LLOYD HURST
A Friend of Justice

Judicial discretion in sentencing is absolutely necessary because sentencing must be individualized. Each case is separate and distinct and each defendant in a criminal case is entitled to have his case considered on that basis. The key to any sentencing, to make it effective, and also meaningful, is to have the ability and the capability to tailor cases, to monitor, the conditions of sentencing to see if the conditions are complied with. The defendant must be impressed with the fact that the Court has the discretion and the capability of checking to see if the conditions imposed are met and if they are not met, the defendant will be charged with a violation.

I am not unmindful that there exists a school of thought that there should be uniformity in sentencing. At this point in my thinking, I do not generally subscribe to that view. I believe that the merits of the individualized sentencing far outweigh the merits of uniformity in sentencing.

In our judicial system as now constituted, we are bargaining in criminal cases is an absolute necessity. Without it, in view of the magnitude of cases that I handled in the local criminal courts, our judicial system would be come to a grinding halt. My investigation indicates that a Rochester City Court Judge handles on the average of twenty five hundred (2,500) and over cases each month. These cases run the gamut of criminal matters from violations to the first degree murder charges. While of course the City Court does not have the responsibility for ultimate disposition of felony cases, it does conduct preliminary hearings, does accept reduced pleas and disposes of those cases as misdemeanor charges. Plea bargaining are not nasty words, nor is the concept invidious; it is merely a recognition that in an appropriate case and under appropriate circumstances, these can be better handled for the benefit of the defendant and for the community by disposing of the case, by the defendant accepting a plea to a lesser charge.

I believe very much in the use of ALTERNATIVES TO INCARCERATION, I fully subscribe to the concepts of. I think referrals by the Court through agencies that appear to offer some services and assistance to a defendant who will assist him in meeting a problem or problems that have become manifest, problems which may have contributed to his involvement in the Criminal Court in the first instance. I propose to keep available for use a list of social agencies in the Rochester area, noting the various services that they offer so that referral be made in criminal cases. There will, of course, be occasions when a sentencing judge has no alternative except to impose sentence and incarceration, when that occasion is present, a sentencing judge must not shrink from his responsibilities.

I subscribe to the broad use of Dispute Settlement be utilized.

Finally, my basic credo is to try and conduct my judicial duties and responsibilities in such a manner that the person who comes before the Criminal Court, no matter what is the ultimate disposition of the case, leaves the Court feeling that he was treated fairly, that somebody listened, gave attention to his case, gave him full opportunity to be heard and that the decision made after the hearing of the case, gave a fair decision.

Be sure to vote
Tuesday, November 4th
Variable Housing Allowance

Secretary of Defense Harold Brown announced today the new Variable Housing Allowance (VHA) indices for members of the uniformed services. The allowance is authorized for members entitled to a basic allowance for quarters (BAQ) where the average cost for housing exceeds the BAQ by 15 percent or more and is effective as of October 1, 1980.

The VHA was included by the President as part of his Fair Benefits Package announced May 26, 1980, and was specifically authorized in the recent Nunn-Warner legislation on the Military Personnel and Compensation Amendments of 1980. A precise cost estimate for the VHA program is not yet available, but it is expected to be in a range of $550-600 million.

A group of DoD analysts including representation from all of the services has been working around the clock to make the VHA indices available to the service finance centers in time for October payment. The effort involved the distribution of more than one quarter of a million survey forms to service members. The returned forms were used in a detailed analysis that led to the VHA indices. Each military installation, detachment, or organization is included in one of the 347 military housing areas (MHA's) that have been established in one of the 48 contiguous states.

A group of 12 DoD analysts including representation from all of the services has been working around the clock to make the VHA indices available to the service finance centers in time for October payment. The effort involved the distribution of more than one quarter of a million survey forms to service members. The returned forms were used in a detailed analysis that led to the VHA indices. Each military installation, detachment, or organization is included in one of the 347 military housing areas (MHA's) that have been established covering the 48 contiguous states.

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Rochester Institute of Technology is an equal opportunity/affirmative action employer and the Personnel Office especially encourages applications from women, minorities, and the handicapped. For further information regarding faculty, professional, and general staff positions, call James Papero at 475-2065.

Little Change in Black Unemployment Rate

WASHINGTON — The unemployment rate for black and other workers, 14.2 percent in September, showed little change from the 13.6 percent rate of a month ago, the U.S. Department of Labor's Bureau of Labor Statistics reported.

The rate for black and other workers has fluctuated around 14 percent since May.

The jobless rate for white workers was down over the month to 5.5 percent.

The unemployment rate for black adult men was 13.5 percent, for adult women, 10.4 percent and for teenagers, 38.2 percent in September.

The unemployment rate for white adult men was 5.9 percent, for adult women, 5.5 percent, and for teenagers, 14.8 percent.

On a national basis, the bureau reported that employment rose slightly in September, and unemployment edged down.

The unemployment rate was 7.5 percent in September, compared with 7.6 percent in August and 7.8 in July.

Total employment — as measured by the monthly survey of households — was up by 200,000 to 97.3 million.

Nonfarm payroll employment — as measured by the monthly survey of establishments also rose by about 200,000 in September. The factory workweek increased for the second straight month.

The Nation’s unemployment rate was 7.5 percent in September, down from the rates that prevailed over the May-July period. From August to September, unemployment declined among adult women, whose rate dropped 0.4 percentage point to 6.1 percent, and teenagers, whose rate was down from 19.1 to 17.5 percent.

The unemployment rate for adult men, in contrast, was about unchanged at 6.7 percent.

The rate for white-collar workers was unchanged over the month, while there were improvements among blue-collar, service, and farm workers. Among the major industry divisions, unemployment rates for workers in construction (6.5 percent) and agriculture (10.9 percent) fell substantially following large increases in the previous month.

The number of persons unemployed declined by nearly 200,000 in September to 7.8 million. The number on layoff increased but was still below the level registered in the May-July period. The median duration of joblessness, at 8.2 weeks, increased for the fourth month in a row; there was a decrease in the number of persons unemployed less than 5 weeks and an increase in the other duration categories.

The nuclear industry has the best safety record of any industry. One of Wes Backus' jobs is to help make sure every single safety procedure is strictly followed at all times. "I think some people have wrong ideas about nuclear power. It's a tough subject to understand, but I really believe the more they know about it, the more comfortable they'd feel."

"In a very practical sense there just aren't a lot of alternatives to nuclear power available to us right now. I don't like the idea of us having to depend on foreign countries for our energy."

"I understand nuclear power and I feel it's safe. In fact I moved my family from Bergen to about 2 miles from Ginna to be closer to my work and I'm still glad I did. Nuclear safety and the role of nuclear power in meeting future electrical demand are issues that concern everyone. To learn more, send the coupon to RG&E."

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CONGRESS ’80


1,000 Jobless To Be Trained by Laborers Union

WASHINGTON — About 1,000 jobless and economically disadvantaged persons will get on-the-job training in concrete casting in 14 states under sponsorship of the Laborer’s International Union of North America, AFL-CIO.

Employers will conduct on-the-job training projects in prestressed and precast concrete manufacturing and other skills.

The cities where training will take place will be determined later by subcontracts with individual employers.


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Producer Price Index

WASHINGTON — The Producer Price Index for Finished Goods edged down 0.2 percent from August to September on a seasonally adjusted basis, the U.S. Department of Labor’s Bureau of Labor Statistics reported. The September decline followed advances of 1.7 and 1.5 percent in July and August, respectively.

Prices for intermediate (semifinished) goods moved up 0.6 percent, somewhat less than in either of the 2 preceding months. Crude material prices increased 1.3 percent, considerably less than in either July or August. Nearly two-thirds of the sharp slowdown in the Finished Goods Price Index was caused by a 0.2 percent decrease in food prices, which had risen about 4 percent in each of the 2 previous months. Most of the rest of the deceleration was due to sharply lower prices for motor vehicles, as car and truck manufacturers closed out the 1990 model year with across-the-board discounts. Small declines were also recorded for energy goods.

POSITION VACANCIES

Facility

Chairperson, Educational Support Services Training — Develop and administer integrative programs for improving the skills of interpreters, tutors and notetakers, and students in academic/degree programs for professionals working with hearing-impaired people in mainstreamed environments. Master’s degree necessary in education or related field, doctorate preferred. 5 years experience necessary, including teaching, administration, training support services providers. RID certification desirable.

Coordinator of Continuing Education, National Center on Employment of the Deaf — design, develop, disseminate and maintain systems for enhancing the career development of NTID/RIT graduates and alumni, encouraging their participation in continuing education. Master’s degree in Deaf Education or related area necessary, doctorate preferred. 30 years experience in continuing education programming, knowledge of training environments and grant development necessary.

Reading Lab Specialist — Coordinate English Language Reading Lab activities. Develop and evaluate multi-level reading materials. Monitor self-instruction and provide small group instruction. Master’s degree in Reading, English as a Second Language, Linguistics or related field, plus 2 years experience teaching English to the hearing-impaired or to speakers of other languages, or in development of reading training program materials.

Associate Educational Specialist, Art (Visiting Faculty Appointment) — Provide support services to deaf students enrolled in RIT's College of Fine and Applied Arts; teach art courses. MFA in studio arts or equivalent educational experience, plus demonstrable skills in the general design field through exhibitions, publication and/or production work.

Associate Educational Specialist, Business/Computer Science Support Team — Provide support services to deaf students enrolled in business courses at the RIT College of Business. Master’s degree in accounting or business administration, or bachelor’s degree in a business field and master’s degree in Educational Administration, plus 4 years experience necessary.

Instructor, Industrial Technologies — Teach technical courses in electronics. BS in Electrical Engineering or Technology necessary. Related experience in current technologies desirable. Graduate coursework or master’s degree helpful.

Instructor, Applied Accounting — Provide instruction in business courses including Elementary Accounting, Cost Accounting and Payroll Records Management. MBA in Accounting or bachelor’s degree with CPA necessary, plus 4 years relevant experience, including managerial accounting.

Instructor, Art (Visiting Faculty Appointment) — Teach applied art competencies in production methods (mechanical, retouching, typesetting), lettering, applied design. MFA in the studio arts, or equivalent educational-professional experience, plus demonstrable skills in applied design and experience in production work, publications and/or exhibition.

Professional Staff

Electronic Technician — Design, construct and repair electronic equipment and maintain the Electronics Workshop. BS in Electrical Engineering in Technology, or AAS with 2 years experience in the design and construction of analog and digital electronic circuits.

Interpreter Trainee (Part-time, 80%) — As a member of a core team assigned to all aspects of interpreting services, provide interpreting services and participate in projects and professional development. Completion of an interpreter training program or equivalent and entry level skills and experience necessary.

Direct resumes to:

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"Capturing Time," the new Planetarium star show—co-sponsored by Kodak—blends the magic of special effects and photographic images. It offers a look into the future—at the space shuttle and its giant space telescope that probes deeper into the cosmos than ever before.

"Capturing Time" promises to be another fascinating program from our renowned planetarium. It will play from October 20 through November 23 and, again, from January 5 through March 15.

We're obviously proud of the vital role photography plays in astronomy. And, what better place to highlight the benefits of photography than in a community where so many have contributed so much to it?

As we begin our second century, we urge you to join us in this look at the future. Just call 442-7171 at the Rochester Museum and Science Center for Planetarium show times.

A 100-year start on tomorrow.
The celebration of the Centennial of the birth of Abraham Lincoln, widespread and grateful as it may be, will fail to justify itself if it takes no note of and makes no recognition of the colored men and women for whom the Great Emancipator labored to assure freedom. Besides a day of rejoicing, Lincoln's birthday in 1909 should be one of taking stock of the nation's progress since 1865.

How far has it lived up to the obligations imposed upon it by the Emancipation Proclamation? How far has it gone in assuring to each and every citizen, irrespective of color, the equality of opportunity and equality before the law, which underlie our American institutions and are guaranteed by the Constitution?

If Mr. Lincoln could revisit this country in the flesh, he would be disheartened and discouraged. He would learn that on January 1, 1909, Georgia had rounded out a new confederacy by disfranchising the Negro, after the manner of all the other Southern States. He would learn that the Supreme Court of the United States, supposedly a bulwark of American liberties, had refused every opportunity to pass squarely upon this disfranchisement of millions, by laws avowedly discriminatory and openly enforced in such manner that the white men may vote and black men be without a vote in their government; he would discover, therefore, that taxation without representation is the lot of millions of wealth-producing American citizens, in whose hands rest the economic progress and welfare of an entire section of the country.

He would learn that the Supreme Court, according to the official statement of one of its own judges in the Berea College case, has laid down the principle that if an individual State chooses, it may "make it a crime for white and colored persons to frequent the same market place at the same time, or appear in an assemblage of citizens convened to consider questions of a public or political nature in which all citizens, without regard to race, are equally interested." In many states Lincoln would find justice enforced, if at all, by judges elected by one element in a community to pass upon the liberties and lives of another. He would see the black men and women, for whose freedom a hundred thousand of soldiers gave their lives, set apart in trains, in which they pay first-class fares for third-class service, and segregated in railway stations and in places of entertainment; he would observe that State after State declines to do its elementary duty in preparing the Negro through education for the best exercise of citizenship.

Added to this, the spread of lawless attacks upon the Negro, North, South, and West—even in the Springfield made famous by Lincoln—often accompanied by revolting brutalities, sparing neither sex nor age nor youth, could but shock the author of the sentiment that "government of the people, by the people, for the people should not perish from the earth." Silence under these conditions means tacit approval. The indifference of the North is already responsible for more than one assault upon democracy, and every such attack reacts as unfavorably upon whites as upon blacks. Discrimination once permitted cannot be bridled; recent history in the South shows that in forging chains for the Negroes the white voters are forging chains for themselves. "A house divided against itself cannot stand;" this government cannot exist halfslave and half-free any better today than it could in 1861.

Hence we call upon all the believers in democracy to join in a national conference for the discussion of present evils, the voicing of protests, and the renewal of the struggle for civil and political liberty.

*Written by Oswald Garrison Villard and signed by him and 59 other outstanding men and women of both races.
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