



Royal greeting

King Juan Carlos I and Queen Sofia of Spain greet Supreme Court Justice Sandra O'Connor (right) during a reception in Washington on Wednesday for the opening of an exhibit at Corcoran Gallery of Art. The exhibit, Spanish Art Tomorrow, features young artists of Spain.

Justice O'Connor looks perfectly natural weighing an issue of life — or death

WASHINGTON — After a while, you begin to wonder why we get ourselves into such a state every time we make a breakthrough that should have come years before. It makes no sense.

The most significant thing about watching Supreme Court Justice Sandra Day O'Connor sitting at the far end of the U.S. Supreme Court bench here Monday was that it all seemed so perfectly natural.



Tom Fitzpatrick

Justice O'Connor wore the same type of black robe that the other eight justices wore. Her questions were every bit as probing. Her demeanor was every bit as serious. If anything, the new justice appeared even more aggressive in her pursuit of details, more interested in the cases up for consideration than some veteran members of the court — who sat back and let her do the probing.

With its marble pillars, red velvet backdrop, heavy wooden benches and wine-colored carpets, the Supreme

Court is more than a little impressive.

Each time the court goes into session, long lines form. Lawyers from all parts of the country, law students and tourists wait patiently outside the building, hoping to gain entrance to the limited and always packed seating area. Monday was no exception.

The mood of the court was somber. The case under consideration was a death penalty given to a 16-year-old by an Oklahoma court. The question that brought the case of Monty Lee Eddings this far was whether the

imposition of the death penalty on a 16-year-old constituted "cruel and unusual punishment."

The facts of the case were that Eddings and three other teen-agers had left Missouri to run away from home. Eddings took with him two .410-gauge shotguns and a .30-30 rifle. He told his friends that when they ran out of money, they would use the guns.

Eddings eventually was stopped by Oklahoma Highway Patrol Officer Larry Crabtree for erratic driving. Eddings announced to his three friends that if the cop tried to hassle him, he was going to "blow him away."

As the officer approached Eddings' car, Eddings loaded the shotgun. When Crabtree was within seven feet of the car, Eddings fired it. Struck in the chest, Crabtree died instantly. That was in April 1977. Eddings now is 21 years old and facing the death penalty.

Appearing in Eddings' behalf was

Jay C. Baker of Tulsa, Okla., who pleaded that executing a defendant so young would be inconsistent with American standards of decency. He also contended Eddings' unhappy home life was a mitigating factor that was not considered properly by the sentencing judge.

It was not a flamboyant argument because this is a dangerous court before which to employ emotional appeals. There is no jury to sway. The nine justices know the law and make their decisions on that alone.

"There are 891 people on death row all across the country," Baker said, "and 17 of them are juveniles. We just don't have a history in this country of executing children."

Justice O'Connor asked, "Is it your position that he was immature? What if he were older but impulsive? Is it your position to oppose the death penalty for even the very sophisticated because they are under 18?"

Justice William Rehnquist sat di-

rectly to Justice O'Connor's left. He is, of course, from Phoenix and once was Justice O'Connor's classmate at Stanford.

He followed up, asking, "Isn't it the truth that the Oklahoma judge said he gave strong consideration to youth as a mitigating circumstance but couldn't balance it with the aggravating circumstances?"

Rehnquist's subsequent questioning revealed that Eddings knew the difference between right and wrong. He was not mentally ill. He was of average intelligence but had something wrong with his personality. Eddings was, in short, a sociopath.

He still expresses no remorse.

Baker noted an earlier Supreme Court case that indicated the crime must be considered an "atrocious" one. This brought Rehnquist forward in his chair.

"Do you think," Rehnquist asked,

"that shooting a highway patrolman with a sawed-off shotgun for making a traffic stop is not an atrocious crime?"

"What alternative is there? Do we confine him for 30 years in the care of a psychiatrist? Why should the taxpayers foot that bill?"

Judge O'Connor pursued the matter.

"Is it your position that no circumstances in this case are mitigating other than your client's youth?" she asked. "Should lack of maturity in itself be considered a mitigating circumstance?"

Rehnquist, his voice turning to ice, added, "If this court were to decide that people who were sociopaths should not be executed, where would we be? People who are well balanced don't take sawed-off shotguns and kill police officers."

Eddings' attorney did not attempt to answer.

Justice O'Connor's husband will take position with legal firm in Washington

By Bruce N. Tomaso
Republic Staff

John J. O'Connor III, husband of U.S. Supreme Court Justice Sandra O'Connor, has accepted a job with the Washington law firm of Miller and Chevalier.

O'Connor, contacted Wednesday at his residence in Washington, confirmed that he will become a principal in the 65-year-old firm Jan. 1.

Since 1957, he has been an attorney with Fennemore, Craig, von Ammon and Udall, one of the more prestigious law firms in Phoenix.

O'Connor said he and his wife eventually will sell their Paradise Valley home and live permanently in the capital. He said they have been shuttling between Phoenix and Washington since about September, when the Senate Judiciary Committee conducted three days of hearings into

her nomination to the Supreme Court.

O'Connor, 51, declined to say in which areas of the law he will specialize for Miller and Chevalier, which has 55 lawyers.

Philip Neal, managing director of the firm, said it deals principally in administrative law, including federal taxation, energy, government contracts and health.

The firm does no criminal work, he said.

Another spokesman for the firm was quoted in Washington as saying Miller and Chevalier "very seldom" represents clients before the Supreme Court. This would minimize the possibility that Justice O'Connor would have to disqualify herself from ruling on a case because her husband is an advocate for one of the involved parties.

There was no indication from O'Connor or the law firm about his expected income.