of the coin," she noted. "I find it interesting to be able to participate now in the formative side of the law."

Mrs. O'Connor hopes to be able to help improve the quality of legis-

"So much is left out sometimes because of the great pressure and the lack of time," she said. "What's turned out here is too important to be rushed through."

Government is traditionally an area of male domination. One would suppose that a freshman senator would sit by quietly and let the men take the lead in putting out legislation.

Her enthusiasm, however, initially concentrated upon improving all legislation, has been channeled into certain specific directions. She has not been sitting by quietly. In many cases she has even taken the lead.

Item: Mrs. O'Connor has agitated for consolidation of agencies dealing with mental retardation.

Item: She has introduced legislation which would free women from a law limiting them to an eight-hour work day.

Item: She has become a leader in efforts to revise the smog control laws.

How does she find the time to do all this and still lead an outside life of her own?

"During the time the legislature is in session, I devote my whole life to it," she explained. "I have to write off everything else, I'm afraid."

Oh yes, during that quiet time...



Sandra O'Connor

REPUBLIC

NOV 5 1978

Criminal court judge O'Connor, 48, has been on the Superior Court bench since 1975. She has been assigned to the civil court beginning Monday.

Judge O'Connor places strong emphasis on restitution to crime victims. She is known for consistently pressing attorneys to make themselves clear in court, though at times she demands extensive repetition.

Her record shows a series of innovative penalties designed to coincide with a defendant's job or financial status when a prison term was not appropriate.

She is one of five judges who displays an apparently thorough knowledge of Arizona's new criminal code. She predicts the loss of judges' discretion in sentencing under the new code will generate excessive plea-bargaining, and she is concerned that the new jury instructions are too confusing.

The judge is reasonably diligent in her efforts to monitor plea bargaining and to control unnecessary motions and delays, according to her record.



Sandra O'Connor

Retention: 85 percent  
Integrity: 97 percent  
Health: 98 percent

A-16 Thurs., Sept. 21, □

The Phoenix Gazette

## Judge Appalled At Filth Inside Courthouse Cell

SEP 21 1978  
Superior Court Judge Sandra O'Connor has been on the judicial bench for nearly four years, but today decided it was time for her to get a look at the courthouse prisoners' holding tank — a room right outside her office which holds jailed defendants before trials or sentences.

She asked a sheriff's deputy to open the tank and take her in. He did, and a few minutes later she hurried back to her office and told her secretary she wanted to dictate a letter to the

court administrator and presiding judge — immediately.

"That place is filthy; it looks like it hasn't been cleaned in months. There's filth and debris everywhere. There's no excuse for it!"

After she dictated the letter, the judge said she is appalled by the condition of the tank and is asking Court Administrator Gordon Allison to make sure that regular courthouse cleaning crews include the tank in their work.

The deputy on duty said the reason the holding tanks are not cleaned is because the sheriff's office keeps them purposely locked at all times. "We don't want the cleaning people in there. They could leave contraband — guns or drugs — for

prisoners who come to court the next day. Even a mop handle left behind could be used as a weapon."

A holding tank for prisoners exists on each floor of the nine-floor court building, and is connected to the Maricopa County Jail by tunnels and elevators.

Judge  
Forces

By EDYTH  
Gazette Com

If the court wants restitution to his victim to give him probation, Superior Court Judge O'Connor said she was to send a defendant to make him pay back theft or damages.

"The new criminal code goes into effect in October. This is restitution. This is concern for the victim the judge.

"But the judge still alternative to order prison."

Rep. Peter Kay, House Judiciary, worked on the new law to give inmates prison and release under the new law.

He also said there is in the Senate which by the House that inmates may obtain they are in prison, can be designated payments.

Judge O'Connor, in her study of the new rule that would fine prison and restitution.

"We realize that





## DEMANDS SEEN TOO GREAT

# Limitations Held Must For Freedom To Work

JUN 3, 1975

Americans must practice the principle of limitations if the system of individual freedoms is to exist, according to Maricopa County Superior Court Judge Sandra O'Connor.

Speaking to the Republican Forum, Judge O'Connor said it isn't the American system that is faltering but the inordinate number of demands made upon it.

"No government has the capacity to serve all the needs of all the people all of the time," the judge told the group yesterday.

"We need to restrain our appetites."

THE JUDGE said it will take "tough-minded people who put great demands on political representatives to get us out of this mess."

She made the following observations:

- That as long as Americans, who are reducing their individual debts by millions of dollars, can see the principle of limitations work in their own lives, they will impress politicians on its importance and workability.

- For the principle to work, it must be practiced by everyone, from government to labor leaders.

- The best wage and price controls are those which operate by the natural principles of supply and demand.

Said the judge, "There is a widespread suspicion that the American system is somehow faltering, and it's not just with the college-age or under 30 group."

"THIS IS the only country in the world that was founded purely on an ideal — not just because of a geographical location or a historic event," she said the ideal was that "all men and women are basically created equal."

This idea, said the judge, fostered an individualism that has brought U.S. citizens burdens as well as benefits, she declared.

She blamed increased demands by special interest groups for placing a strain on the economy and extra tax burdens on the system.

"TODAY Americans

are making demands for the government to end inflation and provide jobs," said Judge O'Connor. "These demands resulted from earlier demands."

"It's become obvious that the individual must limit his demands on the government. We simply cannot use the collective results of our individual beliefs to demand that our government solve all of our problems and the world's problems."



CONNOR

Superior Court Judges Sandra O'Connor and Paul LaPrade told the Arizona Press Women's Club Wednesday some court stories are unfair. Judge O'Connor called an independent judiciary a blessing.

## Incomplete news stories called threat to judiciary

By RICHARD MORIN

Judicial independence is threatened in Maricopa County by overly selective and sometimes incomplete news accounts of court proceedings, a Superior Court judge said Wednesday.

Judge Paul W. LaPrade sharply criticized local newspaper articles written last year detailing how persons convicted of serious crimes were given probation by several Maricopa County Superior Court judges.

The implication of the articles, LaPrade said, was that some judges were too lenient with criminals.

"Those articles were very unfair, very unfactual and not representative of what was happening," he said in a speech to 28 members of the Arizona Press Women and their guests at a luncheon meeting in Hotel Westward Ho.

"You never see a news story when we release someone's probation," LaPrade said, adding that "by and large, he had to go where they belong."

As a result of news stories, LaPrade said judges up for re-election in 1976 might let similar articles influence their decision on cases tried immediately before the election, thereby compromising the ideal of a free and impartial judiciary.

He also said a burgeoning court workload and small staffs have eroded the independence and effectiveness of judges in Maricopa County.

LaPrade and Superior Court Judge Sandra O'Connor spoke at the meeting on "The Judiciary — What It Can and Cannot Do."

Judge O'Connor briefly traced the history of judicial independence and the doctrine of separation of governmental powers from ancient Greece to the U.S. Constitution.

"Unfortunately, today," she said, "our government is under severe strain and there is a lack of public confidence in all our public institutions, including the judiciary."

"However, I believe that the value of an independent judiciary has been reaffirmed by recent events. I don't think anyone can view the aftermath of Watergate and feel that an independent judiciary was not a blessing and did not feel that it functions as it should have in those respects."

The judges spoke at the first of three luncheon programs on the criminal justice system, all sponsored by the Arizona Press Women.

RECEIVED  
MAY 10 1975

The final speaker was Superior Court Judge Sandra O'Connor. She directed her remarks to the girls in the audience. She said statistics tell the story of woman's educational climb.

In 1920, 20 per cent of the women were graduated from high school and only 2 per cent from college, Mrs. O'Connor said. Today, 78 per cent are high school graduates and 19 per cent complete college.

She encouraged women to prepare themselves for careers. "Although women are the cooks, janitors, chauffeurs, nurses and educators, they still have ample time for a career if they really want it," she said.

## Court panel studies JP reorganization

Proposed legislation that would link Arizona's 89 justice courts into a Supreme Court for review and possible for handling civil cases. The lower



# U.S. REPUBLIC is urged to check Soviet threat

MAR 29 1976

**SUN CITY** — The United States must check the threat of Soviet expansion with the spirit of sacrifice our country's founders had, said the main speaker at Sunday's Massing of the Colors and Service of Remembrance at the Sun Bowl.

"We cannot and must not fail to recognize our responsibility to stabilize the world situation and check Soviet expansion," said Maricopa County Superior Court Judge Sandra O'Connor.

Americans tend to worry more about the cost of gasoline and other problems of day-to-day living than about the security of their country, Mrs. O'Connor said.

She contrasted that attitude with that of the signers of the Declaration of Independence, whom she described as men of means — including law-

yers, judges and merchants. They signed knowing they might have to sacrifice their lives for the ideal of freedom, she said.

She described how some of the signers suffered: One dying in rags, another driven to bankruptcy and turned out of his home, another calling for the destruction of his own home when it was occupied by British officers during the Battle of Yorktown.

"They had security, but they valued liberty more," Mrs. O'Connor said.

Now, the Soviet Union is spending a greater proportion of its budget on the military than the United States, she said.

"If the trend continues, as it has for a number of years, the result can leave us in a very inferior position," she said.

Mrs. O'Connor said the trend will inevitably cause the United States to lose the support of other nations. As these countries see Soviet strength growing, they will decide to throw in their lot with what they perceive as "the winning side" in world struggle, she said.

Mrs. O'Connor called for greater U.S. military spending and a stiffening of resolve to keep America strong that will reflect the courage and wisdom of our country's founders.

"We need to realize that sacrifices are neces-

sary to achieve our highest priority," she said.

Sunday's ceremonies included a "missing man" formation flyover of jets

from Luke Air Force Base and patriotic tunes played by the 108th Army Band of the Arizona National Guard.

(And  
In V

A hearing is Monday to seek to replace Maricopa County Superior Court Judge Sandra O'Connor. She is qualified to hear the day in a land involving Ned

The trial was to begin Monday

## PRO NUCLEAR SIGNATURES

(Concluded from Page B-1)

Energy Users Association; Karl F. Abel, president of Salt River Project; and Jim White, secretary-treasurer of Central Arizona Labor Council.

The lawsuit trial before Judge O'Connor, which is in its second week, has been recessed until tomorrow when final arguments will be heard. Judge O'Connor is expected to rule at that time.

IN THIS WEEK'S testimony, the head of Marston's Inc., a computer research firm, testified that there was an error in his computer programming, which determined that more than 47,000 signatures on the petitions were invalid.

Paul Marston said that, although the error changed some first names of the petition signers, it did not affect the

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# Pro-Nuclear Forces Lose Challenge

SAT 18 SEP 76  
Judge Rules Enough Signatures Are Valid

By JOEL NILSSON  
The Arizona Daily Star

PHOENIX — A Maricopa County Superior Court Judge ruled yesterday that the nuclear safeguards initiative can go on the Nov. 2 general election ballot.

Judge Sandra D. O'Connor said pro-nuclear energy forces attempting to keep Proposition 200 off the ballot did not establish by "clear and convincing evidence" that there were enough invalid signatures on petitions to block the initiative.

She said there were an estimated 55,300 valid signatures on the petitions, just 80 more than the required 55,220.

A spokesman for Arizona Public Service, one of the utilities which brought the court challenge, said the decision would not be appealed to the state Supreme Court.

"We're still awaiting a ruling by the Court of Appeals relative to the deadline for filing the petitions, and that question must be resolved before the issue goes to the ballot," said Jack Swift, manager of nuclear information for APS, in a prepared statement.

However, Judge Levi Ray Haire of the appellate court said yesterday that "it is doubtful" the court would rule by Monday, the printing deadline for general election ballots.

Judge O'Connor had ruled earlier that the petitions were filed within the constitutional five-month period before the election, discounting the contention made by the plaintiffs they had to be filed four months before the election as specified in state statutes.

Her decision was appealed to the Court of Appeals. Gerald Pollock and Otis Smith, who represented Arizonans for Safe Energy, hailed Judge O'Connor's decision as "a vindication of the initiative process."

Swift, of APS, said he did not know exactly how much money may be spent by opponents of the initiative in a publicity campaign to defeat the nuclear initiative. He did say, however, that some time ago about \$500,000 was budgeted.

"If it is on the ballot, we will do those things that are necessary to properly inform the voters about the measure," Swift said.

The plaintiffs, all with a direct interest in the construction of the \$2.8-billion Palo Verde Nuclear Generating Station being built west of here, contend that if the initiative is approved by voters, it would halt further construction.

Proposition 200 calls for the Legislature to approve nuclear plants before they are built, and requires the testing of safety systems before they are installed. It also would prevent nuclear plant construction until satisfactory answers to radioactive waste disposal problems are found.

In addition, it would require the federal government to remove the limit on a nuclear plant's liability in case of a nuclear accident.

A similar initiative proposal was defeated by California voters earlier this year by about

## O'Connor sets terms, paper says

PHOENIX (AP) — Maricopa County Superior Court Judge Sandra O'Connor is ready to seek the Republican gubernatorial nomination provided three conditions can be met, it was reported yesterday.

The Arizona Republic, quoting reliable sources, said O'Connor, 47, would be a candidate if:

- She has the unqualified support of Sen. Barry Goldwater, R-Ariz; former U.S. Sen. Paul Fannin and Rep. John Rhodes, R-Ariz., in the party primary.
- She is guaranteed sufficient funding to avoid personal campaign debts.
- She has a topnotch campaign manager.

Efforts to reach O'Connor were unsuccessful, and one source said she will not be in a position to announce her decision for two or three weeks.

Among those reportedly working to meet her conditions are former state GOP chairman Harry Rosenzweig, former Republican finance chairman Burt Kruglick and William Jacquin, former State Senate president and currently executive director of the state chamber of commerce.

The supporters represent party regulars who fear either of the two GOP gubernatorial candidates, Evan Mecham and Jack Londen, will trail badly in the general election against Gov. Bruce Babbitt and help the Democrats regain control of the Legislature.

Mecham, a Glendale auto dealer, is a former state senator who has failed in successive tries for a U.S. Senate seat and the governorship.

Londen, a Phoenix insurance man, is a newcomer whose past business problems threaten to sink his campaign.

Neither Londen nor Mecham has generated enthusiasm among many Republicans.

## O'Connor declines governorship race

PHOENIX (AP) — The chief promoters of Maricopa County Superior Court Judge Sandra O'Connor's possible bid for the 1978 Republican gubernatorial nomination said yesterday she has decided against making the race.

"She would like to have done it," said Don Langston, a Phoenix physician and prominent GOP activist, "but she ran into the same thing all the others have, and that's financing. She just doesn't have the money to do it herself, like some others do."

Rep. Pete Corpstein, R-Paradise Valley, said, "Some of the people she thought were movers weren't really moving."

O'Connor was not available for comment.

Her decision, if it is final, appears to return the Republican spotlight to House Majority Leader Burton Barr, R-Phoenix, who said last month he would consider running for governor if no other Republicans "can develop the broad support needed to win."

Barr is not expected to return from a European vacation until early next week.

Glendale auto dealer Evan Mecham and Phoenix insurance executive Jack Londen have both said they would seek the GOP nod, but neither candidacy has won wide support in the party.





## In legislature

# 'Everybody has a conflict'

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Citizen Phoenix Bureau

In the past few weeks the "conflict of interest" question has flared up to become a current public issue, particularly within the State Legislature in Phoenix.

Senate Majority Leader Sandra O'Connor, R-Paradise Valley, made a statement on the floor of the Arizona State Senate last Wednesday which may help to give a rational perspective to that question. She said:

"First, there is not a human being who exists, or who can be imagined, who would not in some way be affected by one or more bills which we would consider during a legislative session.

"Thus, in a broad sense, every person alive and serving in a legislative body has a conflict of interest.

"The real question is not whether we can, by the broadest stretch of the imagination, find a conflict of interest. The real questions are:

1. Are the conflicts of interest real?
2. Are the conflicts of interest meaningful, in the sense that they are direct, personal and pecuniary interests?
3. Are there procedures available to eliminate, not legislators, but the participation by the legislator or legis-

lators on specific questions where the conflicts exist?

"One way to eliminate the problem would be to have a dictatorship. Then we would have only one person with a conflict of interest problem rather than a myriad of counter balancing 'conflicts of interest.'

"The second basic fact which should be remembered is that it is not only impossible, but undesirable, to find 90 legislative vacancies without not only conflicts of interest but without talent, experience or assets.

"The legislature is a broad cross section of the population.

"Because legislators come from widely varied backgrounds, they bring different points of view and different, helpful experiences which we desperately need in the legislature in order to function meaningfully.

"It should be kept in mind that in Arizona (1) we have part time legislators, and (2) we don't have large tax supported staffs doing all the work.

"To a large extent, we rely on ourselves and our personal experiences and talents in order to get a job done, and I thank God we have people who bring their talents and experience to help us.

"I suggest that the proposition that because a legislator might in some way, for example, as a

taxpayer, be affected by a bill, for example, a general appropriations bill, should no more disqualify him to vote for or against such a bill than a voter would be disqualified from voting for a candidate because he supported the candidate's foreign, domestic, or fiscal policies.

"The solution to the problem of conflict of interest is not solely in increased pay.

"Conflict of interest problems would still exist if we each were paid \$100,000 a year.

"The solution to conflict of interest problems is ultimately in the hearts of men and in the formulation of rational standards that bar participation where true conflict of interests exist but which do not make it impossible for talented people to serve the public."

A joint legislative committee is now reviewing conflict of interest statutes, and will suggest changes if needed. Republicans and Democrats, Senate and House members are on this committee.

This is the proper procedure; the legislators must set and enforce their own standards of conduct. In this matter, as well as all others, they face ultimate approval or disapproval at the polls.