

MEDIATE THIS!

THE AGGRESSIVE CHILDREN AND THE SCARED DUCKLINGS

BY STEVEN P. DINKIN

Dear Mediator:

We live near a lake and walk around it daily. Every spring, we love seeing mama ducks lead their little ducklings around on the grass and into the water. Lots of people stop to watch, so it's mostly a happy scene. But it never fails that some aggressive little kid will run after the duck family shrieking and chasing the birds. His parents stand there and say nothing. If we ask the kid to stop, the parents curse at us. Isn't it against the law to harass wildlife?

Bird Lover in La Mesa

Dear Bird Lover:

Parents who watch as their children frighten small creatures, like dog owners who are nonchalant when their pets lunge at people, are one of life's enduring mysteries.

Are they blinded by devotion? Too afraid (or too inert) to impose discipline? Or are they enjoying a vicarious sense of domination?

Back to your question: California Code of Regulations, Title 14, Section 251.1 states that "no person shall harass, herd or drive any game or non-game bird or mammal or fur bearing mam-

mal." The law goes on to define "harass" as "an intentional act which disrupts an animal's normal behavior patterns, which includes, but is not limited to, breeding, feeding, or sheltering."

Exceptions are made for people who shoo birds to avoid damage to their crops or other property. But the abusive behavior toward wildlife that we see too often in San Diego, including chasing seagulls on beaches and squirrels in parks, is technically a violation of state law.

No one would dream of citing children for illegal behavior. But theoretically, their parents could face penalties under California Civil Code section 1714.1, which holds them responsible for "any act of willful misconduct of a minor that results in ... any injury."

We can find no evidence that parents are held accountable when their children bedevil animals. And these willful acts occur so quickly that the perpetrator families would be gone by the time park rangers arrived.

As often happens, law enforcement has limited power to right these wrongs. But tolerating such cruelty is not an option because there are two sets of victims here: animals lacking protection and children lacking adult supervi-



GETTY IMAGES

This week's problem discusses the disturbing of wildlife by children and some potential, civil solutions.

sion and guidance.

In our work with at-risk youth from troubled families, we have discovered that it often takes a community to steer young people onto a safe path. The people who gather to watch the ducks at the lake constitute a community. You can lead them in addressing these situations promptly and effectively.

Empathy has strange powers.

Human beings are hard-wired to grasp it. The next time you see a child threatening ducks at the lake, express your anxiety in a loud and emphatic voice: "Oh, nooo! Those poor baby ducks! Look how scared they are! And the poor mama duck! Look how worried she is! Do you think they'll be OK?"

This column generally counsels readers to moderate their emotions. Today is an exception. At the sight of a terrified family of ducks, you should proclaim loudly how sad that makes you feel.

You shouldn't direct any criticism at the child or the parents. And that really isn't necessary.

As you've seen, parents instinctively defend their children from any chastisement, even when warranted. But a public statement of heartfelt concern for helpless animals will hit its mark, especially if bystanders pick up on your cue and chime in.

The axiom "love the sinner, hate the sin," which has been attributed to both St. Augustine and Mahatma Gandhi, is a staple of conflict resolution. When we focus on harmful acts and refrain from blaming the actors, we give them the opportunity to reflect and reboot.

Steven P. Dinkin is a professional mediator who has served as president of the San Diego-based National Conflict Resolution Center since 2003. Do you have a conflict that needs a resolution? Share your story with The Mediator via email at mediatethis@ncrconline.com or as an online submission by visiting www.ncrconline.com/MediateThis. All submissions will be kept anonymous.

NOTEBOOKS

From Union-Tribune reporting staff

THE READERS' REPRESENTATIVE: ADRIAN VORE

Readers give their thoughts on withholding shooters' names

The Union-Tribune opinion staff published an editorial April 20 on the anniversary of the Columbine massacre. It said the U-T opinion department would no longer run the names of mass shooters in editorials.

A week later the Poway synagogue attack occurred. The suspect's name appeared in news stories. In emails and online comments, some readers expressed surprise the name was published. They apparently took the editorial's position as U-T policy for the newsroom, as well. However, the opinion department's policy does not apply to news.

It brought up the question, though, should news stories omit suspects' names in mass shootings? (I believe the names must appear in news stories.)

I asked readers their thoughts, and received a big response of impressive well-thought-out letters. The tally was 10 not name; eight name; and four name only once. I compiled some of the responses here.

Pamela DeGraffenried of El Cajon: "I believe the names of hate-crime and mass-shooters should be eliminated from all news coverage. Their names are not the news. Their abominable deeds are. "Don't give terrorist groups the opportunity to claim and memorialize the hate-crime shooters and don't give mass-shooters their moment of fame."

Sid Colquitt of Escondido: "Doesn't refusing to name a mass shooting suspect violate the foundation of a newspapers' basis of existence to inform its readers of the who, what, where, why and how of the event?"

"While refusing to name the shooter may theoretically deny the accused satisfaction of seeing his or her name in print, the larger issue is that it also denies readers, and possibly the public at large, the opportunity to express their scorn and disgust for the individual perpetrator."



CHIP SOMODEVILLA GETTY IMAGES

Oscar Steward and fellow Chabad of Poway member Jonathan Morales (left) join President Donald Trump in the Rose Garden.

Lisa Solomon of Brawley: "Once is enough. When the hate-crime shooter is identified, share the name. After that, it is NOT necessary. It adds to his/her/their desire for attention. We, the members of a civilized society, do not need to feed that sick desire."

Patricia B. Field of Carmel Valley: "It is critical for these names to be included in factual news report coverage about current events such as the shooting at Chabad of Poway.

"This is vital information that each of us in the wider community needs to assess the health and welfare of those within our own family circles; without these facts how can a person determine if any of their loved ones had any contact with the shooter. To keep this information under wraps runs counter to journalism news ethics as well as the newspaper's mission and duty to fully inform John Q Public."

Bob Dowd of Del Mar: "YES! Their names should be eliminated from news coverage. One reason—my guess is that more people read headlines and news stories than editorials, so elimination of names in news articles would reach more people."

"It would be interesting if shooters were labeled with numbers. The first shooter of 2019 would be called 2019-1. This way, maybe when people see the running total they'll be more inclined to want to do something about hate, mental issues, and gun safety/control."

David Butler of Poway: "Your Sunday column highlights what I have known for years: The news consuming public has been hijacked by the cable 'news' channels that have blurred the line between reporting and opinion.

"Cable and broadcast 'news' shows do not stick to the Five W's that journalists supposedly learn in Journalism 101, but include their own opinions. This is evidenced by the reader you quoted that was looking for outrage in the news reporting (of the Poway synagogue attack). (I learned the Five W's at the knees of my journalist mother, many years ago, and am able to filter out 'reporting' that does not include all the valid W's.)"

Richard J. Willard of Poway: "I agree with the Union-Tribune policy of not naming shooters and murderers.

"However, I think the U-T could go one step further. I scoured the paper ... after the shooting search-

ing for names of the heroes ... Oscar Stewart, the unarmed man who chased the shooter out of the Poway synagogue, and Jonathan Morales, the armed Border Patrol guard." (Their names appeared in print in the U-T on Monday, April 29.)

"If you know the name of the shooters and are not familiar with the (heroes), then you are part of the problem.

"Kudos to President Trump for publicly acknowledging these heroes (on Thursday, May 2) and inviting them up to the microphone to speak to the public."

Mark Hartman of San Diego: "I too had read the 'Editorial' staff decision to not publish names and was surprised and disappointed to see the Poway shooter named in the paper. I do understand the difference between the News and Editorial sections but had taken the commitment as a U-T position and not an Editorial position.

"I think naming the shooter is wrong and that names shouldn't be published in the future. Maybe associating the name with the sentence of the court would be OK. By then the 'glamour' of the event will have faded and the perpetrator's fate will be highlighted. I think removing their names would limit the motivation of 'Stardom.' ... Of course the Stardom I mention is only in the eyes of other people that have the same hate."

Gregory West of Poway: "Confusion over the separation of the news and editorial departments apparently continues with some readers. (Shooters') names are central to a factual account of the event, awful though it may be. That is distinct from the more philosophical and general discussion in an editorial. The two departments are separate, as they must be.

"To extrapolate ... I can't imagine going through World War II without mentioning the name of Adolf Hitler in the news."

Merrilee Kazarian of La Mesa: "For many years, I've believed the

names of mass killers should not be published by newspapers (news & editorial) or named in TV, radio, internet accounts of the crime. If so, I truly believe we would not have this pervasive epidemic of mass killings in our country. In the case of mass killings ... only the innocent victims should be named.

"Please take the bold step — to not publish the names of demented perpetrators. ... Perhaps other outlets — newspapers, TV, radio, internet will follow suit."

Conway Redding of La Mesa:

"The basic duty of a newspaper is to present the news in as unbiased a fashion as possible. That means letting the public know, with respect to any given item, at the very least the what, who, when, and where ... of a particular event. Not to publish the name of the perpetrator of such an event as happened at the Chabad Synagogue is a dereliction of that duty."

Mike Krawczak of Santee: "I'd be perfectly fine with not naming suspects in mass shootings in news stories. But as a reasonable compromise, how about naming just once or at least just once per article?"

Mike Ryan of Encinitas: "I have believed for a long time that the media should NOT divulge the name of the whack-jobs who attack innocent people.

"I know there is a distinction between the editorial section and the news, and that a number of editorial staff have agreed to not disclose the name of a suspected shooter.

"My question is WHY the news feels so compelled to print the name of the suspect? What value is there in knowing this person's name? ... The person MOST interested in seeing the name would be the accused, and maybe others with similar crazy ideas. I strongly suggest that the name be withheld as it brings no value to the discussion."

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FROM THE ARCHIVE

1949: BERLIN BLOCKADE ENDS

The Berlin Blockade was lifted 70 years ago, on May 12, 1949.

At the end of the Second World War, U.S., British, and Soviet military forces divided and occupied Germany. Berlin, the German capital city, which was located far inside Soviet-controlled eastern Germany, also was divided into occupation zones.

One of the defining events of the Cold War, the Berlin Blockade started when the Russians cut off all land and water transport to sectors of Berlin under Western control in June of 1948. In response, the Allies began a massive airlift of food, water, and medicine to sustain the 2.5 million people in the affected sector. From June 1948 until May 1949 when the Soviets lifted the blockade, the Berlin airlift kept the city alive.

Shortly before the blockade ended, the Allies created the North Atlantic Treaty Organization (NATO). Two weeks after the end of the blockade, the state of West Germany was established, followed by the creation of East Germany. The two German states did not reunify until Oct. 3, 1990.

From The San Diego Union, Thursday, May 12, 1949:

WESTERN ALLIES SCORE TRIUMPH AS REDS LIFT BERLIN BLOCKADE

Trains, Cars, Trucks Roll Freely Again; City Jubilant

BERLIN, May 12 (Thursday) (UP)—The Russians ended their blockade of Berlin at 12:01 a.m. today and traffic started moving by rail and road to and from this jubilant city. The blockade, the greatest battle of the cold war, ended in the first minute of its 328th day and in victory for the western Allies. They lifted their counter-blockade of the Soviet occupation zone at the same time the Russians acted. At 5:11 a.m. the first allied train from the West in more than a year pulled into Berlin — hauled by a Soviet engine — after a 3-hour, 48-minute run. The first motor vehicle had arrived in Berlin and the first motor car

from Berlin had arrived in the western zones hours earlier.

RUSSIANS CUT DOWN

But even before the zero hour came Russian authorities started trying to close down the railroad facilities to be given the western Allies through the Soviet zone to Berlin.

The Russians said they could permit only one Allied military express train, one international express and 15 other trains to move to Berlin each day on the Helmstedt-Berlin railroad. Before the blockade the Allies moved five to six express trains a day and a total of 22 trains along the road.



FOOD TRUCKS STOPPED

The Russians announced, too, they would continue their pre-blockade practice of stopping trains and hooking their locomotives to them for the trip between Berlin and the West.

The Russians this morning stopped two food trucks, en route to Berlin from a charity organization at Eicholz-Herrnburg, 100 miles north of Helmstedt, on the ground they had "improper papers."

Four German trailer trucks heading westward to the British zone were reported turned back a half mile outside Berlin by Russian guards who demanded that their papers be stamped by the Russian sector Berlin administration.

But the Russian tactics, long familiar, did not dampen the great joy in Berlin, where nearly 2,500,000 men, women and children in the western sectors had withstood the Soviet starvation blockade, thanks to the Allied airlift.

12 CARS IN TRAIN

The first Allied train crossed into the Soviet zone at Marienborn, on the Helstedt-

Berlin road at 1:23 a.m. It carried officials and correspondents.

It was a combined American-British train of 12 cars. This was the first train to enter the Soviet zone from the West since March 31, 1948.

It was then that the Russians started restricting railroad traffic, before their blockade became total in the week end of June 19.

The first freight train, of 42 cars, left Helmstedt for Berlin at 2:03 a.m. on rusty, weed-covered tracks.

The first automobile to reach Berlin arrived from Helmstedt at 1:45 a.m. It was driven by Walter G. Rundle, United Press manager for Germany.

The car from Berlin to the West entered the British zone at Helmstedt at 2:02 a.m.

At midnight, one minute before the official end of the blockade, German police manning Russian control points at the edge of the western sectors quit their posts. Berliners started joyously across from East Berlin to West Berlin, and from West to East.

More than 50 trucks, cars and jeeps raced from the western sectors of Berlin toward Helmstedt.

It was 12:08 a.m. when the first cars from Helmstedt, which had been held one mile back of the Soviet zone border, started racing eastward toward Berlin from the British occupation zone.

Floodlights played on the starting lines at both ends.

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