

Faithful say goodbye to area's oldest church  
By David Taube  
STAFF WRITER

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The congregation kneeled together, rose together and left together.

St. Mary's, the "mother church of the Lehigh coal fields" since 1841, closed Tuesday after a final Mass.

The Rev. Floyd Caesar Jr. couldn't think of any time the congregation had a Mass on Tuesday at 6 p.m. unless it was a religious holiday.

"Across the nation, the shortage of priests are an endangered species, who may someday become extinct," Caesar said during the sermon.

As part of the shortage, St. Mary's of Beaver Meadows merged with St. Nicholas' in Weatherly, becoming Our Lady of Lourdes under the pastorship of Caesar, who had ministered both churches for the last three years.

"Though we will move forward in our faith, that's all we have. Beautiful buildings will come and go," Caesar said.

At the end of Holy Communion, sniffles scattered throughout the congregation, which consisted of more than 85 parishioners, nearly filling the sanctuary.

"I can tell by so many strangers here that the church would still be open if everyone regularly attended," John Marusak, 89, said afterward.

After Caesar gave some departing words in the sanctuary, the congregation stood up and many members no longer held back their emotions. Tissues were taken out of pockets and purses.

The pastor then passed Eleanor Walters a Paschal candle, an exceptionally large religious candle that represents the light and presence of Christ.

Members of the congregation took lit candles from the sanctuary and altar out of the church through the center aisle one by one. Some heads were heavy, and some were full of tears. Others carrying the candles held somber looks while some left with smiles.

Those holding candles formed two rows at the entrance of St. Mary's to guide parishioners out of the sanctuary that housed generations upon generations of residents.

### **Their losses**

As the lector first noted, the congregation celebrated the Eucharist "amid mixed emotions."

"Your whole life was involved there," said Peggy Polumbo, a member of the choir for some 50 years.

"It wasn't easy to sing 'The Bells of St. Mary,'" Polumbo said.

Marie T. Marusak was confounded by the closing.

"It was the most beautiful church in the region as far as I'm concerned," Marusak said.

Vince Kushma, who has attended services for the last 40 years at St. Mary's with his wife, Dolores, expressed his disappointment outside the church.

"I thought they'd keep it open because it's the oldest church in the region," he said.

### **The closing**

The congregation walked out of the entrance quietly. Any conversations were briefly conducted in whispers.

Liturgical books, chalices, and the tabernacle, which stores the Blessed Sacrament, were carried out by parishioners, who then gathered outside the church.

"This last Mass has ended," Caesar said on the steps of the entrance. "Let us now go in peace."

A church member locked the doors, and one parishioner looked to a neighbor with watered eyes and said, "Did you ever think you'd see this day?"

### **The pilgrimage**

A caravan of sport utility vehicles, cars and pickup trucks led by a Beaver Meadows police car delivered the sacrament to St. Nicholas, where a brief reception initiated the inception of Our Lady of Lourdes.

The organ bells from St. Mary's, which rang at noon and 6 p.m. every day in the church steeple, tolled for one last time, sending the fleet to Weatherly.

Dozens of parishioners waited outside St. Nicholas. Smiles were seen and laughter was heard while candles and crucifixion relics were brought in the church through the front entrance.

In the sanctuary of St. Nicholas, parishioners gathered in their new home, mingling with chatter while they sat in the pews.

An organ began playing while the Paschal candle was brought down the center aisle along with The Mother of Perpetual Health, a painting given to St. Mary's as part of the 150th anniversary of Ss. Peter and Paul Byzantine Catholic Church, a neighboring church in Beaver Meadows.

“We witness this evening the closing of one church and the opening of Our lady of Lourdes with the Blessed Sacrament,” Caesar said.

Thereafter, he put the sacrament in the tabernacle, kneeled in front and turned back to the congregation of two churches turned into one.

“Go in peace with love,” he said. “Go in peace.”

And the congregation burst into applause.

Local blood centers targeting Latino population  
By David Taube  
STAFF WRITER

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Regional blood centers have focused on Latino population recruitment for the past year, but turnout among members of diverse populations remains low or concealed.

Blood drives in the following weeks may garner opportunities for change.

The American Red Cross Hazleton Chapter will hold one of the largest drives of its northeastern Pennsylvania regional organization Wednesday at the Genetti's Best Western in Hazleton. The donor site is located at 1441 N. Church St. and will run from 11:30 a.m. to 6:30 p.m. The goal is 160 units for part of its annual, region-wide Independence Day 2008 drive.

No particular blood types are being sought at this time, said Joyce Bradbury, executive director of the chapter. As of June 23, Types A-negative, B-negative, AB-negative and both O-positive and O-negative were marked as "low" for NEPA, according to [www.nepagivelife.org](http://www.nepagivelife.org), on a scale with critical, low and safe levels for the of the four different blood groups.

"It's that shot in the arm we typically need in the summer when donations tend to dribble off a bit," said John Castagna, communications manager of the American Red Cross Northeastern Pennsylvania Region.

Miller-Keystone will hold a regular drive July 15 at Hazleton General Hospital, 700 E. Broad St., for the company's daily goal of 450 units. Additional times and contact information are available at [www.giveapint.org](http://www.giveapint.org).

For Miller-Keystone, individuals having O-negative and A-negative blood types are especially being sought, said Catherine Palumbo, director of marketing.

Individuals with Type O-negative blood are referred to as universal donors because patients with any blood type can receive transfusions. Typically, a victim's blood type is needed in order to make sure one's body will not reject the transfusion, but any patient's body will accept O-negative.

In the United States, 38 percent of the population has O-positive or O-negative blood. While 37 percent of Caucasians fit this profile, more than 50 percent of Hispanics may have O-type blood, according to research by the University of Texas at Galveston last fall.

The demand for the universal blood type has prompted some recruitment of diverse populations.

Palumbo said Miller-Keystone has specifically sought for the past year to recruit individuals from Latino populations from the 24/7 Spanish-speaking radio station Hola 1600AM, which serves Allentown, Bethlehem, Easton markets, in addition to Channel 69 News. Palumbo declined to comment how this advertising affected Latino donors.

For the American Red Cross in northeastern Pennsylvania, 770 units of blood out of 85,000 collected in the past year were from Latino donors. Field representatives for the organization have sought to change that by talking to local businesses and political figures nearly every day since the past year, Castagna said.

“We don’t look at it as color,” said Sybil Miller, communications director for the northeast division of the American Red Cross. “We look at it as different ways to reach out to your community — it could be age, religion or ethnicity.”

A press release for the American Red Cross Independence Days 2008 reads, “The need for O-types of blood is increasing at a time when donation — and engagement by that [the Hispanic] population is not.”

But Castagna said that the organization has done little advertising other than by word-of-mouth to specifically solicit this population.

Latinos actively engaged in the community cited several reasons for this turnout.

Agapito Lopez, who served on the board of directors for the American Red Cross Hazleton Chapter, said many adults in the area work two shifts, others have a language barrier and many may be unaware of blood drives.

Ignacio Beato, a Dominican Republic native and co-founder of the Dominican House, said residents of his country do not have a history of donating blood. Furthermore, Beato said, comparing ethnicity is like comparing apples to oranges because the Latino population had no significant presence in Hazleton until 2000.

Beato, a Hazleton resident of five years, said he has not noticed any recruitment of Latinos for blood donations in either Spanish or English.

“The city is beginning to see Latinos integrate with the community and that they are here to stay,” Beato said. “But Latinos need to be informed about the issues and causes.”

Finally, a place to call home  
By David Taube  
STAFF WRITER

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While some Hazleton-area parishes close or consolidate, an empty church in Milnesville will be born again.

There, on July 13, Church Alive will hold classes for children and adults at 10 a.m. and a service at 11 a.m.

The congregation started in the living room of the Rev. Ron Andrae, associate pastor of Church Alive, in October 2006 with immediate family and friends. From November 2006 to March 2007, members of the church worshipped in a community room in the basement of the Conyngham PNC Bank. Their last home for more than a year has been the Butler Chapel in Drums, a funeral facility of Krapf & Hughes.

“I’ve often preached to the church,” said the Rev. Craig Lutz, the church’s senior pastor, “that as we are faithful to God, as we trust in God, and as we open ourselves to what he has for us, that we need not be afraid of the opportunities that are given to us.”

In January 2008, Church Alive, an independent congregation that serves the Hazleton area, bought the Milnesville building, which once housed the congregation of St. John’s on the Mountain United Church of Christ Reformed Church. St. John’s opened in 1914; its congregation peaked at 125 members but dwindled to 45 by 1974 and later dissolved.

“As you have older churches losing members and closing buildings, you have independent churches growing and becoming successful,” said Stevan Davies, a professor of religious studies at Misericordia University.

Lutz, 27, is a Hazleton native and Pennsylvania State University graduate. He has a degree in Bible doctrine from Texas Bible College. He leads a congregation that averages about 30 parishioners each service, ranging from all ages fairly evenly.

Their new home can seat 75 to 80 parishioners, houses a community room in the basement, and is built on about a half acre of land.

At the Web site of Church Alive, [www.churchalivetoday.com](http://www.churchalivetoday.com), visitors are welcomed with “The true measure of a church is not the size of the building, but the quality of the relationships within its walls.”

Data suggests MRSA cases increasing  
By David Taube  
STAFF WRITER

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Recent data charting the prevalence of a skin bacteria have added merit to a rise in infections reported at hospitals nationwide.

The rates for community-acquired methicillin-resistant *Staphylococcus aureus*, or MRSA, have doubled nationally from 1997 to 2005, according to an article released Monday by the Archives of Internal Medicine.

“Overall, it’s increasing everywhere. It’s a problem that’s been a growing concern during the last decade,” said Dr. Lisa Esolen, director of infection control for Geisinger Health System.

The bacteria were mostly responsible for the 14.2 million U.S. citizens affected by skin and soft-tissue infections in 2005.

The number affected by MRSA nationally rose from 4.6 million to 9.6 million during the study period. Experts said this is the first hard data to show what the medical community has suspected for years, according to a news release by the lead researcher’s home institution, University of California, San Francisco.

“Most other infections tend to wax and wane a bit, but this has been steadily increasing,” Esolen said.

That steady increase distinguishes it from other types of infections, and the concern in the medical community is that strands of the bacteria are becoming increasingly difficult to treat. The infection is still highly treatable, though, as a whole, Esolen said.

Recent figures requested by the Standard-Speaker suggest that a regional trend for some parts of northeastern Pennsylvania is still surfacing.

“The number of cases hasn’t gone down, and it seems like there might be a significant increase,” said Dr. Jeffrey Jahre, senior vice president of medical and academic affairs and chief of infection disease at St. Luke’s Hospital and Health Network, headquartered in Bethlehem. “Basically, it’s what we’re seeing all over.”

Patients with MRSA at St. Luke's Miners Memorial Hospital in Coaldale increased by about 25 percent from the first half of 2008 compared to 2007, a change from 43 patients to 59 patients. St. Luke's was the only regional hospital to provide the Standard-Speaker with current MRSA rates.

The most recent data available for other area hospitals is from 2004 and 2005 from the Pennsylvania Health Care Cost Containment Council. At Hazleton General Hospital, the number of all hospital-acquired infections rose from 88 to 125 during that time, the report shows. Representatives of the Greater Hazleton Health Alliance, which runs Hazleton General, declined to comment or provide current figures for this story.

At Berwick Hospital Center, the number of cases dropped from 22 to 15. Instances at Geisinger Wilkes-Barre rose from 19 to 43.

### **Symptoms, precautions**

About 25 to 30 percent of the population has an inactive form of *Staphylococcus aureus* bacteria, which have no major effects besides minor skin infections. The bacteria are easily transmitted, though, if proper precautions aren't followed, and infections can turn deadly.

While staph infections are nothing new, some strands of the bacteria have become increasingly resistant in the general population. Traditional antibiotics have become largely ineffective against these MRSA infections.

MRSA has been a cause for concern in the general population when the bacteria started emerging in healthy populations, such as schools.

Symptoms of MRSA include boils and blisters, among other skin infections. The infection is typically spread through skin-to-skin contact or shared items.

The Centers for Disease Control and Prevention recommends practicing good hygiene by washing hands, keeping cuts and scrapes bandaged until healed, and avoiding contact with shared personal items like razors or towels.

"Your skin is the best barrier to infection. It's like a closed door," Jahre said. "But if you have an abrasion or cut, that's an opening."

### **Cause for concern**

The bacteria are distinguished into community-acquired, which affects the skin and soft tissues such as pimples and boils, and hospital-acquired, which make up the vast majority and can affect the bloodstream, urinary tract, heart and lungs while individuals undergo medical procedures.

"The type that has been increasing more rapidly is community-acquired," Jahre said.

Community-acquired MRSA infections arise from close quarters and skin-to-skin contact, affecting individuals anywhere from prisons to gyms.

Two reasons are most likely responsible for this increase according to Jahre. The first is the emergence of the community-acquired type, which was almost nonexistent 10 years ago, and the second is the increased recognition in the medical community.

Typically, Jahre said the infection is frequently misdiagnosed as a spider bite.

The Archives of Internal Medicine article noted that children and African-American patients have been affected the most. The paper stated that these populations are “disproportionally affected.”

Besides children, those traditionally at risk include individuals in crowded living conditions, athletes and people associated with health care workers.

### **Legislation**

Pennsylvania has led efforts in reporting these figures publicly. It reported the first rates on hospital-acquired infections in 2004 through the establishment of the Pennsylvania Health Care Cost Containment Council, also known as PHC4, which was created a year prior.

At the end of this month, nursing homes will also be required to report health care-associated infections. Last July, Pennsylvania Gov. Ed Rendell signed Act 52 of 2007, the Health Care-Associated Infection Prevention and Control Act, forcing nursing homes to have similar infection-based reporting as hospitals.

The Patient Safety Authority, based in Harrisburg, is helping nursing homes transition to reporting these figures, which may be in effect for early 2009, according to Interim Executive Director Mike Doering. About 800 nursing homes are affected, he said.

“We want to be able to collect the information and provide education and training materials to nursing homes,” Doering said, “so they can reduce and eliminate the infection rates in their environments.”

Banking off books  
SU lacks a policy to prevent professors from profiting off textbook arrangements  
By: David Taube

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Following an extravagant dinner at Ambrosia and some business talk, a Central New York sales representative from a major textbook publishing company finally bought one Syracuse University professor with a \$36 glass of scotch.

"That scotch inevitably came out of students' pockets," said the professor, who asked not to be identified.

Some college faculties are facing increasing ethical scrutiny regarding their textbook selections. Consequently, some schools have established policies to monitor, restrict and even eliminate these conflict of interest situations.

There are no policies at SU, and at many other colleges, preventing professors from being wined and dined at restaurants by sales representatives. There are also no policies to stop other schemes including selling free desk copies to independent bookstores for a profit or earning royalties through assigning self-authored books in classes they teach.

"If a book is good, you shouldn't need to wine and dine me," said Laurence Thomas, professor of philosophy and political science. "I don't know why I would need a dinner to figure it out."

Critics of such practices say textbook prices are negligibly influenced by professors who accept such luxuries. Yet it is unclear how prevalent such behavior is from simply relying on single instances.

Thomas describes the behavior as unethical because it is open to criticism.

"At that point, this dinner is meant to give the person something that the person wouldn't otherwise be committed to doing, and that's very clear to me," he said. "It could be that I am already interested in buying and using the book and I just get a good meal out of it, but that's just bad form."

As Thomas surmised, this unnamed professor said he was already interested in the textbook and had assigned it to classes for previous semesters. These circumstances have made the Office of Academic Affairs at SU reluctant to establish an extensive policy.

Thomas challenges that.

"I don't think it's a borderline issue," Thomas said. "Is it a crime? Is it the worst thing anybody can do? Of course not, but there are lots of things that aren't the worst thing that someone can do that are still reproachable."

Kal Alston, Academic Affairs associate provost, said the word "textbook" does not show up anywhere in SU's conflict of interest policy. However, the Office of Sponsored Programs, which deals with conflicts of interest regarding research grants, does not require professors to report royalties from books and manuscripts as significant financial interests.

"The conflict of interest piece isn't about the money. It's about the control of the interests," Alston said. The issue of assigning one's textbook or being wined and dined is not as clear and direct as other examples.

She cited that being married to an owner of a major publishing company would be a potential conflict of interest.

And when such a conflict is playing into the professor's decisions, "all we say is: 'Stop doing it,'" Alston said. "We don't haul them up. There's not some big inquisition. If we discover it, we try to remedy it."

Neither Alston nor Thomas had heard a story like the \$36 scotch, a practice Thomas called "woefully inappropriate."

On the other hand, professors requiring their own self-authored textbooks for classes is more common on college campuses. Some colleges wrote policies to restrict it; others proposed recommendations for ethical behavior.

The class with the largest number of students that have a required text authored by a faculty member at SU is an eight-credit, yearlong general biology sequence, BIO 121 and BIO 123, part of the core curriculum for the biology major.

Between 600 and 700 students buy biology professor Marvin Druger's textbook set each year, said Kathleen Bradley, University Bookstore textbook manager. The package cost \$78.50 this semester.

Author royalties are usually between 10 and 15 percent of the sale price, said a former CEO of a textbook publishing company. But the Rutgers Senate committee report regarding textbook adoptions stated that royalties are normally less than 6 percent of a textbook.

Jerry Evensky, an SU professor of economics whose textbook is used by his department, said royalties fall between 10 and 15 percent of the textbook's cost.

For Druger, who said the royalties are modest, this could provide an annual income anywhere from \$2,896 to \$8,242.50, but the royalties are most likely around \$6,000. This does not include other lenders like Follett's Orange Bookstore or surrounding high schools that buy the textbook to earn college credit.

In any case, these figures are more than enough to make some universities, like the University of South Florida, require professors earning more than \$500 in royalties to inform the school's provost.

In contrast, Alston was reluctant to mark \$5,000 or even \$10,000 in royalties as a conflict of interest.

"Even if a professor here taught a huge enormous course of 1,000 students and used that (self-authored) textbook, that's not how people make money," Alston said.

USF policy also states that the professor must certify that the book is uniquely suited for the class.

Druger said the first five chapters of his textbook are unlike any other he has seen.

Natalie Borisovets chairs a committee at Rutgers, which recommended a series of guidelines for professors in selecting textbooks.

"This particular issue tends to be rather emotional because the instant response from faculty members is, 'You're going to tell me what textbooks to use,'" Borisovets said.

For professors assigning their own textbooks in class, Borisovets' committee determined the royalties the author received should be donated to the university or a non-profit organization.

"While we may not be familiar with misuses or specific, inappropriate cases, there are always anecdotes," she said. "If you've got 2,000 faculty members, there's going to be a couple out there who are playing the system. It's just the law of averages."

Regulating these issues is difficult when conflicts of interest are unreported, Alston said.

At Rutgers, Borisovets said the senate wants to make sure there is no the appearance of impropriety.

The first proposal of the bill at Rutgers included specific guidelines, such as requiring a departmental review panel for professors who receive textbook royalties in classes with 100 or more students. The draft also restricted a single individual from choosing a textbook for courses with multiple sections.

Some faculty criticized the quota by questioning what would be done in a class of 99 students, and Rutgers defaulted to a set of guidelines rather than a long list of rules.

Many of these were based on existing standards from colleges in the Association of American Universities (AAU), an organization that sets standards for undergraduate and graduate levels of scholarship and research.

Rutgers joined the organization in 1989. While SU has been a member since 1966, it lacks the policies and guidelines of other colleges within the organization regarding textbook practices.

Pennsylvania State University, an AAU member, does not allow its faculty to profit in any way from choosing course material. At PSU, preparing class materials is seen as part of a professor's regular duty and should not involve pocketing royalties.

Despite the recommended guidelines at Rutgers, there's no department or person overseeing how they are implemented. The process of discussing certain conflicts of interest, though, was therapeutic, Borisovets said.

Guidelines at one university are policies at another. Course readers at Boise State University may only include production costs and no profit for professors. For a professor to receive commissions or royalties, the department chair and college dean must approve a professor's letter of request.

Some states, like Washington and Minnesota, have taken steps beyond Rutgers' guidelines, enacting laws to prohibit faculty members from assigning self-authored textbooks as requirements for their own classes, yet these can usually be superseded by the approval of a department chair or committee.

Using self-authored textbooks in class at the University of Texas requires the university president's and board of regents' approval.

At SU, senior Joe Wieder, former Student Association academic affairs committee chair, said he envisions an independent committee for the university to oversee all textbook selections in order to ensure that the best text is selected for a class.

"Right now, there's a curriculum committee that deals with all the problems, so I don't see why they can't also do textbooks," he said.

Wieder said it is better to have more than one professor determining what textbook is the best possible choice.

"If the departments don't approve the textbooks that their professors use, I think that's wrong," he said. "It's not so much the ethics; it's what's best for the students."

But the SU campus is not the only place where students are required to purchase faculty-authored textbooks - like Druger's biology guide - for class.

High school students can enroll in SU courses through Project Advance (SUPA), which serves New York, New Jersey, Maine, Michigan and Massachusetts, and some schools in Canada. In total, about 8,000 students from 156 high schools annually enroll in these courses, according to SUPA's Web site.

These students earn credit while not even leaving their high school. Several of these courses have required textbooks from SU professors who authored them.

These SU professors select the textbook, structure the course and sometimes even visit the school themselves. High school teachers, who serve as SU adjunct professors, teach these classes.

For SUPA courses, William Coplin's public policy course requires two textbooks, both of which he wrote, and Marlene Blumin's college learning strategies course requires her self-authored textbook. James Sharp requires his text among four other "required texts." And Druger's biology bundle is required among two other textbooks. Evensky's economics book is the only book on the reading list.

On the rare occasions textbooks are substituted, they are usually only replaced in English courses, leaving students in the program with limited options.

With no policy at SU regulating professors' decisions, professors are free to pocket these royalties. At Rutgers, this was seen as a potential problem that needed policy but only produced guidelines.

"I think that it's important that these issues be discussed regardless of whether the document is more or less restrictive," Borisovets said, "so they can be brought to the foreground and let people think what the different possibilities are and what the different ramifications would be."

Private practice  
Should private university records be made public?  
By: David Taube

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The Syracuse Police Department is required to release the names of those who commit crimes in public records, while the Department of Public Safety at Syracuse University can withhold names of students who violate the law.

This creates a double standard between two institutions with similar jobs.

Open records laws, or sunshine laws, require public officials to make public records available under the Freedom of Information Law. Campus officials at SU cite exemption to this law because SU is considered a private institution. But some experts don't know of any court rulings in New York that makes this defense legitimate.

"Unlike a municipal police department, which is subject to open records laws, we have a little more control over what we can and can't and should and shouldn't release because we're a private institution," said Anthony Callisto, Jr., chief of DPS.

SU officials prevent public disclosure of student names in DPS incident reports - including incidents occurring on off-campus property - citing the Family Education Rights and Protection Act of 1974 (FERPA) to protect student privacy. Institutions that do not comply with FERPA face the risk of losing federal funding.

"We're cautious because of the potential for litigation," Callisto said.

But some legal experts said the school should not have the right to employ the act.

"There's really no justification for a private university to withhold records of a crime that would be public record if the crime took place anywhere else but on the campus," said Frank LoMonte, executive director of the Student Press Law Center, a non-profit organization founded in 1974 in Arlington, Va.

Georgia state legislation in 2005 specifically addressed this double standard. But first there was a legal battle.

A Georgia Court of Appeals decision ruled in favor of Mercer University, which refused to release police reports to Amanda Farahany, an attorney representing a female student who alleged to have been raped on campus.

To respond to this concealed practice, Georgia enacted legislation to make private campus law enforcements agencies like Mercer's subject to the same open records laws of police departments at public universities.

Legislation like this has not been made in New York, which explains why SU can withhold the names of students in public records. Callisto said if there were, they would comply.

In a similar case in 2006, the Massachusetts Supreme Judicial Court ruled against The Harvard Crimson, Harvard University's newspaper, finding the Harvard University Police Department is a private entity not required to release police reports. Massachusetts proposed a bill similar to Georgia's last year.

"Why should a Harvard, a Yale or another private institution be able to project a false image of a safe, crime-free campus when the competing public university across town is held to a different standard?" said LoMonte, whose organization provided legal counsel for The Crimson.

Congress addressed the criticism of withholding information by police agencies by passing the Jeanne Clery Act in 1998, LoMonte said. This legislation was drafted after the rape and murder of Jeanne Clery in her Lehigh University dormitory.

As a result, institutions are required to provide timely alerts, publish an annual crime statistics report and maintain a daily crime log.

Mandating the release of detailed police reports of private institutions under open state records laws has been limited to states leading legislation that treat public and private campus law enforcement agencies equally.

"What the legislature in Georgia became convinced of, is that campus police departments at private institutions are performing a function that is so similar to what an ordinary police department does, that there's no reason to treat them differently for open records purposes," LoMonte said.

Eight states have enacted legislation to essentially make private campus police departments subject to the same open records laws as public campus police agencies, LoMonte said. New York is not among those.

"We believe students on campus and in their community have the same right to obtain records as other individuals," said Daniel Carter, vice president of Security on Campus, Inc., which was founded by the parents of Jeanne Clery.

"It's a civil rights issue," he said, regarding campus police agencies that do not provide any records.

DPS releases information that would not reveal a student's name or personally identifiable information.

**Privacy, the public's right to know**

The names of those involved in an incident report or daily crime log are public information in municipalities like the Syracuse Police Department, as long as releasing names would not jeopardize an on-going investigation, reveal victims of rape cases, disclose the names of juveniles, compromise a sting operation or reveal a surveillance operation.

DPS does not need to adhere to these criteria.

Advocates of the public's right to know say these closed records in educational institutions leave agencies unaccountable in their positions of public trust. But administrators and law enforcement officers see themselves as complying with federal law.

"The Clery Act outlines information that we have to disclose relative to criminal incidences that occur on and around campus, and then there's (the Family Education Rights and Protection Act of 1974,)" said Anthony Callisto, chief of DPS, "which is restrictive with regard to records related to students."

In general, FERPA does not allow the release of student records unless a student signs a written consent waiver. But there are exceptions.

"Congress in 1992 amended FERPA specifically because police agencies were trying to hide behind FERPA to refuse to turn over reports that they should otherwise have turned over," said LoMonte, who added that the public loses its role as watchdog when law enforcement agencies start withholding key facts from the people.

Chapter 99 section three of the act states "education records" do not include "records of the law enforcement unit of an educational agency or institution," but stipulates police records must be created and maintained for law enforcement purposes and kept "separate and apart" from educational records like disciplinary files.

Disciplinary files are private records.

Director Leroy Rooker of the Family Policy Compliance Office, a U.S. Department of Education administrative unit that exclusively oversees FERPA, said "at many institutions, this is a dual track," in which a campus law enforcement agency will document an incident that will in turn hand a copy over to a dean of students or judicial affairs.

"But if it was initially created for a law enforcement purpose, it doesn't matter that it's later used for a disciplinary purpose. In the hands of a law enforcement unit, it's still not an education record," he said. "In the hands of the dean of students, it is."

Marti Ellerman, senior counsel at the State University of New York noted the protection of disciplinary records, but does not consider campus police records subject to FERPA, as DPS maintains.

SU general counsel Thomas Evans declined to comment for this story.

Actions that violate minor restrictions of a university code of conduct but would not result in one's arrest, like smoking in one's dorm or "[bringing] your dog to class," could be protected under this federal law, LoMonte said.

"The fact that a student is involved in a crime doesn't in and of itself turn it into an educational record," he said.

Nevertheless, SU officials at DPS cite FERPA much more broadly, subjecting the release of campus police records to the redaction of student information.

"The logical next step would be to have a national recognition that police reports by private campus departments are to be treated the same as police reports of any other police agency," LoMonte said.

### **The press** (sidebar)

Police department responses to public record requests vary depending on whom you ask.

Two dispatchers at SUNY Upstate Police Department said the agency's daily crime log was only available to those involved in the incident, but Chief Frank Tees said it was available as mandated by the Clery Act.

The Clery Act, which applies to postsecondary institutions, requires private and public campus police departments to provide access to the log upon request, which includes the location, date time and type of incident and status indicating whether the case is open or closed.

Police agencies that violate the Clery Act face up to \$27,500 for each infraction.

Eastern Michigan University faced more than \$350,000 in fines last December after the Department of Education found the university guilty of 13 violations.

One of the counts was the university's concealment of a student's murder in her dormitory, which was announced in a public statement declaring she died of asphyxiation without foul play.

Two personnel from the Records Access Office at Syracuse Police Department said detailed police reports were only available to those involved in the incident, but Deputy

Chief Michael Kerwin, a Freedom of Information officer at SPD, said they were subject to the Freedom of Information Law (FOIL).

Web sites offer pre-filled forms of FOIL requests (such as <http://www.dos.state.ny.us/coog/emailrequest.htm>), and agencies have five days to respond. Kerwin said that answer could be one of three options:

- "Here's your document"
- "It's going to be awhile to put together your request because it is so voluminous, so we're going to put it together, but it's going to take about 30 days."
- "We've examined your request, and we do not believe under the existing law that we have to comply with it."

**Exemplars** (sidebar)

Frank LoMonte, executive director of the Student Press Law Center, cited eight states that, to varying degrees, have enacted legislation to make the records of private campus police departments subject to the same open records laws as all other police agency reports:

California  
Georgia.  
Kentucky  
Massachusetts  
Pennsylvania  
Tennessee  
Virginia  
West Virginia

In the city's shadows (suggested head: "When drug addicts inject crime")  
By David Taube  
STAFF WRITER

Source: The Standard-Speaker (Hazleton, Pa.)  
Monday, August 11, 2008  
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Editor's note: In this first half of a two-day series, the Standard-Speaker examines how drugs affect crime in Hazleton by profiling an individual who used and sold illegal drugs.

The second half profiles two local recovering addicts who were recently involved in the judicial system. Their names have been changed to protect their identities.

Adam was sick.

He had the shakes. He was vomiting.

He was in a boarded up house in West Hazleton, practically homeless but sharing a room the size of a closet that cost his friend \$120 a month. The only furniture was a bed.

His body was experiencing the withdrawal symptoms of heroin, prompting him to call his source in Reading to ask him to deliver more drugs.

But the roads were too covered with snow during that day in December 2004.

Adam was desperate to keep his body composed, a habit that at its peak required 30 bags of heroin a day. Without a steady intake, heroin addicts may experience convulsions, insomnia or seizures among other symptoms for 48 to 72 hours after their last use. These symptoms typically subside after a week, but many addicts stabilize themselves by returning to the drug.

It was a habit that put him into state prison for six years in his 20s. And it was a habit that demanded spur-of-the-moment retail thefts and robberies. He once held up a restaurant on North Church Street with a cake knife.

"It doesn't become a high anymore," he said. "You don't feel anything from it. You just do it to be normal."

To alleviate the sickness, Adam prepared to inject the last remaining heroin he had at the time.

He took a leftover, fingertip-sized cotton ball and placed it on a spoon full of water, hoping any remaining heroin from previous uses could be dissolved. His body felt like mosquito bites were coming out from underneath his skin as part of his oncoming withdrawal symptoms. And then he injected that liquid with a syringe.

He then shot vodka into his veins as though it was heroin, attempting to calm his body, and he waited for his dealer to arrive that night.

### **The problem**

Experts in the area estimate that 90 percent of all criminal activity here is drug-related. Those crimes are typically led by addicts whose habits often leave them homeless or on the verge of poverty, affecting family members, local residents and various businesses.

“Once the body gets addicted, it’s very hard to kick. It’s a matter of survival,” said Ed Pane, president and chief executive officer of Serento Gardens, a substance abuse treatment program in Hazleton that loses more than nine out of every 10 patients back to heroin. Pane calls this recidivism rate “astoundingly high.” In Pennsylvania, heroin is the primary drug after alcohol to make residents seek rehabilitation, according to Drug-rehabs.org.

“There’s no treatment center in this town. There’s no detox at the hospital,” Adam said.

Adam described the mindset of an addict who he said has no car and no other options except drugs. He said that the easier choice for that type of person about to suffer withdrawal symptoms is to shoot up the drug in order to keep one’s composure.

Plans for an opiate treatment program are currently being pursued by Discovery House, a Rhode Island-based company with clinics across the country.

“Certainly we remain committed to the area,” said Rob Kornacki, director of development. “Certainly there’s a tremendous need.”

The company has subsequently sought to secure a location for the center at 570 W. Broad St., its third attempt in the city. Kornacki explained the difference between a place like Serento Gardens and an opiate treatment center is that Discovery House is licensed to use assisted medical treatment. Programs where individuals receive methadone help 35 percent of recovering addicts to remain free of heroin.

For the time being, Hazleton addicts find support at A Better Today and Serento Gardens, in addition to Narcotics Anonymous meetings.

But even with these support groups, Adam sees tremendous challenges for local addicts. These programs, he said, required him to shoot up before the meeting just to make it through.

“The main obstacle is thinking ‘I need to get my bags by 6 p.m. or I’m going to be so ... sick,’” he said. Getting help, he said, would require a phone call and transportation to a regional center. “You can’t imagine going to detox.”

### **“Adam”**

Adam, now 29, has been clean from drugs and alcohol for more than three years. But his crimes in the 1990s and 2000s illustrate a glimpse of the underground, ant-like network of drug deals and addicts in the Hazleton area.

In lieu of drug money, Adam would typically shoplift Mach razors and Crest Whitestrips. Called boosting, dealers will sometimes give addicts grocery lists of items to steal. Sometimes those items include steaks and actual groceries. Police officers in the area say the most common way local addicts afford drugs nowadays is through retail thefts.

Adam grew up using marijuana, alcohol and pills by age 12, acid by 14, and coke and heroin at 14 to 15. And at age 17, he shot up heroin. He said he never lived normally — that is without drugs — and that he got his first driver’s license a month ago.

His initial contact with drugs was part of growing up in Hazleton with “nothing to do,” he says with a laugh.

He afforded his recreational use of drugs in his preteens by stealing checks and money from his parents. He said he still found money stashes even when his parents moved the hiding places for their earnings around the house. He eventually began stealing change from cars, then progressed to boosting. It culminated into armed robberies and credit card forgery.

“It can start off small, but as the habit grows, so does the severity of the crime,” said Al Ciliberto, a case worker at Serento Gardens.

Sometimes the section of a store Adam would go to hit would already be robbed from that morning.

“I wasn’t a smart criminal,” he said, describing his mentality as similar to any other “dope fiend.”

His crimes also included stick-ups and purse snatches, and his first arrest was in the late 90s, which landed him a 19-to-38 month sentence.

“Most drug addicts are sick and sloppy. It’s spur of the moment,” Adam said. On parole from his first sentence, he was arrested for snatching a purse and served time in state prison again.

Although he stayed for a month in a halfway house in Reading after his sentence, he established a connection for dope a day after he left. Adam then got high within a week.

His habit continued, and a few years ago, he broke into a car to steal credit cards, landing him another sentence.

While incarcerated, he once broke into seizures stemming from withdrawal. That involuntary form of withdrawal, Pane says, is an indirect form of detox.

### **The dealers**

In Hazleton, some users' habits lead to dealing drugs to support their own habits. Others are strictly business, and deal drugs simply for the money.

“We've come across individuals making six figures a year and have not raised eyebrows,” said Pane, who distinguishes addicts into two categories: bulk users and users supporting their own habits.

It's a business with constant demand, and some customers are full-time addicts. Deals happen “anytime of the day, anywhere,” said Cpl. Josh Winters, an officer with the Sugarloaf Police Department for nearly five years whose patrol area has included the Penn State Hazleton campus and Laurel Mall.

The cost to support addicts' habits also varies immensely, according to Winters. He estimated local addicts spend \$50 to \$100 each day to support their habits, but he said that range is extremely general.

Det. Chris Orozco, as head of the Hazleton Police Department's gang unit, also sees the diversity of users' habits and dealers' involvements in the area.

“In Hazleton, you've got dealers running their businesses like corporations to hot dog stands,” Orozco said.

Dealers may be organized, supporting more than 100 steady customers like the drug network uncovered in Operation Boomerang last fall, whereas other dealers may only have 10 clients in order to support their own habit without having to work.

Operation Boomerang, a state-involved undercover investigation of a Hazleton cocaine ring, charged more than 32 suspected dealers. Those sting operations may prevent dealers from selling for days, weeks or even months, Orozco said.

Although the area has no cartel-like hierarchy, he said, drugs help support organized, gang activity. If there were no drugs, there would be no reason for gangs, he said.

When asked whether drug dealers or drug addicts commit more crimes, sources interviewed said the person using the drugs is the one responsible for most of the crime.

“The dealer can basically sit back for the addict to commit the crimes to get the money,” Orozco said. The dealer's “basic position is ‘They're going to bring the money to me. I have what they want, and they're going to come to me.’ ”

Whereas dealers are more prone to larger financial operations, addicts are much less organized. Often, addicts are seeking small amounts of money to support a quick fix.

But stopping these transactions themselves prove a vicious cycle for police. The imprisonment of a dealer typically results in an addict or lower-level dealer taking the place of their source.

Serento Gardens case workers compared this replacement to a waiting list.

“When one disappears, another replaces the person in hours,” Ciliberto said.

“In the end,” Orozco said, “If the user still wants it, it dictates that someone is going to supply it.”

Syracuse church volunteers drive voters to the polls  
By Jason Tarr, David Taube and Jennifer Davis  
SYRACUSE.COM & ICC300: WEB INNOVATIONS

Source: Syracuse.com (Syracuse, N.Y.)

Tuesday, Nov. 4, 2008

Edition: Web

Online copy: [http://videos.syracuse.com/2008/11/syracuse\\_church\\_volunteers\\_dri.html](http://videos.syracuse.com/2008/11/syracuse_church_volunteers_dri.html)

Students covered Election Day news on deadline. Students in a Web innovations class at the S.I. Newhouse School of Public Communications contributed live, multimedia coverage Nov. 4, 2008, regarding the African-American community's involvement and response to the historic election. The Post-Standard and Syracuse.com featured our projects online the same day eight teams of students produced them.