

## Walking the Dog 16 Days of Boredom

By Sienna and Teddy

New in town or just looking for a place for you and your four-legged friends to stretch those many legs? Here are some places that are Sienna-and-Ted-approved.

Constitutional note: we construe the term "person" broadly, feel classifications based on species are inherently suspect and that, in general, leach laws are not narrowly tailored. That being said, we've never been hassled for being off leach at these locations:

UI Campus. A quiet place on the weekend. From the tree-filled lawn in front of the Administration Building (great for chasing squirrels) to the paved trail along Paradise Creek, there is a lot of all-weather walking. The Arboretum and Golf Course are the only posted "NO PET" zones.

The Dog Park. Across from the "Pound." Not large enough for a walk, but a chance to play with other dogs. Turn east off Mountain View on White (across from Les Schwab).

Mountain View Park. It's the unofficial dog park. A big play area east of the creek, and a paved creek side bike trail for all weather walking on the west. Take Mountain View to the very North East corner of town.

The Latah Trail. It's a "Rails to Trails" project connecting Moscow and Troy. It parallels Highway 8 starting near the East Side Mall. It gets farther from the road as you head east. For a "Palouse Hills" walk try parking near

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*O'Reilly continued on page two.*

By Jeff Dearing, Sports and Entertainment Editor

Well it's that time again. It's time for the Olympics. It's been four years since the last snooze fest that is the Winter Olympiad blessed my then place of residence, Salt Lake City, with its presence. The Olympics were actually good for Salt Lake in that it allowed the city and the state to demand exorbitant amounts of money from the federal government for projects which don't really help anyone outside of Utah.

This year they are being held in Turin, Italy (a town formerly best known for an old blanket) and that requires me to complain about the goings-ons.

Too Expensive. The tickets to events in Turin are obscenely expensive and they are for events that don't even make it to ESPN 2 most of the year. I can't imagine anyone actually shelling out \$30 bucks to watch two-man luge or the biathlon. You combine that with the costs of going all the way to Italy, paying for a room in a likely overbooked hotel and then dealing with event-related markup on everything from taxis to coffee and it's just not worth it to watch a guy named Antoine go sort of fast down a hill.

The Mascots/Yoko. As is customary in any Olympic year we get to see the often lame and sometimes horrific mascots that get trotted out by the local Olympic committee. This year we get Neve (a "female" snowball) and Gliz (a "male" ice cube). Oh boy, an ice cube. It seems like at this point they aren't trying anymore.

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## Kandyland

By Christopher Taylor

I went to the Garden last Thursday with a number of other students and Professor Rowland. Who is a sweet guy and a great teacher. And he bought us all a round.

Anyway, in addition to teaching criminal procedure, Milt is a city attorney in Spokane. And he is currently working on cases involving Spokane's adult bookstore ordinance. While I tend to agree with the guy on a lot of civil rights issues—libertarians and liberals tend to be indistinguishable when money isn't involved—I don't much care for his stance on pornography.

But I think even more than being bothered by paternalists who think it is government's job to prevent children from seeing copulation is that he seemed to approve of *Erie v. Pap's AM*, which brought into First Amendment law the idea of "secondary effects." What bothers me is that it is an exceedingly dishonest bypass. It is one thing to say that a particular type of speech is less protected than another type. I myself, as pro-First as I am, have absolutely no problem with condemning fraud, defamation, or breaching covenants not to compete. I do think condemning obscenity is absurd, and I find condemning non-obscene sexually explicit speech to be paternalism run amok. But I understand the impulse, and recognize that, however distasteful it is for me to admit it, I may change my attitude if and when I have a child.

But in *Pap's AM*, four justices approved of an *Erie* ordinance which, in banning public nudity and in thereby contributing to the financial woes of the gen-

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the grain elevators about 5 miles east of town. For a more forested walk, park at the Troy City Park and walk back towards Moscow.

Idler's Rest. A cool walk on hot days in the shade of cedars. Take Mountain View north out of town until it comes to a T. Turn right on Idler's Rest Road and watch for the small wooden parking sign on the left.

Virgil Philips Farm. A county park on an old homestead a few miles north of town on Highway 95. A mix of forest and open land. Just over the top of the last hill before Viola (call it Steak House Hill if you want to sound like a Moscow native). It is on the left side of the road. The old orchard is still there if you're looking for fresh apples and pears in the fall.

Robinson Park. Another county park, located five miles east of town. Not huge, but some forested trails, a creek for swimming, and even a small campground. From Mountain View, turn east on Joseph and veer to the left at the Ys in the road.

Moscow Mountain. For Washington Westsiders who grew up in the shadow of the Cascades, Moscow Mountain is that big tree covered hill to the North East of town. No formal public lands, but point your car in that direction, find a back road, and park somewhere in the trees. We just walk along the roads. If you're heading off leach, keep an ear open for off-roaders.

Kamiak Butte. A forested walk with a bird's eye view of the Palouse. It is between Pullman and the town of Palouse on Washington Highway 27. We think North on Highway 95, west on 6, then south on Highway 27 is quicker than the Pullman route. You'll see the Butte on your right and take the side road just to its north. They just started charging \$2 for parking, but it is worth it. Call before you go in the summer because it can close due to fire danger.

## A Lawyer's Love Poem

By Jim Bielenberg

Please, baby before you go  
 There are a few things that you should know  
     Of all the girls, it's you I'd pick  
     I love you more like a unanimous verdict  
 I'd choose you over the gates of heaven  
 Don't let our love go into Chapter 11  
     Girl I know I've made mistakes,  
     Give me one more chance to be your advocate.  
 Why did I have to stipulate,  
 When you said that dress didn't make your ass look great?  
     It was wrong of me to try to score,  
     By invoking the doctrine of res ipsa loquitur  
 "Hey girl, the thing speaks for itself."  
 Has put my love life on the shelf  
     I fully admit my actions were the proximate cause  
     I should be held liable for breaking love's laws  
 I can't deny I breached my fiduciary duty  
 When you caught me rockin' that third-party's booty  
     But I must admit her material elements were kickin'  
     And she made no objection to any position  
 However, what she did in the back of my car  
 Is moot, it has no bearing to the issue at bar  
     In me, and me alone, the fault must lie  
     I assure you I'm not trying to indemnify  
 It's my fault our love is under duress,  
 But, I promise it was merely negligent infliction of emotional distress.  
     For to damage your heart was not my intent  
     The Circuit Court of Your Heart is where my appeal is being sent  
 That girl meant nothing, she was just a vixen  
 My love is solely in your jurisdiction  
     I hope my apology is within your statute of limitation  
     And my request doesn't fail for lack of consideration  
 I pray you trust in my promise to repent  
 Because I can cite no binding precedent  
     Although I have no legal theory on which to stand  
     Please find it in your heart to reverse and remand  
 I'll keep appealing to the court of the heavens above  
 Until you grant my motion for judgment as a matter of love.

### inter alia

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*Inter alia* is the University of Idaho, College of Law's official humor and opinion pamphlet, published on alternating Wednesdays. Submissions for publication are encouraged. Any opinions represented herein are those of the indicated author or *inter alia's* staff and in no way represent the opinions of the Student Bar Association. Dean Burnett believes *inter alia's* editorial policy to be "First Amendment, First Amendment, First Amendment."

# Good Night, Sweet Prince

By Jeff Dearing, Obituary Editor

You might have noticed a missing piece in this issue of inter alia. For those of you don't know regular commentator and freelance gardening expert C. Dale Slack, III recently passed away. Like really recently, I'm talking within ten or fifteen minutes of you reading this thing. So as his friend the job fell to me to memorialize his life in this publication that brought him so much joy throughout his life.

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Christian "Uncle Marty" Dale Slack, 41, passed away earlier this week after a prolonged battle with both a bum knee and an exploding propane tank. Funeral Mass will be held on Saturday February 18th, 2006 at Gary's Catholic Fun Barn and Tile Emporium in Pasco, Washington. Entombment will follow when we get enough money together for a down payment.

Dale was born in Bethel, Alaska on April 7th, 1964 to parents who refused to have their names released for this piece. He was home schooled until the age of 19 at which point he completed the requirements necessary to enter high school. After finishing with his early education Dale successfully passed the "90 Hour Lickity Split CDL Course" at Dwayne's Texarkana Truck Driving Academy in Texar-

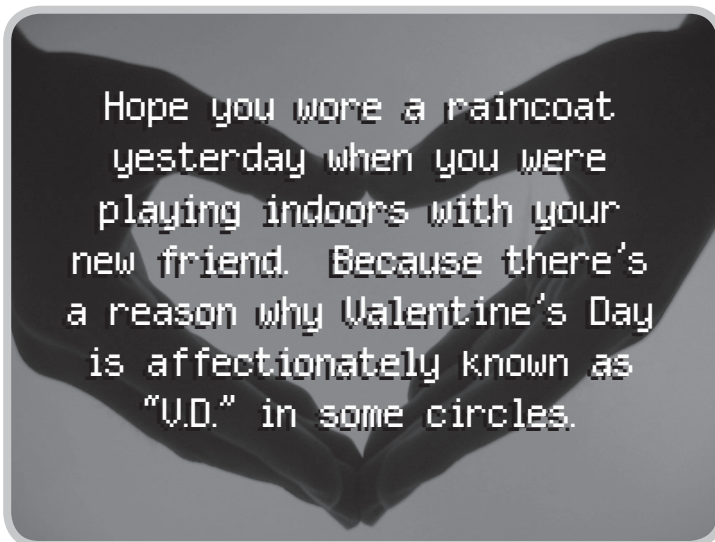
kana, Arkansas. However, twenty years of long haul driving took its toll on Dale. He grew tired of being known as "Tolstoy Daddy" on the CB radio and sought something new in his life.

Dale began law school at the University of Idaho, College of Law in August of 2003. While in law school, Dale often attended classes.

In his private life, Dale was an avid collector of Precious Moments figurines and mythical creatures dramatically captured in pewter. Dale also had a passion for stage magic, having learned from NPR radio personality Carl Kasell. Performing under the stage name Dalino the Stupendous he regularly wowed audiences at Kiwanis meetings and Boy Scout jamborees from Home- dale to Reno. Dale was also well known in Boer War reenactment circles, not as performer but as an "ambassador of funtastic adventure."

Dale is survived by a staggering student loan debt and his seven cats (Lester, Lil' Fuzzy, Big Fuzzy, Baby Meow Meow, Carl Kasell, Big Pooper, and Snuggles the Cat, Esq.). Dale was predeceased by Lil' Pooper.

Donations may be made to a pro-smoking organization of your choice.



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## Events and Announcements

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Friday, February 24  
SBA Nominations Close  
Sign-up on Library Door

Monday, February 27  
5:30 PM  
SBA Council Meeting  
Room 104

Thursday, March 2  
SBA Elections

Saturday, March 4  
8:30 AM - 4:30 PM  
Diversity Training  
Idaho Commons (Room TBA)  
Sign-up on Library Door  
50 Person Cap on Enrollment  
Contact MLC President Andrea Salinas (sali4986@uidaho.edu) for more information.

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Send event details and announcements to crtaylor@uidaho.edu.

## Letters to the Editor

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Brad Willis, an out of the closet liberal, a proponent of government that's big on social issues and small on fascist agendas and aggressive militarization, takes full responsibility for the opinions that appeared in the last issue's "Georges" article. Mr. Willis is also looking for several species of small furry animals to join together with in a dark and smoky cave for grooving with a Pict. But will settle for a Celt.

-- Brad Willis

[Ed.: inter alia would like to apologize to Mr. Willis for the unintentional omission of a byline from his article. In the future, inter alia will note the author of every article unless the author specifically requests otherwise.]

*Dearing continued from page one.*

Say what you like about the Atlanta mascot Izzy (he was some sort of nightmare given humanoid form) but at least someone had to grind the mental gears after a 72 hour booze bender and fax off a sketch of Izzy to someone. With Neve and Gliz some graphic artist was probably wanted to start his vacation early and just looked at his glass of scotch and saw kids having a snowball fight outside his office.

Also, Yoko Ono read a rambling and vaguely coherent speech about world peace at the opening ceremony. Why?

Disrupts Television Schedule. Sure, I don't actually have television other than the extremely fuzzy and distorted WSU PBS rebroadcast; but that's not important. What's important is that the Olympics throw off the viewing habits of those with television. A very good friend of mine was prevented from watching "Walker, Texas Ranger" this morning because some guys in lycra wanted to slide around in a circle. What's next, Olympics? What else are you gunning for this year? Should "Matlock" watch his back? Or maybe stuff on that turkey hunting channel Professor Anderson keeps talking about? What next you rotten bastards?

Needs Better Events. Sure figure skating tickets sell out in hours to the grandma and Celine Dion fan club crowd. And yes, the one second of up close entertainment provided by the luge appeals to NASCAR fans. But why can't we have more events that actually challenge the skill and fortitude of the competitors? I have some ideas to do just that. Why not try to drive my old Caprice over a series of icy bridges at night on bald tires. That would be a good one. Or maybe reintroduce bear wrestling as a sport. They could probably rack up the ratings if they combine with current "craze" of competitive eating with a winter theme. So you could have a bunch of guys just eating quart after quart of mayonnaise. But it would be, ya know, on a park bench. In the winter. So it can be in the Winter Olympics.

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tleman's club industry within the city limits, explicitly focused on the "secondary effects" of the establishments in question which were to be regulated. That is, because the ordinance paid lip service to the increased crime rates, spread of disease, etc., the ordinance was found to be content neutral by the plurality's author. Which is, of course, incoherent. The archetypal example of a "content neutral" ordinance is one that requires a group of demonstrators over a certain size who wish to use the town's parks to obtain a permit. That type of ordinance makes no reference to the content of the speech. The court has routinely held "content neutral" ordinances to a lower standard, because whatever effect on speech the ordinance may have, it is shared equally by all points of view, and therefore not likely to be overly burdensome.

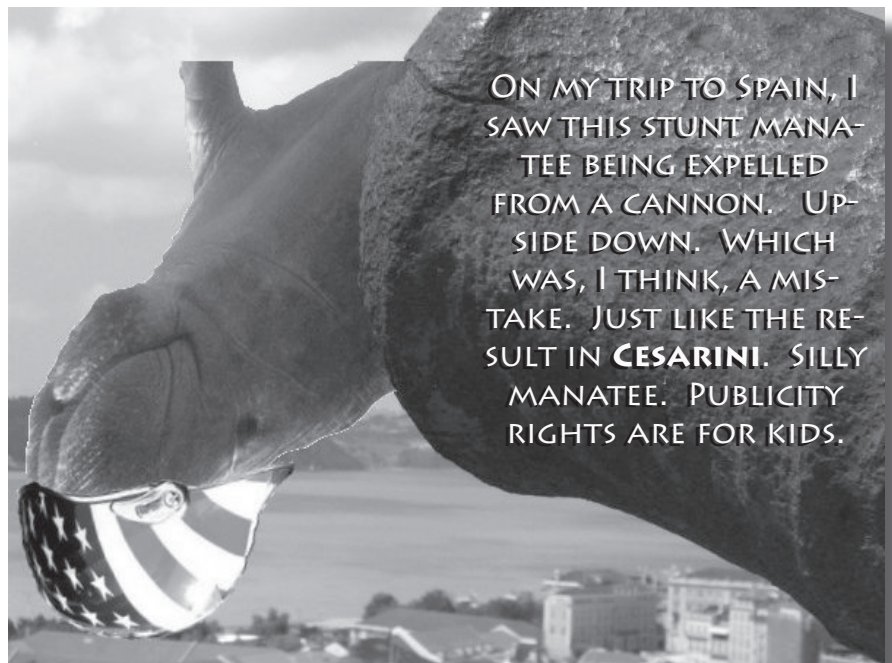
Whereas the ordinance here was specifically directed at nude dancing. It is not directed at any otherwise permissible speech act which has the effect of causing an increased rate of crime, an increased rate of disease, or other negative secondary effects. Whatever message is conveyed by the nude dancing is silenced because the city

was able to show that recipients of the message are more likely to commit criminal acts. The same could be shown, presumably, for other types of speech. For example, a particular politician advocating a "legalize drugs" position may appeal to people who are more likely to use drugs after hearing hearing the speech. Would we call an ordinance banning such speeches, or burdening them by requiring them to be accompanied by an increased permit rate to account for the additional police officers at the scene, content neutral? Of course not.

Which is why I am more sympathetic to Scalia's concurrence in Pap's AM than I am to the plurality. He essentially says that taking off the pasties is not speech, and that even if it is, it is borderline worthless speech not requiring much in the way of First Amendment protection. I disagree with his position, but at least he is up front about it.

By focusing on the secondary effects of an ordinance, and by ignoring the content-based nature of the ordinance, we've started down a slippery slope. And for what? So that we can relegate pornography to back rooms and put some absurdly small bikinis on strippers? Shouldn't we demand a higher price for the tarnishment of our freedoms?

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ON MY TRIP TO SPAIN, I SAW THIS STUNT MANATEE BEING EXPELLED FROM A CANNON. UPSIDE DOWN. WHICH WAS, I THINK, A MISTAKE. JUST LIKE THE RESULT IN **CESARINI**. SILLY MANATEE. PUBLICITY RIGHTS ARE FOR KIDS.