



**Opposing Views: Is the method of lethal injection cruel?, page 2**

**A&E**

**Exclusively online Friday: a review of 'The Departed'**

**Hockey club team readies to play USC Trojans, page 4**

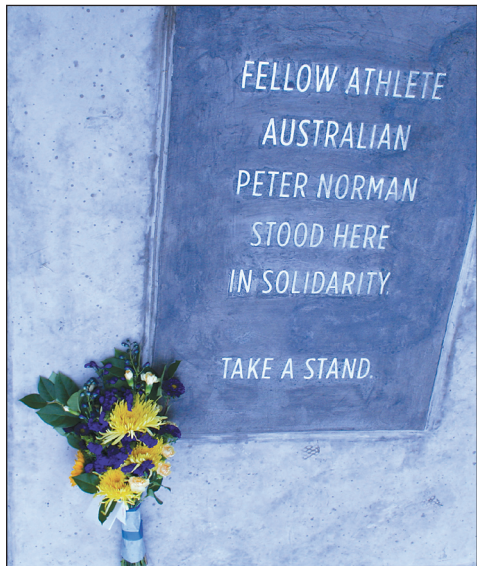
MORE PHOTOS ON PAGE 8

## Rocking Shoreline



Matthew Bellamy, the lead singer of Muse, rocked the Shoreline Amphitheatre on Saturday as part of the Download Festival.

FELIX LING/ DAILY SENIOR STAFF



HANNA THRASHER/ SPECIAL TO THE DAILY

A bouquet of flowers rests by the plaque honoring athlete Peter Norman on the John Carlos-Tommie Smith statue near Dwight Bentel Hall. Norman passed away Tuesday at age 64.

## SJSU mourns Peter Norman

Daily Staff Report

Flowers were placed on the statue next to Dwight Bentel Hall in the spot symbolizing where Peter Norman, who died Tuesday at the age of 64, stood with Tommie Smith and John Carlos on the Olympic podium in 1968 after he won the silver medal in the 200-yard dash. While on the medal stand, Smith and Carlos stood shoeless, each raising a gloved fist to bring attention to the civil rights movement going on in the United States.

Although Norman did not have a flashy display like Smith and Carlos, he wore a human rights badge symbolizing his unity with the two runners from San Jose State College, the former name of San Jose State University.

Norman attended the statue unveiling ceremony in October 2005. Even though his likeness was not included, he said he was happy to just be a part of history.

"I stepped in to lend my support," Norman said before the unveiling. "As I am told, anyone can stand in and get a picture taken and be a part of the event. ... I am honored to be commemorated in part of the celebration."

## CHARGES FILED IN HP SPYING SCANDAL

By Jordan Robertson

Associated Press

Prosecutors filed criminal charges Wednesday against Hewlett-Packard's former chairwoman and four others involved in the corporate spying scandal that has shaken the Silicon Valley tech giant long revered for its ethics and professionalism.

California Attorney General Bill Lockyer accused two ousted HP insiders — chairwoman Patricia Dunn and chief ethics officer Kevin Hunsaker — and three outside investigators — Ronald DeLia, Matthew DePante of Melbourne, Fla. and

see HP, page 9

## Open University is an alternative to enrollment

Courses count toward future degree

By Stefanie Chase

Daily Staff Writer

San Jose State University offers a program to potential students who want to switch careers, give college a second chance or expand their knowledge base just for education's sake.

Students can enroll through Open University program, which is part of International and Extended Studies.

"I had seen some notices around campus about Open University," said Sharon Genelza, a senior majoring in liberal studies.

According to the SJSU Web site, "Former SJSU students, SJSU alumni, members of the general community and disqualified students from SJSU or elsewhere may take Open University courses."

Open University classes cost \$210 per unit, said Michael Liu, student assistant for international extended studies.

"There's a lot of times where

people are just (taking Open University courses) for personal enrichment," Liu said.

Current SJSU students or students who have been recently accepted to SJSU may not qualify, according to the SJSU Web site.

"This past summer, I decided to come back to school," said Michelle Martinez, a junior majoring in English.

Martinez said she is enrolled in Open University courses this semester in order to earn credit before she gets accepted for readmission in spring.

Liu said 24 units of undergraduate courses can be used toward a degree through Open University, and according to the SJSU Web site, six units can be used toward graduate credit.

Liu added that students can take as many Open University courses as they want even, if the maximum

see OPEN, page 6

## Center boasts 24 years of SJSU service

Women's Resource Center first of its kind in CSU

By Tyanne Roberts

Daily Staff Writer

Hidden away in a corner office in the Administration building, is a center that some students might not know about: the Women's Resource Center.

"I did not know there was a Woman's Center on campus," said Allison Ackard, a sophomore majoring in nursing.

According to Teresa Pedrizco, a student who volunteers at the center, said that the center has been at San Jose State University for more than 20 years.

The Women's Resource Center was founded in 1972 at San Jose State University and was one of the first centers of its kind to be

opened within the California State University system, according to information provided by the Women's Center.

"We are a student-run organization and are all volunteers," Pedrizco said.

According to information provided by the center, it offer a wide variety of services, such as a lending library that focuses on gender issues, referrals to off- and on-campus resources and even safe sex products.

"The purpose behind the center is to make people aware of women's issues," Pedrizco said.

One of the things that the cen-

see WOMEN, page 6

## San Jose museum showcases textiles

By Julia Cooper

Daily Staff Writer

Quilts may keep your feet warm on an icy winter's night, but operators of one local museum want to show that what some consider blankets also to be art.

The San Jose Museum of Quilts and Textiles showcases a permanent collection and rotating exhibitions of art quilts and textiles, works that often have been neglected, according to Jane Przybysz, executive director of the museum.

"Even within a pecking order of craft media, fiber tends to be at

the bottom of the heap in terms of its value and the attention it gets, especially critical attention," Przybysz said.

The museum, founded in 1977 by the Santa Clara Valley Quilt Association, is a storehouse for textiles that, like other artworks, tell stories, show cultural values and serve as canvases for artists to express themselves.

Although the museum houses historical quilts, many created between 1880 and 1920, it also displays contemporary works by younger artists experimenting with

new materials.

Przybysz said many contemporary artists, such as Alyce Santoro, are emerging and breaking the stereotype of textile art as a tradition of the past.

According to Przybysz, Santoro uses atypical materials, such as recycled audio tape, to create textiles she calls "sonic fabric," which can produce sounds in addition to providing aesthetic appeal.

Przybysz, who has worked for the museum since 1998, said textiles are often excluded from people's interpretation of what consti-

tutes art due to gender stereotypes.

"I think it has something to do with the fact that it continues to be associated with women's work and sort of hobbyist women's work," Przybysz said.

She said it's hard for many to get past a quilt's reputation as a traditional bed cover crafted by a woman. Art quilts are specifically made for display on the wall, not on the bed, Przybysz said.

Therese May, a quilt artist for 41 years, said she initially began

see QUILTS, page 6



LINDA GASS/

COURTESY OF SAN JOSE MUSEUM OF QUILTS AND TEXTILES

"Corkscrew Slough" by Linda Gass will be one of the quilts up for auction Sunday at the San Jose Museum of Quilts and Textiles' benefit gala. Gass' work is part of a series reflecting the environmental destruction and restoration of the San Francisco Bay Area wetlands.



Other people may be there to help us, teach us, guide us along our path.  
But the lesson to be learned is always ours.  
— Melody Beattie

OPPOSING VIEWS

# Is the method of lethal injection unconstitutionally cruel?

**YES** Inmates are not completely unconscious when receiving lethal injection.

Death is something that everyone has to face at some point or another. Death by lethal injection is something that is not an option to most people, and it shouldn't be.

According to the California Department of Corrections and Rehabilitation, the state's lethal injection is the process where three drugs — 5 grams of thiopental sodium, which is a powerful sedative that renders people unconscious and supposedly insensible to pain, 50cc of pancuronium bromide that paralyzes the muscles and 50cc of potassium chloride that causes cardiac arrest — are injected into prisoners at their designated times of death.

All of these are lethal on their own in the given the amounts and are injected at different times to a death row inmate.

Recently in California, there was a case where a man named Michael Morales, who resides in Stockton, was sentenced to death by lethal injection for raping, torturing and finally murdering a 17-year-old girl, according to ABC News.

The judge ruled that the lethal injection could be administered only if there were a medically licensed anesthesiologist administering the lethal dose. The state was not able to retain a willing anesthesiologist to oversee the execution by the scheduled time.

Later, Morales challenged the lethal injection method because he believed it was unconstitutional.

There is no evidence that inmates are totally unconscious during the injection of the toxic agent. If that is the case, how do we know if these victims of cruel punishment are actually experiencing a painless death?

Shouldn't the fact that anesthesiologists have concerns about the method as in the Morales case prove how it is unconstitutionally cruel?

I think that it should be a factor as to why it is cruel. People in the medical field have credibility when it comes to medical issues and ethics, which I feel should be considered in the determination of the inhumane treatment of death row inmates.

Proponents to lethal injection cannot say that it is guaranteed that the death row inmate does not feel anything. They feel that it does not violate the Eighth Amendment of cruel and unusual punishment.

In *Furman v. Georgia*, the U.S. Supreme Court addressed the case of William Furman. Furman was robbing a house, and as he tried to escape, he tripped, and the gun he held misfired, accidentally shooting and subsequently causing the death of a resident of the house.

The Supreme Court justices in the Furman case decided that executions were cruel and unusual punishment and that they were a violation of the Eighth Amendment. That case stopped the death penalty for four years.

The fact that the subject is so controversial and that in the past has been even a concern for justices of the Supreme Court should be a reason to why we should rethink this lethal injection process.

Lethal injection as an execution method has not statistically shown that violent crimes have gone down due to the imposition of this horrific end.

Until there is solid evidence that the death row inmates who are receiving this heinous punishment are not feeling anything, I will continue to agree that it is cruel and unusual.

Tyanne Roberts is a Spartan Daily staff writer.



ILLUSTRATION BY KATHY TRAN

**NO** The victims deserve more justice than the inmates with the hot meal and jail cell.

To inject or not to inject?  
This has been the reigning question for the past week as U.S. District Judge Jeremy Fogel decides whether the process of lethal injection is unconstitutionally cruel. Michael Morales, a condemned death row inmate at San Quentin State Prison, was scheduled to be executed by the State of California on Feb. 21 for the 1981 rape and murder of Terri Winchell.

But in a turn of events, the execution was suspended just two hours before its scheduled time because the State of California could not conform with a lower federal judge's ruling that the execution must be carried out by a medical professional who could administer the chemical used in the execution, according to [www.law.fordham.edu](http://www.law.fordham.edu).

Morales is now arguing that California's lethal injection process does not comply with the Eighth Amendment of the Constitution, which protects citizens from cruel and unusual punishment, according to [www.law.fordham.edu](http://www.law.fordham.edu).

But if you ask me, the notion that the death penalty must involve absolutely no pain is a little bizarre. There are three drugs used in the lethal injection process: thiopental sodium, to render the inmate unconscious; pancuronium bromide, to paralyze the muscles and stop breathing; and potassium chloride, to stop the heart, according to [www.talkleft.com](http://www.talkleft.com).

Dr. Kevin Concannon, a veterinary specialist and one of Morales' witnesses, said that he would not use pancuronium bromide to paralyze an animal and therefore put it to death, according to [www.msnbc.msn.com](http://www.msnbc.msn.com). But then again, we're talking about cruel-hearted and vicious murderers, not poor, innocent animals.

In Morales' defense, witnesses argue that California's method of capital punishment is disturbing, harsh and inhumane. Inhumane?

Answer me this: How humane was it for Morales to murder and rape an innocent, 17-year-old girl? Answer: It's not the slightest bit humane.

These convicted inmates haven't proved to be 100 percent deserving of any pain, to any degree, that they might as well endure. They have to be punished for their actions somehow and being put into a box with a hot meal and a TV doesn't necessarily constitute punishment. If I didn't know any better, I would say these inmates have it better than the bums in San Francisco.

Dr. Robert Singler, the state's key witness to support the defense, said he agreed to participate in overseeing the execution along with another anesthesiologist, but when they were informed that they would have to intervene hands-on if anything went wrong in the death chamber, they both removed themselves from the monitoring standpoint, according to [www.freerepublic.com](http://www.freerepublic.com).

"I was willing to stand in the chamber as the inmate died, because in my professional opinion, he would not suffer," Singler said.

Singler also said that after participating in a government-held meeting early this year regarding possible changes to the lethal injection process, he thinks that drugs being used in California are efficient to conduct a proper execution, as long as they are correctly administered, according to [www.freerepublic.com](http://www.freerepublic.com).

"There would be virtually no chance of pain and suffering," Singler said, according to [www.freerepublic.com](http://www.freerepublic.com).

Then again, the public does expect executions to be carried out by the proper administration and therefore might reflect the flaws of the individuals in charge of the lethal proceedings rather than the entire process itself. Regardless, this case seems to highlight the fact that the convicted criminal receives more justice than the victims themselves. Let's go back to the Morales case.

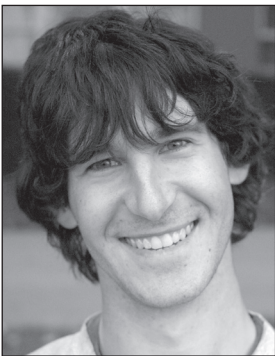
According to the prosecutors, Morales strangled Winchell with her belt and proceeded to hit her head with a hammer, beating her unconscious and crushing her skull. He then dragged her across the road where he raped and stabbed her four times in the chest, according to [www.en.wikipedia.org](http://www.en.wikipedia.org).

Unconstitutionally cruel?  
Just think about that the next time you consider whether or not convicted inmates deserve the painless way out.

Heather Driscoll is a Spartan Daily staff writer.

CAMPUS VOICES

COMPILED BY MICHAEL GESLANI, PHOTOS BY PEARLY CHAN



"No. If the guy deserves to die ... it is a viable means of punishment."

**Steve Kowal**  
senior  
business management



"No. I can think of more brutal ways to die."

**Esther Friske**  
sophomore  
speech pathology



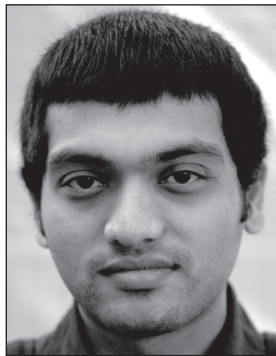
"Yes. I don't believe in the death penalty at all."

**Parisa Montazeri**  
freshman  
nursing



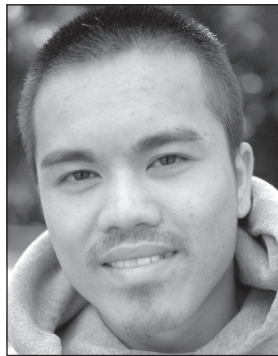
"I believe people should get a second chance or rehabilitation."

**Trevor Hanna**  
senior  
psychology and occupational therapy



"No. They hang people in India, so comparatively, it's good."

**Vivik Modi**  
graduate student  
software engineer



"No, it wouldn't be as tortuous as the electric chair."

**Jimmy Troung**  
junior  
art

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THE STORY SO FAR

‘... Searching up and down this coast/Overlooking what I need the most’

As the train rocked, knocking the wheels on the track, Casey watched him close his laptop and push it to the side of the table.

Lowering her head down and back up again, she brushed the tears off her cheek, and she smiled.

She began to look out the window, watching the sun set ever so gradually.

He leaned over to her and said, “Never forget to laugh. It will get you through the best, and the worst, of it all.”

“... Excuse me?” she quipped.

He sighed and began to repeat, “Don’t forget to —”

“— laugh?” she sarcastically questioned. “Got it.” She looked out the window and back at him.

*Why would she pretend she didn’t —*

“I heard you, ya know,” she snapped. “People think that just because I questioned them I never heard them.”

“It’s not a problem,” he replied. “I just like to —” “— clarify? Got it?”

Casey grabbed her leather bag and stuffed her polka dot journal inside.

She stood up quickly, hitting the top of her head on the train’s luggage compartment.

She rubbed the top of her head with her right hand, looking accusingly at the compartment.

He was palming a white rose-shaped seashell in

one hand, looking at it with reflection.

He set it down on the table beside his laptop. Shifting his legs upward, he pulled his worn leather wallet out of his pocket and flipped through the first few photos of his photo insert.

She cleared her throat, now standing right above him.

She put her bag in the luggage rack above his seat, moved her train tag to the plastic insert inside his and slid into the seat next to him.

“You know, there’s something to be said about people that carry photos in their wallet,” she said, while adjusting in her seat.

He moved to the right to give her more space.

She looked down at his badge — which read “Creative” in bold, with the slogan “we work to inspire” written below it — hanging from his neck.

“Don’t tell me you’re the genius that helped create that Tic Tac ad.”

He sat silently as the laptop lay closed on the right.

“Oh, c’mon. Let’s see it again. Don’t be so modest,” she exclaimed, her voice lilting and crescendoing into a shriek. He hadn’t heard this vocal range since



SHANNON BARRY

his son started bringing girls home in high school.

*Guess I don’t get out much.*

He opened up the laptop, powered it on and played the ad again.

Just as intense as the last time, she broke into chaotic chortles, her face becoming pink then red and then finally purple.

“Ooh ...” she wooted, wiping the tears from her eyes.

She simultaneously placed her right and left hand on her left and right knee.

“Where do you come up with these ideas?” she asked. “I mean, who would’ve thought? A Tic Tac being juggled on someone’s tongue.”

“Well, you should know I didn’t do this on my own, but I’m comp—”

“Blah, blah, blah,” she mocked. “I realize all that. I know you’re just one person in something bigger, but where do you, as a human being — not an employee — find inspiration?”

He paused, thinking back to her, to Patrick, to his first career in computers and looked out the window.

“I could tell you the cliché answer, that I find inspiration through experiencing life, but it’s more than that.”

She looked at him with full attention. It was as if this teenager was taking mental notes on how to become mature.

“I find inspiration through the inspired,” he replied.

“Meaning?”

“I like to watch movies, read books or go to museums.”

“But how does that help you?” she interrupted.

“These are things that have already been created.”

“Exactly. I like to surround myself with positive energy. Maybe vibrantly colored paintings, a movie that once struck a chord with me as a child.”

She just stared at him, unlike the rambunctious, rambling girl she seemed to be five minutes ago.

“Because it helps me in recognizing that if other human beings can create such a beautiful masterpiece, maybe one day I can too.”

She was quiet, looking at him, but working out this equation in her head. As if it was something that had a simple answer.

“But no two human beings have the same thoughts, the same feelings, let alone the same genetic traits,” she said.

He closed his laptop and pushed it to the side of the table, enjoying the last of the sunset.

“You’re right. We don’t. But we all have the same primal instincts ... we breathe, we eat, we live, we did, but in between ... that’s when we create.”

*Shannon Barry is the Spartan Daily A&E editor.*

*“The Story So Far” appears every Thursday.*

SPARTA GUIDE

Write letters to the editor and submit Sparta Guide information online. E-mail the Daily at [spartandaily@casa.sjsu.edu](mailto:spartandaily@casa.sjsu.edu)

Visit our Web site at [www.thespartandaily.com](http://www.thespartandaily.com). You may also submit information to DBH 209.

Sparta Guide is provided free of charge to students, faculty and staff members. The deadline for entries is noon three working days before the desired publication date. Space restrictions may require editing of submissions. Entries are printed in the order in which they are received.

TODAY

*‘An Inconvenient Truth’*

SJSpirit’s Education Center screenings of “An Inconvenient Truth” at 8:30 a.m., 10:30 a.m., 12:30 p.m. and 2:30 p.m. in the Almaden room of the Student Union. For more information, contact SJSpirit at (408) 605-1687.

*Concert Series*

A part of the listening hour celebration titled “Faculty Hour” a piano recital with Gwendolyn Mok

from 12:30 to 1:15 p.m. For more information, contact Joan Stubbe at (408) 924-4649.

*Counseling Services*

The counseling services will hold a body positive group discussion from 3:30 to 4:50 p.m. in the Administration building room 201. For more information, contact Ellen Lin or Wei-Chien Lee at (408) 924-5910.

*Campus Crusade for Christ*

Nightlife is a time for fellowship, worship and

hearing from the word of God at 8 p.m. in the Spartan Memorial. For more information, contact Mark Depold at (408) 421-9281.

*The Environmental Club*

The Environmental Club will hold a meeting from 5 to 6:30 p.m. in the Ohlone room of the Student Union. For more information, contact Kilen Gilpin at (408) 423-9787.

*John Muir 1868 Trip*

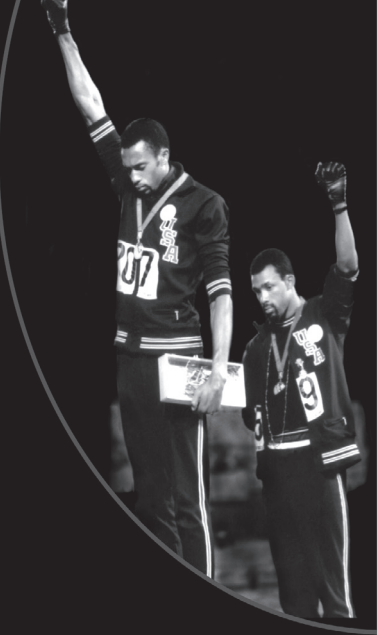
A conversation with Peter and Donna Thomas

about John Muir’s 1868 trip from San Francisco to Yosemite from 7 to 9 p.m. in the Dr. Martin Luther King Jr. Library room 550. For more information, contact Danelle Moon at (408) 808-2062.

*Asian Baptist Student Koinonia*

The Asian Baptist Student Koinonia will hold its weekly Bible study at 7 p.m. in the Guadalupe room of the Student Union. For more information, contact Justin Foon at (415) 786-9873 or e-mail [jfoon1@yahoo.com](mailto:jfoon1@yahoo.com).

A historic moment in  
SJSU student activism.  
A stand for change.  
October 16, 1968



TOMMIE SMITH & JOHN CARLOS  
‘68 OLYMPIANS AND SAN JOSE STATE STUDENT ACTIVISTS

At the México City  
1968 Olympic Games,  
San José State University  
student-athletes

Tommie Smith and John Carlos  
raised their fists for equality,  
dignity, justice, and peace.

The University  
and Associated Students hereby  
commemorate their legacy.

"SJSU Student Advocacy:  
Past and Present."

Wednesday, October 18, 2006  
Noon to 1:30 pm

Sculpture Garden in front of Clark Hall

"Fists of Freedom: The Story  
of the '68 Summer Games"

Showing at:  
Clark Hall Lobby  
Wednesday, October 18 9-3pm

Mosaic Cross Cultural Center  
in the Student Union

Monday, October 16 12-4pm  
Tuesday, October 17 12-4pm  
Wednesday, October 18 9-5pm



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HOCKEY NOTEBOOK: FROM THE PENALTY BOX

## Hockey club travels to SoCal to take on USC

By Julia Cooper

Daily Staff Writer

The San Jose State University Ice Hockey Club will hit the road this weekend when it faces its longstanding rival, the University of Southern California, on Saturday and Sunday at Disney Ice in Anaheim.

Spartan head coach Ron Glasow said the club feels good going up against the USC Trojans after its Sept. 30 season-opening win defeating Cal Berkeley 9-4.

"It's good to take a win in anywhere," Glasow said.

Rick Angevine, associate coach of the Spartans, said taking advantage of penalties will be the key to beating USC, which has proven to be a fierce competitor in the past.

"Historically, they are an extremely tough team," Angevine said.

Freshman forward Mickey Rhodes said returning players have talked about the challenge of facing USC and the competitive atmosphere of games.

"They should be a lot tougher than Cal," Rhodes said.

After facing USC, the club will head north on Oct. 8 to play Cal State Long Beach at its home rink.

Angevine said he is not sure what kind of team Cal State Long Beach has put together this season.

"They change every year," Angevine said. "A couple of years ago, they weren't as tough as some of the other teams, but they change. All these teams change, and it really depends on their coach and the caliber of the players they get"

Rhodes, who scored his first goal as a Spartan in the Sept. 30 Cal game, said players have focused on power plays and break-outs in recent practices in preparation for the weekend.

Angevine said the club has specifically worked on power plays and penalty kills in practice this week because of new rule standards for referees initiated by the National Collegiate Athletic Association at the beginning of the season.

"We're playing a whole different game, basically," Angevine said.

In one example of a rule now emphasized by referees, Angevine said defensemen can no longer place their sticks between an opponents' legs to control their skating.

"The new rule doesn't allow that anymore, so we've had to change our teaching to adapt to the new rules," Angevine said.

With 12 new players on this year's club, the team has found new leadership to guide the players on their path to the same No. 1 ranking in the American Collegiate Hockey Association West Region as last season.

Senior center Adam Smith-Toomey was voted team captain by the Spartans late last week.

"It's an honor," Smith-Toomey said. "I guess it just shows what the guys think of you."

Smith-Toomey said filling the skates of Ray Kellam, the Spartans' previous team captain, will be tough.

"We had an exceptional captain for the last three years," Smith-Toomey said. "I just hope I can live up to what he did."

FOOTBALL NOTEBOOK: THE POCKET PASS

## Spartans rest before Homecoming

By Greg Lydon

Daily Senior Staff Writer

San Jose State University football players and coaches said the strong opening to their season is just the beginning after finishing up a nonconference schedule that saw the team yield a record of 3-1 with the latest victory coming against San Diego State University last weekend.

"It was our best football game of the year in terms of offense, defense and special teams all playing well," said SJSU coach Dick Tomey. "We had a lot of great individual efforts."

The Spartans defeated SDSU 31-10 last Saturday to extend their winning streak at Spartan Stadium to five dating back to last season.

Tomey said he still can't believe the outstanding contributions that defensive newcomers cornerback Dwight Lowery and safety Rakine Toomes have made so far this season.

**"The bye week comes at a good time for us. It gives us a chance to get some guys back that can help us. ..."**

**—Adam Tafralis, SJSU quarterback**

"You don't expect Dwight Lowery to have seven interceptions in four games," Tomey said. "That's just an unbelievable number."

Players and coaches said they don't think the upcoming bye week



GAVIN MCCHESENEY/ DAILY SENIOR STAFF

San Jose State University senior James Jones carries the ball Saturday during a game against San Diego State University at Spartan Stadium.

will slow down the team's early-season momentum.

"There's always things we can work on," Tomey said. "We're always grateful for a bye week. The time off gives us time to get some solid practice time in working on things teams in conference like to do that we may have not seen yet and refreshing our fundamental work."

The bye will give injured Spartans a chance to heal up before the Western Athletic Conference schedule begins in two weeks against Utah State University.

"The bye week comes at a good time for us," said SJSU quarterback Adam Tafralis. "It gives us a chance to get some guys back that can help us and give us a breather before the WAC season starts up."

One of those injured Spartans

is backup quarterback Sean Flynn, who has been dealing with a nagging groin injury all season and was unable to go last Saturday.

The coaching staff called on freshman quarterback Myles Eden during the end of the game against SDSU when Flynn was unable to go.

"It's good timing for a week off," said SJSU wide receiver John Broussard. "Everyone is going to be telling us how good we are. This extra time lets us get our minds right before the Utah State game."

For the third time this season a Spartan was honored as the player of the week for the WAC conference.

SJSU senior wide receiver John Broussard was named WAC offensive player of the week after his career-high day against SDSU.

Broussard recorded 167 yards receiving in the contest on five catches, scoring two touchdowns, including a 47-yard touchdown catch from fellow wide receiver James Jones on a trick play that got Broussard into the end zone for the first score of the day for the Spartans.

"John has that breakaway speed that very few players have, and he clearly showed it on Saturday," Tomey said. "The combination of John and James Jones is very good."

Tomey said the team turned over the ball too many times this past couple of weeks and hoped to improve third-down conversions.

The Spartans next hit the field Oct. 14 in a homecoming game against Utah State. Kickoff is set for 3 p.m. at Spartan Stadium.

## A's win Game 2, head back home

By Dave Campbell

Associated Press

MINNEAPOLIS — Playing it safe? Not Torii Hunter's style. That's why he has five Gold Gloves.

Trying to make a tough catch right after his Minnesota teammates tied the game with back-to-back home runs, Hunter missed — and Oakland took advantage.

Mark Kotsay circled the bases for a two-run, inside-the-park homer after Hunter's ill-advised dive for a sinking line drive, lifting the Athletics over the Twins 5-2 on Wednesday for a 2-0 lead in their first-round playoff series.

"It was the worst feeling in the world. You can't do anything about it," said Hunter, who blamed himself for the defeat.

Oakland has arrived at yet another elimination game. The pe-

rennial playoff underperformers are 0-9 in those since 2000, losing four straight first-round series.

"This team knows what to do," said Eric Chavez, a regular on all four of those clubs. "We're hard-nosed baseball players that like to play the game. I don't think anybody here, regardless if they've been in this position, is going to take Game 3 lightly."

The series shifts west Friday, with Twins right-hander Brad Radke taking his broken shoulder socket to the mound for possibly the final appearance of his 12-year career.

"We've won two games. OK. Congratulations. Good job. But it's not over yet," said Nick Swisher, who doubled against Juan Rincon and scored on Joe Nathan's wild pitch in the ninth.

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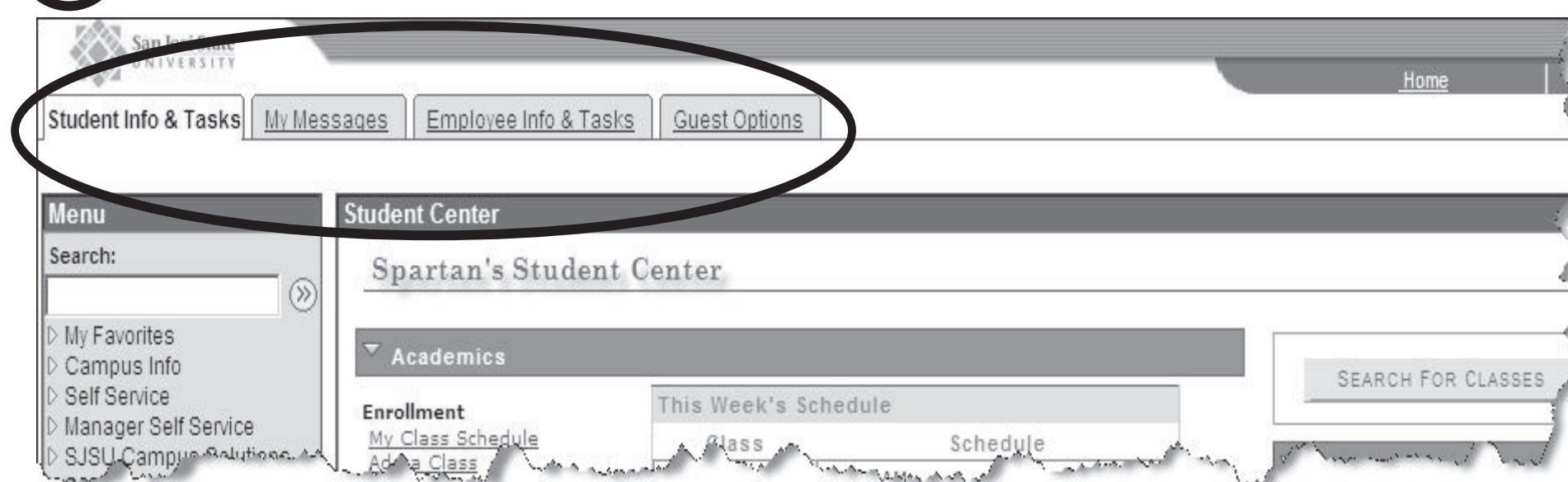


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- ! ***System downtime for major maintenance – October 6 @ 5pm through 12pm on October 8***

**Contact the CMS Help Desk for login or navigation assistance:  
cmshelp@sjsu.edu**



## WOMEN- Center to sponsor walk

Continued from page 1

ter tries to do is participate in at least two large events a year that make people more aware of women's issues and problems.

Today, the center will sponsor the ninth annual Walk to End Domestic Violence.

According to information provided by the center, the event is held to increase awareness and visibility of women's issues.

"I think having any sort of place to support people however they identify themselves could be helpful."

—Susan Raymond, special major

"I have attended these types of functions and events before and will continue to do so in the future," said Susan Raymond, a junior in the special major program, which is an individually designed course that leads to a Bachelor of Arts or Bachelor of Science.

Pedrizco said the event is actually put on by the City of San Jose, and the SJSU Women's Center sponsors it.

"I think having any sort of place to support people however they identify themselves could be helpful," Raymond said.

The walk will take place at San Jose City Hall and will continue through downtown, starting at 11 a.m. and ending at 1:30 p.m.

## OPEN- Some students say expense is worth it

Continued from page 1

amount of units have been applied toward a degree.

"There's a lot of times where people are just (taking Open University courses) for personal enrichment," Liu said.

Liu said students taking Open University courses do not go through the same admission process as SJSU students.

"They actually just show up to class and add the class," Liu said.

In order to enroll for Open University classes, a form must be signed by the instructor and by the Open University department, Liu said.

Genelza said she had a class with someone who took Open University courses.

She said she remembers seeing her classmate "begging" the instructor to add her to the class, because it was the last class she needed to complete her degree.

Some other Open University

students had similar problems.

"A lot of the classes I was trying to add had been cancelled, and I had no way of knowing," Martinez said.

Sarah Coty, a junior majoring in English, said she would not have considered taking Open University courses before she enrolled at SJSU.

"I don't think that's a benefit," Coty said.

Coty added that one of the perks, as far as she sees, is that the admis-

"A lot of the classes I was trying to add had been cancelled. ..."  
—Michelle Martinez, Open University student

sion process can be avoided, but she said the omission of that process is not worth the high price.

"It's a little expensive," Martinez said.

She added that the expense is worth it to her, because Open University courses will save her time in the long run.

Genelza said she is currently attending SJSU after being out of school for 40 years.

She added that she is someone who believes in continuing education even after she graduates next semester.

"It's something I would do," Genelza said regarding Open University courses.

## QUILT- Some artists use unorthodox materials

Continued from page 1

working with fabric after she had children.

"At that time, I felt like it was convenient because it was something I could do with little kids around," May said. "But now it has become so much more than that."

May said quilting is a way to express herself.

"It just kind of turned into my art form," May said.

The museum was housed at different downtown sites until its relocation to 520 S. First St. in July 2005. Przybysz said the current location among other art galleries, including the San Jose Institute of Contemporary Art, should boost the museum and the reputation of textile art.

"It's kind of a thing we have to work on to promote quilts as an art form to be respected with all of the paintings and sculptures too," Przybysz said.

Museum attendance varies with each exhibit, Przybysz said, with between 12,000 and 16,000 visitors

every year.

Przybysz said the museum tries to reach out to younger generations by holding events, such as poetry readings, in order to continue interest in textile art.

For revenue, the nonprofit museum relies on membership dues, admission charges, gift shop sales, private and public organization sponsorship, an educational outreach program for elementary school children and special events.

The next fundraiser will be a Sunday benefit gala at the Fourth Street Summit Center, at 88 S. Fourth St. in San Jose.

Gala activities running from 11 a.m. to 4 p.m. will include afternoon art demonstrations and a silent auction. A formal dinner and live auction, which will require purchasing tickets, will be held from 5 to 9 p.m.

Sandra Duncan, press director for the museum, said she hopes the event will also elevate the profile of textile art.

"That's why we have so many local artists involved (with the gala)," Duncan said. "So that people who don't necessarily know what we mean when we say textile art can see that in all its forms and see the people who actually create these things."

## Governor rejects tape request

By Tom Verdin

Associated Press

SACRAMENTO — Gov. Arnold Schwarzenegger's office on Wednesday rejected a request that it release several hours of audio tape that contained the governor's now infamous comments about the mingling of "black blood" and "Latino blood."

The letter from Schwarzenegger Legal Affairs Secretary Andrea Lynn Hoch came in response to a demand from the governor's Democratic opponent in the November election, state Treasurer Phil Angelides.

Hoch said the audio files were obtained without authorization from a password-protected area of the governor's Web site. She also said they "were accessed in a way that would suggest to any reasonable person that the files had not been posted for public distribution."

Aides for the Democratic candidate did not have an immediate reaction to Hoch's letter. Angelides has acknowledged

that members of his campaign staff downloaded the audio files from the Web site and leaked a small portion of them to a Los Angeles Times reporter.

The recordings were from a speechwriting meeting in the governor's office last March that included Schwarzenegger and a handful of aides. At one point, the governor and his chief of staff discussed the possible ethnicity of a Republican assemblywoman.

Referring to temperament, Schwarzenegger said that whether Cuban or Puerto Rican, "They are all very hot."

"They have the, you know, part of the black blood in them and part of the Latino blood in them that together makes it," Schwarzenegger says on the recording.

He apologized for the remarks the next day.

Angelides and his campaign officials maintain aides did nothing wrong in accessing the audio files.

The campaign aides down-

loaded the recordings after going to a link of a Schwarzenegger speech about Hurricane Katrina on the governor's official Web site. They then shortened the Web address and reached a trove of other audio files.

Last week, Angelides sent a letter to Schwarzenegger's office asking that roughly four hours of private recordings be made public.

Hoch said Angelides' own statements suggest his campaign accessed the audio files "in an irregular way."

She said the files were contained on an "extranet server" maintained by the governor's office and were for use by his staff. The office permits reporters to access specific files via a link but said they can do so only through use of a password.

Further, Hoch said the audio files were exempt from public disclosure because they were prepared solely for internal use and would reveal the deliberative process in the governor's office.

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# Go on holiday at O'Flaherty's

By Kris Anderson  
Daily Staff Writer

Message to men: Always wanted to drink specialty shots but never been able to at risk of losing your masculinity?

## REVIEW: DRINK OF THE WEEK

I have the solution for you, and it doesn't include dressing in drag and ordering a cranberry martini.

Gents, take a walk down Santa Clara Street, westward and hang a right on San Pedro Street.

Head on into O'Flaherty's Irish

Pub, pluck out a nice wad of cash and order up a Mad Hatter.

It's a bird and a plane and a speeding bullet. Kinda.

Upon placing the order, the bartender pours Guinness, Chambord Raspberry Liqueur and cider into a pint glass with a smile.

At \$7.50 some may see it as extensive, but for men, it's worth it to hold a pint glass that looks like Guinness and tastes like raspberry apple cider.

"The best part about it?" manager John Goldstein said. "The best part about it is that it makes me able to drink Guinness."

The pub, according to manager John Goldstein, imports about 80 percent of its decor straight from

Ireland.

The bar, the cabinets and even the tables, which are actually remodeled singer sewing machines, all came from Ireland, Goldstein said.

In an atmosphere where you are only a stranger but once, Goldstein said the pub provides a very friendly environment for patrons.

"We have an incredible staff that's very friendly," Goldstein said.

He said people greet you when you enter, and after a while, the staff knows what you drink.

The pub features live, traditional Irish music on Tuesdays and Sundays and the pub is usually packed on the weekend, Goldstein said.



DANIEL ESCH/ DAILY PHOTO EDITOR

### MAD HATTER INGREDIENTS

Roughly:  
One shot of Chambord  
Raspberry Liqueur  
1/2 pint of cider  
1/2 pint of Guinness

\*Recipe courtesy of  
O'Flaherty's Irish Pub

# Music comes alive in Concert Hall



GAVIN MCCHESENEY/ DAILY SENIOR STAFF

The San Jose State University Symphonic Orchestra, conducted by Janet Averett, warms up Tuesday before a performance in the Music building Concert Hall.

By Tyanne Roberts  
Daily Staff Writer

Fingers danced and the lights from the ceiling reflected off instruments as members of the San Jose State University Symphonic Orchestra performed Tuesday.

## CONCERT REVIEW

The symphonic orchestra blended different sounds from various instruments, such as trumpets, clarinets, piccolos and percussion pieces, which remind you of a movie.

The concert series consisted of pieces composed by Richard Wagner, Gustav Mahler and Richard Strauss.

With the soft sounds of the violins playing, the concert started off fairly decent. The players seemed to have a few pitch problems in the beginning, but they pulled it off after a minute into their opening song.

The orchestra did a good job with its tempo, and the solo artists were impeccable throughout the performance. At the same time, the minor pitch problems were easily recognizable to people who don't have a trained musical ear.

I wasn't sure if the performance had an overall theme, and if the orchestra was playing music from all the same era which is usually a common assumption for orchestras.

The section they played was titled "Five Rückert Songs," by Gustav Mahler. It was accompanied by

an excellent tenor named Joseph Frank, who did an excellent job accompanying the group.

Though the attendance for the program seemed to consist mostly of students jotting down notes presumably for either an extra credit assignment or a class requirement, the Music building Concert Hall was about three-quarters full.

After a brief intermission, the symphonic orchestra performed a suite from "Le Bourgeois Gentilhomme," which I thought was a more entertaining piece than the first half of the program because of its tempo changes and melodic lines.

"The piece was hard, and the group rose to the occasion," said Janet Averett, the conductor of the group.

Typical of this kind of music, the audience members were sitting quietly, although I did see some of the students nodding off or slouching with their heads down.

The solo performances that performed along side the group were great. It made it easier for people with a nonmusical background to see who was playing and what instrument it was.

Not only did the orchestra do a good job of harmonizing its sounds, it also made the performance entertaining. The music had different tempos and volumes, which made it flow.

There will be other concerts scheduled throughout the semester.

# Celebrity judge to hold workshop

By Lindsay Bryant  
Daily Staff Writer

The Fox television show "So You Think You Can Dance?" will host a hip-hop workshop this Saturday at the San Jose Dance Sport Center.

## PREVIEW

The 9 a.m. to 3 p.m. workshop is a first for the Bay Area and will feature hip-hop choreographer Shane Sparks, according to the press release.

Sparks is a judge for "Dance," which comes from the "American Idol" producers, and the workshop will also feature choreographers "Chopper" and Brian Drake.

"If you feel you have the coordination, the rhythm, the body for it, then come out and have fun," Sparks said in a phone interview.

Sparks' credentials span from receiving an American Choreography Award for "best choreography in a feature film" for "You Got Served" to working with musical artists Lindsay Lohan, Marques Houston, Omarion and B2K, according to the

workshop's press release.

"Some people change the world through teaching, through music, through whatever creativity you have," Sparks said.

Sparks said he is confident in his abilities.

**"Some people change the world through teaching, through music ..."**  
— Shane Sparks,  
"So You Think You Can Dance?" judge

"Sooner or later, everyone is going to be dancing to my moves, to my creativity, and that's a good thing, you know?" Sparks said.

Also accompanying Sparks is choreographer "Chopper."

He was once a dancer for recording artist Ginuwine, Bow Wow and the film "The Game Don't Last Forever," which has not yet been released.

Drake is a choreographer for Ak'sent and worked on the up-

coming film "Harlem Black," according to the press release.

The \$99 ticket price includes the workshop, an autograph and photo session and free T-shirts and hats, Sparks said.

The workshop, which is open to all ages, will only feature hip-hop dancing but Sparks said that future workshops will incorporate jazz, lyrical and other types of dance.

"For dancers, it's important to know more than one style of dance," Sparks said.

"Being versatile, every style of dance is getting respected right now, whether it's salsa, foxtrot or jazz."

The format of "Dance" is similar to talent show "American Idol," but instead of aspiring singers, the contestants are looking to launch their dancing careers.

"I want dancers to be respected," Sparks said, "to be paid what they're worth and travel the world. They don't always get that respect, because they dance behind the artist."

Sparks is excited about bringing hip-hop dance to the Bay Area and to the forefront of American popular culture, a sentiment felt by several San Jose State University students.

"I love 'So You Think You Can Dance?'" said Shina Cardeno, a

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**Evanescence**  
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**In Theaters Friday**

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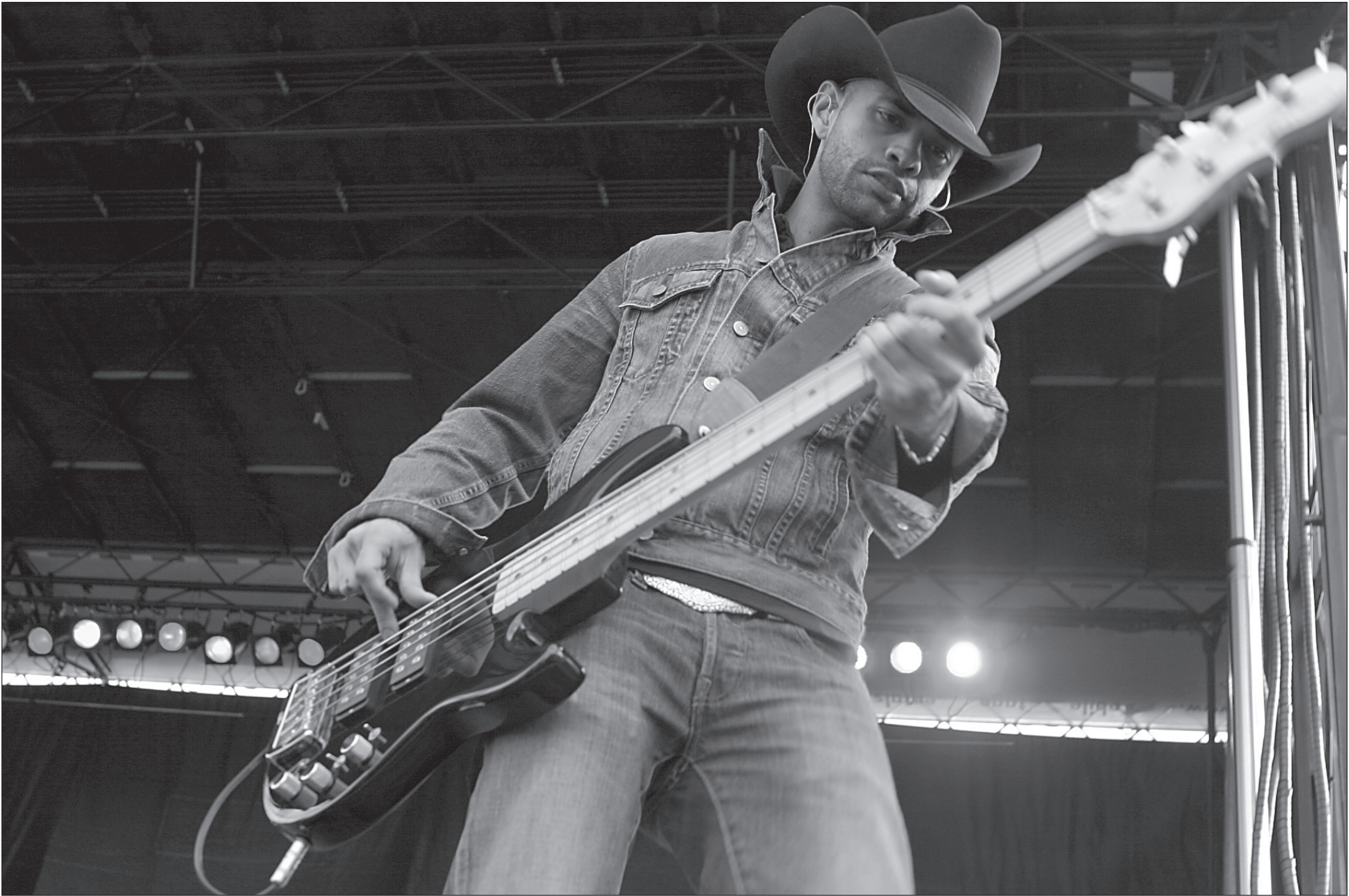
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# Smorgasbord of Sounds at Shoreline

PHOTOS & STORY BY FELIX LING  
*Daily Senior Staff Photographer*

It was a great day for music at the Shoreline Amphitheatre on Saturday, when the Download Festival delivered 10 diverse acts across three stages.

The early standouts included The Like, which played fun girly pop with a rockin' edge, and TV on the Radio, which layered a variety of sounds and textures (including wind chimes) into a unique electronica sound. Rogue Wave's and the Shins' mellow brands of indie music, however, didn't seem well suited for such a large venue.

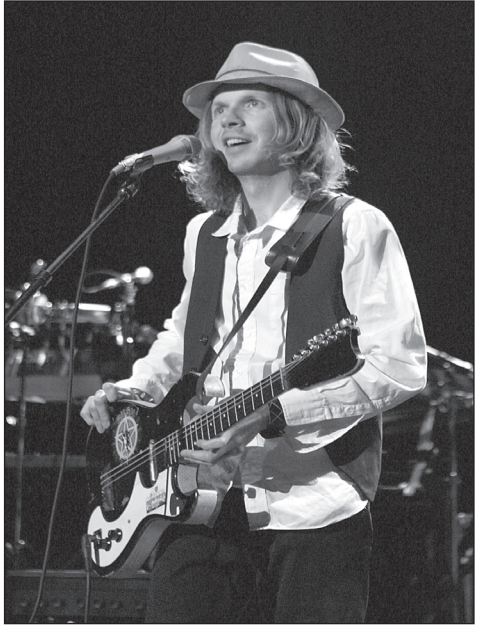
Coheed and Cambria got the crowd rocking out on the second stage, prompting some crowd surfing. On the main stage, Muse completely assaulted the senses, rocking loud and hard, accompanied by an elaborate light show. It was a tough act to follow for the Yeah Yeah

Yeahs. Although lead singer Karen O was game for the challenge, their show was plagued with some technical difficulties that made it hard to hear her singing.

No such problems plagued Beck's absolutely amazing show, which featured detailed puppets of Beck and the band, mimicking the musicians' every move.

Late in the show, Beck played solo while the rest of the band began eating dinner on stage. When they were done, they began making sounds with the dinner utensils to accompany him. Before the encore, an amusing short film played, featuring the puppets spoofing "Snakes on a Plane."

Near the end, the Beck puppet shouted, "Oh no, my bandmates are all dead! This means I'm going to have to go on and play some solo acoustic s--- or something!" Beck and the band then came back to play a few crowd-pleasing hits to conclude a very satisfying show.



## CONCERT REVIEW

Fans  
rock out  
to 10 acts



TOP: Cesar Pliego plays bass guitar for Kinky during its energetic set on the second stage of the Download Festival on Saturday. Kinky, a band from Mexico, creates a unique style from a mix of various genres, including Latin-flavored funk and electronica. ABOVE LEFT: Karen O fronts the Yeah Yeah Yeahs and can always be counted on to be doing and/or wearing something unusual. The band performed their ballad "Maps," which is also featured in Ted Leo's cover of Kelly Clarkson's hit, "Since U Been Gone." ABOVE: Beck put on an amazing show at Shoreline Amphitheatre on Saturday. It included a variety of unique creative elements, including a hyperactive guy dressed up as Beck appeared in his "Loser" video several years ago. LEFT: A crowd listens to Kinky perform on the second stage at Shoreline Amphitheatre in Mountain View on Saturday.

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# HP- Five to face felony counts; CEO not charged

Continued from page 1

Bryan Wagner of Littleton, Colo. — of violating state privacy laws in HP’s crusade to root out the source of boardroom leaks.

They each face four felony counts: use of false or fraudulent pretenses to obtain confidential information from a public utility; unauthorized access to computer data; identity theft; and conspiracy to commit each of those crimes. Each charge carries a fine of up to \$10,000 and three years in prison.

The case was filed in Santa Clara County Superior Court in San Jose.

HP CEO Mark Hurd is not among those charged, nor was HP’s former General Counsel Ann Baskins, who had some oversight of the company’s investigation of media leaks.

At an afternoon news conference, Lockyer said California has some of the strictest privacy laws in the country and Californians value them so much that they are enshrined in the state constitution. Therefore, he said,

it’s crucial that those who break them are prosecuted.

“One of our state’s most venerable institutions lost its way as its board sought to find out who leaked confidential company information to the press,” he said, vowing to hold those who broke the law accountable.

Lockyer asked the court to issue arrest warrants for those charged. His office said it has arranged for Dunn and Hunsaker to surrender and hopes the out-of-state defendants will voluntarily waive extradition to California.

The scandal erupted last month when HP disclosed that detectives it hired to root out a series of boardroom leaks secretly obtained detailed phone logs of directors, employees and journalists. The detectives used a potentially criminal form of subterfuge known as pretexting to masquerade as their targets and trick telephone companies into turning over the records.

According to the criminal complaint, private investigators work-

ing for HP compromised the personal data of more than 24 people, including HP directors, employees and journalists. By March, the detectives had compiled records of 1,750 phone calls made on 157 cellular phones and 413 landlines.

In one of the more egregious cases, an impostor posing as CNET journalist Dawn Kawamoto in January successfully had Kawamoto’s cell phone password removed, logged into her online account and changed the password. Several days later, someone viewed Kawamoto’s detailed call log for nine minutes.

Pretexting will become a criminal offense in California when a new law signed by Gov. Arnold Schwarzenegger takes effect Jan. 1. Violators will be punished by \$2,500 in fines and up to a year in jail, though the law will not retroactively apply to the HP investigation.

Dunn — who initiated the investigation — said she didn’t know until after the fact that the detec-

tives went to such extremes to unearth clues about the leaker’s identity. She resigned from HP’s board last month amid the uproar over the probe.

Dunn’s lawyer, James Brosnahan, said his client has fought for good corporate governance her entire career and will fight the charges “with everything she has.”

“These charges are being brought against the wrong person at the wrong time and for the wrong reasons,” he said in a statement.

Dunn, 53, who has survived breast cancer and melanoma, will begin chemotherapy treatments for advanced ovarian cancer on Friday at the University of California, San Francisco, according to a person close to Dunn who asked to remain anonymous because a formal announcement wasn’t planned.

Lawyers for the others charged did not immediately return calls seeking comment, but DeLia asserted his innocence in a statement he read to The Associated Press.

“I am innocent of these charg-

es,” DeLia said. “I’ve been a professional private investigator for more than 30 years. I respect the law and I did not break the law in the HP investigation.”

He refused to elaborate on his statement or take questions.

HP said in a statement it is co-operating with Lockyer as well as federal authorities who are also exploring possible criminal charges. The Palo Alto-based company declined further comment.

HP’s stock has largely been immune to the scandal swirling around its board, and Wednesday was no exception. It rose 60 cents, or 1.6 percent, to close at \$38.02 on the New York Stock Exchange. Earlier in the day it reached a 52-week high of \$38.14.

The criminal case against Dunn and the others may be difficult to prove if they can show they were simply relying on legal opinions assuring them HP’s tactics were legal, said Jamie Wareham, a Washington, D.C. defense lawyer specializing in corporate law.

Wareham also questioned whether Lockyer rushed the charges to generate publicity in the weeks leading up to the Nov. 7 election. Lockyer, a Democrat, is running for state treasurer.

“It was a stupid and unethical thing that occurred, but it may not have been a crime,” he said.

Lockyer’s spokesman, Tom Dresslar, disputed the idea that the timing was politically motivated, saying “the only motivation is to hold accountable individuals who broke California laws designed to protect privacy.”

HP eventually identified director George Keyworth II as the source of a leak to a CNET Networks Inc. reporter. Keyworth resigned after the scandal went public in early September.

Another director, venture capitalist Thomas J. Perkins, resigned from the board in May after learning about the tactics, then pressured the company to publicly disclose the reason for his departure.

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15 E. — bacteria  
16 Aloud  
17 Infra opposite  
18 Thor's father  
19 Copenhagen native  
20 Narrow inlet  
21 Tart sauce  
24 Huffs and puffs  
26 Most faded  
27 Hosp. workers  
28 Whodunit suspects  
30 Dismantle a tent  
33 Father of science-fiction  
34 Ben- —  
37 Watch pockets  
38 Gallivants  
39 Conductor's baton  
40 Mantra chants  
41 Perry's secretary  
42 Comes ashore  
43 Pastimes  
44 Island welcome  
45 Hold firmly  
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52 Certain (2 wds.)  
55 — West (life vest)  
56 Parroted  
57 Charged particles  
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61 The chills  
62 Exactness  
63 TWA guesses  
64 Not as great  
65 Sweetie-pies

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PRE	ARBOR	STOOL
ROAR	SARAH	ETTA
IDLES	SALAD	ARN
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LION	IMAGE	ALAS
ERIE	FOILS	SNAP
FEND	YESES	YARIN

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3 Pave over  
4 Nowhere close  
5 Working hard  
6 Computer symbols  
7 Kind of fountain  
8 Others, to Ovid  
9 Honchos  
10 Alpine calls  
11 Fuming  
12 Suit piece  
13 Driving hazard  
22 Successful candidates  
23 Not often seen  
25 Warlike son of Hera  
28 Gets better  
29 Columnist — Bombeck  
30 Roswell crasher  
31 — de plume  
32 "Nature" channel  
34 Meadow rodent  
34 Leia's rescuer  
35 Sturm — Drang  
36 Hwy's.  
38 Kind of course  
39 Lament  
41 Mild expletive  
42 Gym wear  
43 Crystal-filled rocks  
44 Freedom, in slogans  
45 Diminish  
46 Warehouse  
47 "Laughing" animal  
48 One of Greyhound's fleet  
49 Rolex rival  
50 Swamp critter  
51 Century units  
53 Former ruler of Venice  
54 Heavy burden  
59 Rumor, perhaps

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