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San José councilmember arrested

By Madison Wilber
UPDATE NEWS

Councilmember Omar Torres, who represented District 3 in San José, submitted his resignation from office and was arrested on Nov. 5.

Torres is facing three felony charges following a new victim who came forward on Nov. 4, with corroborated evidence that allegedly shows that Torres molested them for nine years, according to an investigative report from the San José Police Department (SJPD).

This case is separate from an ongoing investigation into Torres that began in September.

The initial and ongoing investigation follows allegations of sexual misconduct with a minor and messages exchanged about underage individuals, according to SJPD.

Torres denied these allegations and claimed the messages were simply fantasy.

Chief Assistant District Attorney Jay Boyarsky said the prosecution understands and cares for victims of sexual assault, following the councilmembers' arraignment on Wednesday.

"We are in the process of advocating for our community by making sure that this defendant, Omar Torres, is held strictly accountable and can never hurt anyone else ever again," Boyarsky said.

Torres' defense attorney Nelson McElmurry declined to comment.

The evidence from the new investigation allegedly shows that Torres began molesting this victim when they were 4-years-old and when Torres was 9-years-old, according to the investigative report.

This continued until the victim was 13-years-old and until Torres was 18-years-old, according to the same report.

The alleged assaults took place between the years of 1990 and 1999, and the victim recalled the alleged assaults, according to the same source.

The report from the San José Police Department states that the first time the assault took place they were taken into a closet and were touched by Torres.

The assaults then escalated to performing oral activities and rape, where Torres allegedly told the victim that nobody would believe them if they

said anything, according to the same report from SJPD.

Within the evidence was a recorded phone call with Torres where he admitted to raping the victim and forcing him to perform oral activities.

Torres repeatedly apologized during the phone call and said he was also a victim of sexual assault.

When asked how many times he molested the victim, Torres said he would say about, "20-25 times" and said the victim was an "easy target."

Torres also said he "blacks out" during sex and does not remember much, saying he was on "cruise control" and "autopilot."

The victim said they learned of the allegations from the ongoing investigation, which gave them the courage to come forward.

The charges for this case include, "Lewd Act On a Child," "Oral Copulation with a Minor" and "Sodomy on a Child."

Boyarsky highlighted this testimony does not violate the statute of limitations.

"The law has evolved to recognize the fact that many victims of sexual assault don't come forward right away," Boyarsky said. "The law — as it stands now — is that under certain conditions when a victim comes forward the courthouse doors will not be slammed in their faces."

A statute of limitations is a law that is passed by a legislative body that does not allow legal proceedings and claims to be brought forward after a certain amount of time passes, according to a web page from the Legal Information Institute.

“

To the San José community, please know this department will always support survivors of sexual violence and abuse and (they) need to know that it is never too late to come forward. Doing so takes courage, but know you will be supported.

Paul Joseph
Chief of police at San José Police Department

In a press conference on Wednesday, San José Mayor Matt Mahan said as a parent with two children, these allegations are every parent's worst nightmare.

"You don't have to be

a parent to be sickened by the charges against (Torres), which are some of the most serious charges imaginable," Mahan said.

Mahan said staff working under Torres were incredibly shaken up and

the investigation is still ongoing.

"Detectives immediately began an independent investigation into these new allegations in parallel with an existing investigation that was underway,"

Joseph said. "Members from the San José Police Department's Internet Crimes Against Children Task Force then arrested Torres in San José shortly after the arrest warrant

was issued."

Joseph praised the victim for coming forward and encouraged members of the community to report to SJPD.

"To the San José community, please know this department will always support survivors of sexual violence and abuse, and need to know that it is never too late to come forward," Joseph said. "Doing so takes courage, but know you will be supported."

Torres' resignation letter states that his last day in office as Nov. 27, according to Mahan.

Torres has been stripped of all of his official appointments and community assignments since the initial ongoing investigation in September.

Typically councilmembers hold their positions for four years, according to the San José city charter.

Mahan said there are two ways to go about filling the vacant seat, and that is to have a temporary

appointment, a special election or in some cases both.

A temporary appointment is when the legislative body appoints someone to temporarily fill a vacancy, according to a web page from the Legal Information Institute at Cornell Law School.

In a special election, an election held outside of the general election cycle, typically to fill vacancies or address a specific issue that is still voted on by the people, according to Cornell Law School Law Information Institute.

"Just to set some expectations, either path will take some time," Mahan said. "The earliest we would have a new city councilmember (is) early next year."

The *Spartan Daily* and *Update News* will continue to follow this story.

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Empowering Democracy: Advancing Racial Justice and Equity in the 21st Century

GRAPHIC BY ALEJANDRA GALLO

SJSU professors discuss human rights

By **Alejandra Gallo**
STAFF WRITER

A panel of professors from Human Rights Institute at San José State spoke about issues concerning human rights and social justice on Tuesday.

Four professors discussed issues such as mass incarceration, reproductive rights and climate change, at Dr. Martin Luther King, Jr. Library.

The Human Rights Institute at SJSU has students and faculty do research on pressing societal issues and work with community organizations to design solutions, according to an SJSU web page.

John Halushka, an associate professor for the Department of Justice Studies, spoke about his book, "Getting the Runaround: Formerly Incarcerated Men and the Bureaucratic Barriers to Reentry."

"I wanted to – in one way – humanize the people who were incarcerated and listen to their stories," Halushka said. "I also wanted to have a bigger conversation about mass incarceration and human rights."

The United States is responsible for more than 20% of the world's incarcerated population, according to an American Civil Liberties Union web page.

"One of the biggest barriers when it comes to reentry is the amount of red tape that people have to deal with," he said. "(This) includes overlapping appointments between their parole officer and their welfare case manager, in their housing facility or curfews not just from parole, but various housing facilities."

Every year, around 700,000 people are released from jails in the U.S. and face many barriers to successfully reenter society, according to a Leadership Conference on Civil and Human Rights web page.

Halushka said reentry



I started doing more and more research (on the foster care system) and it became a very personal and very urgent issue. Especially because so many families were being separated during the first Trump administration.

is when a previously incarcerated person transitions back into society after being in jail or prison.

Tanya Bakhru, a professor in the Department of Sociology and Interdisciplinary Studies, spoke about her recently published book

"Reproductive Justice, Adoption, and Foster Care" at the event.

"I started doing more and more research (on the foster care system) and it became a very personal and very urgent issue," Bakhru said. "Especially because so many families were being separated during the first Trump administration."

The U.S. Department of Justice implemented a "zero tolerance" policy, according to a May 8, 2018 speech from the Office of Public Affairs.

In the policy, all cases involving immigrants who crossed the border illegally must be referred

associate professor at the Department of Justice Studies, spoke about the criminalization of pregnancy and opened up about doing a self-managed abortion.

Howard said she was in college at the time when she became pregnant and couldn't afford to have a procedural abortion at a clinic.

"I was safe, but it was very clear to me at that time that it could have gone another way," Howard said. "I didn't realize how pervasive the criminalization of pregnancy was until much later."

She said she was

The term pregnancy criminalization refers to a state creating criminal laws against acts associated with pregnancy, pregnancy loss or birth the subject of criminal prosecution, according to a Sept. 24 Time article.

Tumy Pitso, a San José resident, said it's important to participate in conversations concerning reproductive rights, especially after the 2024 General Election.

"It kind of feels like (the election) is taking independence further away from women," Pitso said. "It's scary stuff that in this day and age, we're

2022 NPR article.

"Hearing the panelists talk about reproductive rights startled me a little because it's worrying to learn this stuff," Pitso said. "I definitely think it's something more people should be aware of because we're the future generation of parents."

President-elect Donald Trump pledged to appoint Supreme Court justices to help overturn Roe v. Wade during his first presidential term, according to a Nov. 7 NBC News article.

William Armaline, professor in the Department of Sociology and Interdisciplinary Studies, spoke about overlapping threats to human survival, such as nuclear power and climate change.

"You're not hearing a single person in your media talk about important topics like nuclear power," Armaline said. "It's not even a point of discussion."

The panelists also urged students and those at the event to stir a conversation about human rights issues to bring more awareness to them.

"We're just going to have to do a lot of work together to understand and re-orient ourselves on these issues," Armaline said.

Tanya Bakhru
SJSU professor and author

Follow Alejandra on Instagram
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ABOUT

The Spartan Daily prides itself on being the San José State community's top news source. New issues are published every Tuesday, Wednesday and Thursday throughout the academic year and online content updated daily. The Spartan Daily is written and published by San José State students as an expression of their First Amendment rights. Reader feedback may be submitted as letters to the editor or online comments.

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EDITORIAL POLICY

Columns are the opinion of individual writers and not that of the Spartan Daily. Editorials reflect the majority opinion of the Editorial Board, which is made up of student editors.

SJSU hosts first-gen celebration week

By Saturn Williams
STAFF WRITER

San José State's first observance of National First-Generation College Celebration Day culminated on Wednesday in a resource showcase serving the campus's first-generation population at 7th Street Plaza.

The university's Educational Opportunity Program and Undergraduate Advising & Success unit organized the inaugural First-Gen Celebration Week events on Nov. 4 and ended its celebration on Wednesday in collaboration with multiple campus organizations, according to a Nov. 4 SJSU NewsCenter article.

Blanca Moncada is the coordinator for Academic Success at University Housing Services and a first-generation college graduate, but said she did not know about the celebration until she walked down 7th Street.

"To be able to see all of this brings a smile to my face, to see multiple student organizations, multiple areas on campus come together to highlight first-generation stories," Moncada said.

A first-generation student is defined by the organization FirstGen Forward as an undergraduate student whose parents have not obtained an undergraduate degree, but some institutions' definitions vary to include any college attendance, according to the FirstGen Forward "Journal & Research" web page.

"It's a very unique experience to be one of the first in your family to navigate higher education and receive a degree," she said.

National First-Generation College Celebration Day, which happened on Nov. 8, celebrates the passage of the Higher Education Act in 1965, according to the FirstGen Forward "Engagement" web page.

The Higher Education Act in 1965 created first-generation student programs such as the Educational Opportunity Program and Student Support Services, according to the same source.

"Especially for (The Educational Opportunity Program), they're not just first-generation students, but they're also coming from historically low-income backgrounds," Gomez said. "They are coming from working families that a lot of our students need to work part-time, or sometimes even full time, having multiple jobs, not just one job, to help them support their families and pay for college."

The Educational Opportunity Program is SJSU's primary first-generation serving institution, providing financial assistance and academic support to students from disadvantaged socioeconomic backgrounds, according to the program's web page on SJSU's website.

Angelica Gomez, lead Educational Opportunity Program adviser and higher education leadership graduate, represented the equity program at a table during Wednesday's celebration.

"We have been working for the past year or so putting together an event that celebrates first-generation college students, just because there's a lot of students here at San José State that are first



ISRAEL ARCHIE | SPARTAN DAILY

Students spin a wheel and answer questions to win prizes at a tabling booth set up along 7th Street Plaza.

generation," Gomez said. Roughly 44% of undergraduate students enrolled at SJSU are first-generation students and one of the largest student body demographics on campus, according to SJSU's "Facts and Accomplishments" web page.

The proportion of first-generation students at SJSU is slightly lower than the 54% of undergraduates nationwide, according to a 2019-20 National Postsecondary Student Aid study.

"Something that I learned by tabling today and yesterday was that some students don't know that they are first-gen students and some students don't know about the resources that are available on campus that support them," Gomez said. "So that has been pretty interesting and eye-opening."

One of the resources

Educational Opportunity Program provides a grant of \$1,200 per academic year for eligible students that have \$5,000 or less Expected Family Contribution on its Federal Application For Student Aid, according to a Financial Aid and Scholarship Office web page.

Expected Family Contribution projects how much a college student's family is able to support the student's education financially, which then determines the amount of federal aid the student can receive, according to the 2023-2024 Federal Student Aid Handbook.

"Getting that additional support, to me, that was really crucial," Gomez said. "If it wasn't for the financial aid that I received when I was in college, I don't think I would have been able to afford going to college."

The median parent income

for a first-generation college student is less than half of the median parent income for continuing-generation students, according to a 2020 Center for First-Generation Student Success fact sheet.

"This population of students, they need specific resources and support that can help them, guide them (in) navigating SJSU, higher education and help them graduate," Gomez said.

"It is important to celebrate first-gen students because first-gen students face a lot of challenges when it comes to navigating higher education."

The event series at SJSU began with a first-generation student panel with President Cynthia Teniente-Matson on Nov. 4 in the Student Union, where students shared their experiences being the first in their family to attend higher education.

At booths along 7th

Street on Wednesday, first-generation students and faculty also shared their stories with organizers' staff and wrote personal anecdotes displayed for other students passing by.

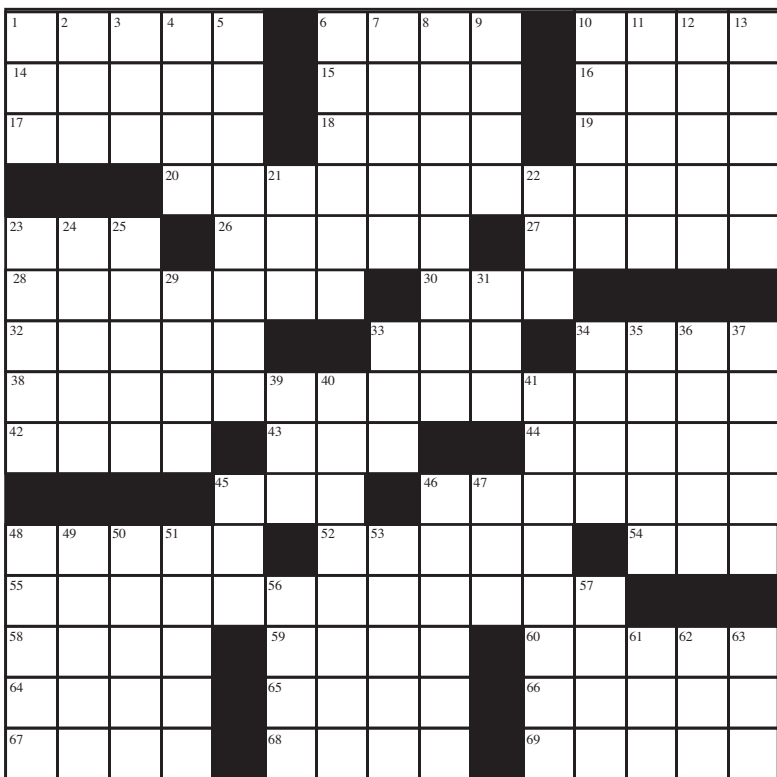
Liliana Castellón is an assistant professor in Educational Leadership at the Connie L. Lurie College of Education who obtained her Ph.D as a first-generation college student.

"I think that the celebration is needed, not just to validate the students that are doing it, but also to validate all the different emotions and the different experiences that come with being first generation," Castellón said.

Follow Saturn on Instagram @saturn.sjsu

CLASSIFIEDS

CROSSWORD PUZZLE



ACROSS

- 1. The Donald's first
- 6. Kind of improvement
- 10. Gorgeous legs, to a guy in a zoot suit
- 14. Exasperated
- 15. Magazine items?
- 16. Mosque leader
- 17. If it's canceled, it has been accepted
- 18. Table section
- 19. Small pond
- 20. Beloved snappy dresser?
- 23. Timezone letters
- 26. Calliope power
- 27. Also-ran in '96
- 28. Soporifics
- 30. Tag pursuers
- 32. Half a city?
- 33. Shepherd's place
- 34. The lady of the Haus
- 38. Beloved golden parachutes?
- 42. Some Giants
- 43. Not a particular
- 44. "West Side Story" role
- 45. Bro counterpart
- 46. Trail closely
- 48. Trail closely
- 52. Slab of chocolate

- 54. Chicago-to-Miami dir.
- 55. Beloved Ralph and Alice?
- 58. Fully avenged
- 59. Decade components, in Mexico
- 60. Words of dismay
- 64. Bivouac element
- 65. Hurt all over
- 66. Suspended
- 67. Foundations may support them
- 68. O'Casey or Conner
- 69. Office dispatches

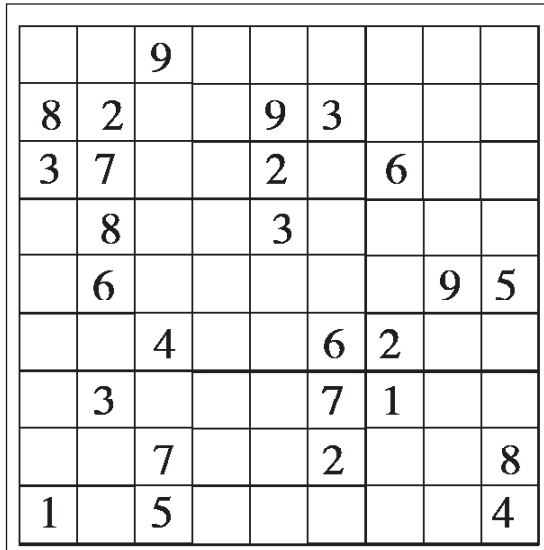
DOWN

- 1. Conditions
- 2. Spot checker?
- 3. Oral surgeon's org.
- 4. Without sensation
- 5. Hunger trigger
- 6. Attaches importance to
- 7. Biology 101 subject
- 8. Like a snake oil salesman, and then some
- 9. Protein-rich health food
- 10. Greedy person's demand
- 11. Eastern ruler (Var.)
- 12. Phil's wife
- 13. Small silvery fish

- 21. Pigged out
- 22. AWOL hunters
- 23. Search for water, in a way
- 24. Salmon do it
- 25. Like some floors
- 29. Brewpub quaffs
- 31. End of an exchange?
- 33. Not of the cloth
- 34. Manage independently
- 35. Bookies' nightmares
- 36. Some chorus girls?
- 37. Application
- 39. "Bali _____" (South Pacific song)
- 40. Settle snugly
- 41. Developer's site?
- 45. You may reach for it
- 46. Burner designer
- 47. Suffix with serpent or elephant
- 48. Eighth letter of the Greek alphabet
- 49. Generic dog name
- 50. With regard to
- 51. Word on a nickel
- 53. Foo faraw
- 56. "Serpico" author Peter
- 57. Year's last word, often
- 61. Vitality
- 62. Author Umberto
- 63. It's an ok word

SUDOKU PUZZLE

Complete the grid so that every row, column and 3x3 box contains every digit from 1 to 9 inclusively.

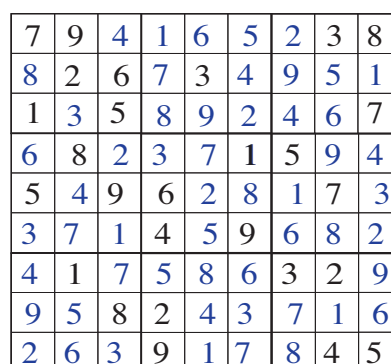


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The ceremony was bad but the reception was amazing.

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OPINION

Midseason football features surprises

By Israel Archie
STAFF WRITER

With the NFL going into the second half of the regular season, some teams have made complete turnarounds, while for others, it's more of the same.

The defending champion Kansas City Chiefs are still the Kansas City Chiefs, who ran roughshod over the league last season. The team currently has the best record in the league at 9-0 and still haven't lost a game, according to ESPN.

The Chiefs are doing this without its running back Isiah Pacheco, who has been out since Week 2 with a fibula injury, according to ESPN 2024 NFL Standing statistics.

New Orleans Saints started hot, but lost momentum early. The team did look good in the first couple of weeks of the season with quarterback Derek Carr passing over 400 yards and winning in his first two games, according to his ESPN player profile.

The Saints have only won one game since, losing seven straight games before beating the Atlanta Falcons on Sunday.

Carr threw his season high of 269 yards moving New Orleans to No. 3 in the National Football Conference South,

according to the same source.

Despite Atlanta's loss, Falcons quarterback Kirk Cousins has turned the team around from last season after they got eliminated from playoff contention.

The Falcons went from 10-7 in the 2023-24 season to a winning record of 6-4 at the midway point.

The Falcons' losing season in 2023-24 was steered primarily by current Las Vegas Raiders quarterback Desmond Ridder, who had a quarterback rating of only 40.8, according to his ESPN player profile.

A quarterback rating is a statistic that measures the efficiency of a quarterback on a scale of 0-100 with 50 being an average quarterback and 75 being a Pro Bowl-level quarterback, according to ESPN.

Based on this statistic, Ridder was an inefficient quarterback for Atlanta last season, and signing Cousins was a major step forward.

Since his tenure in Atlanta, Cousins broke the franchise record for most passing yards in a game with 509 for Week 5 against the Tampa Bay Buccaneers and has completed over 68% of his passes while having a quarterback rating of 57.9, according to his



PHOTO FROM FLICKR

ESPN player profile.

Coming off a Thursday night football victory against the Cincinnati Bengals, the Baltimore Ravens have also looked good this season.

They currently have a record of 7-3 and are No. 2 in the American Football Conference North, according to the ESPN NFL Standings 2024 statistics.

One of the main reasons for this success is running back Derrick Henry.

Henry is currently leading the league in rushing yards at 1,120 with 12 touchdowns while averaging 6.1 yards per rush at 3

0 years old, according to his ESPN player profile.

Running backs can decline sharply at 29-years-old and it can be even sooner in some cases, according to a July, 23 2023 article from ESPN.

However, Henry continues to play at an elite level along with his teammate and quarterback Lamar Jackson.

Jackson is leading the league in quarterback rating at 76.9 while being No. 3 in passing yards at 2,669, and tied at No. 2 with 24 touchdowns with Bengals quarterback Joe Burrow, according to ESPN.

Not to mention, he has 538 rushing yards and two touchdowns as a quarterback averaging 5.9 yards per rush. He is also in first place in the Most Valuable Player race, according to ESPN.

One team that deserves recognition and took me by surprise is the Washington Commanders, currently being led by rookie quarterback Jayden Daniels.

Daniels is currently No. 4 in quarterback rating at 71.2 and has only thrown two interceptions the entire season, contributing to Washington's 7-3 record, according to his

player profile on ESPN.

Thanks to Daniels's performance this season, the team is No. 2 in the NFC East despite Sunday's loss to the Pittsburgh Steelers, according to the same web page.

In contrast, Washington finished last with a record of 13-4 last season, according to the same source.

Teams will be scheduled to play the second half of the season as it continues to unfold, leading into the playoffs.

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OPINION

In-season tournament returns to TV

By Anfisa Pitchkhadze
STAFF WRITER

With the 2024-25 NBA season a couple of weeks in, fans are anticipating their team's performances in the 2024 Emirates NBA Cup.

The league will host the second annual NBA in-season tournament starting on Nov. 12, according to an NBA.com press release.

The tournament features all 30 teams divided and randomly drawn into six groups based on the 2023-24 NBA regular season records, according to the same press release.

Each group has five teams within their respective conferences, with the Western and Eastern conferences are each assorted into Groups A, B and C, according to a Jul. 23 NBA.com article.

The NBA kicks the tournament off in Group Stage games known as "Cup Nights" where teams will face their opponents, according to a Nov. 8 ESPN article.

The Western Conference groups feature a handful of well-rounded teams such as the Oklahoma City Thunder and the Golden State Warriors, making basketball fans ecstatic for the competitive games.

The Los Angeles Lakers, led by LeBron James and current MVP candidate Anthony Davis, hope to reclaim their NBA Cup title.

The Lakers won the 2023 Emirates NBA Cup after defeating the

Indiana Pacers 123-109 in the championship game, according to a Dec. 11, 2023 NBA.com article.

However, the team is gearing up for tough competition as they are scheduled to face the Oklahoma City Thunder and Phoenix Suns in group play.

The Thunder is off to a great start, sitting at the top of the Western Conference with a 9-2 record, according to FOX Sports 2024-25 NBA Standings statistics.

The main winning factor of the team is guard Shai Gilgeous-Alexander the Top 10 in scoring and averaging 27.8 points per game, according to ESPN player statistics.

Oklahoma City is an overall deep team filled with talented players including center Chet Holmgren, forward Jalen Williams and guard Luguentz Dort.

However, questions now loom for the Thunder after Holmgren suffered a right iliac hip fracture and is expected to be out for eight to 10 weeks, according to ESPN.

The young center and power forward is one of the Thunder's core pieces and the defense will look different without him.

Holmgren is averaging 2.6 blocks per game which is third in the league, according to an NBA 2024-25 statistic page.

He is a primary factor to the Thunder's defense

and now the team will turn to Dort and guard Alex Caruso.

Oklahoma's run for the NBA Cup Title will remain a mystery as they have to play without one of their main role players.

In comparison, the Phoenix Suns also recently lost its 14-time and two-time NBA champion All-Star forward Kevin Durant who is expected to be out around two weeks with a left calf strain, according to ESPN player statistics.

Now, the Suns must rely heavily on All-Star guards Devin Booker and Bradley

Beal which means most of the offense will be powered through them.

The absence of Durant hurts the team since he is leading the team in scoring with averaging 27.6 points per game, according to the same ESPN player statistics.

Meanwhile, Group C is seen as the toughest group and can premier matchups between the Golden State Warriors, Denver Nuggets and Dallas Mavericks.

The Warriors are expected to host the Mavericks on the first day of the tournament

with a familiar face returning to the Bay Area, four-time NBA champion

Klay Thompson.

The Warriors have made a surprising start to the season so far and are currently standing at third in the West with an 8-2, according to FOX Sports 2024-25 team statistics.

Point guard Stephen Curry is having a spectacular season and the Warriors newest addition of shooting guard Buddy Hield.

Hield has been an excellent partner in shooting 3-pointers and providing scoring contributions for the Warriors.

Golden State has a complementary bench that includes forwards Andrew Wiggins and Jonathan Kuminga and guard Brandin Podziemski.

Despite their rough 5-5 start, Mavericks are not a team to ignore featuring All-Star guards Luka Dončić and Kyrie Irving.

Meanwhile, the Denver Nuggets have MVP candidate Nikola Jokić who is the Nuggets' main offense.

Jokić is leading the league in rebounds and assists, averaging 13.7 rebounds per game, 11.7 assists per game and 29.7 points per game according to ESPN player statistics.

Denver also has guards Russell Westbrook, Jamal Murray and Christian Braun as a supporting cast, but will unfortunately feel the absence of forward Aaron Gordon going forward into the tournament.

The main teams

that intrigue me in the Eastern Conference are the Cleveland Cavaliers led by Donovan Mitchell and the Boston Celtics featuring All-Star players Jayson Tatum and Jaylen Brown.

The Cavaliers are off to a historic start with a 12-0 record, the best start in the league since the Warriors historic 73-9 season, according to a Nov. 12 ESPN article.

The Eastern conference also features teams such as the New York Knicks and Atlanta Hawks that are teams that can make a run in the tournament.

The Knicks feature All-Star guard Jalen Brunson and four-time All-Star center Karl-Anthony Towns while the Atlanta Hawks have three-time All-Star guard Trae Young.

The Group Stage games will take place on Tuesdays and Fridays between the dates of Nov. 12 to Dec. 3 while knockout rounds will take place from Dec. 10 until Dec. 17, according to the same Nov. 8 ESPN article.

The tournament sets for high-stacked competition and is also an opportunity for players to make a name for themselves.

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