

Oregon ballot initiatives can collect signatures during legal appeals, rule says

CONNOR RADNOVICH
STATESMAN JOURNAL

Oregon ballot petitioners can continue collecting signatures while legal appeals are pending instead of having to pause until the appeal is complete, under a state rule enacted Friday.

Advocates say the new rule limits manipulation of the initiative system, assisting small-scale petitioners, while others worry it opens the door for misinformation reaching voters.

Secretary of State Dennis Richardson presented the rule as a victory for grassroots petitions, which often have fewer resources to gather signatures, particularly after extended court delays. He indicated some of those legal challenges are created with the intent to kill these petitions, often creating delays of three months or longer.

"Grassroots petitions empower Ore-

gonians to hold their government accountable," Richardson said in a statement. "Since ballot initiatives are a key tool for direct democracy in Oregon, I am committed to making the process fairer, more straightforward, and less vulnerable to manipulation."

Jann Carson of the ACLU of Oregon said that when her organization challenges an initiative, it's to ensure the language of the proposal is clear enough that voters understand what they're voting for or against. To allow a ballot initiative to gather signatures before it's known whether the language stands up in court is introducing more uncertainty into the system.

"It's most important for the integrity of the system that the voters know the information that they need to decide," Carson said. "We are not in the business of bringing frivolous issues to any court."

Petitioners in the state have to gather

120,000 signatures to appear on the ballot -- more than is needed. But a percentage of those are always invalidated because of illegible handwriting or mistakes.

For David Carlson, a chief petitioner on a ballot initiative currently delayed by an appeal filed by Our Oregon, this rule change could mean the difference between making or missing the ballot.

"That would be a huge boost for us," Carlson said. "As a grassroots campaign, every minute counts."

Carlson's initiative, if it were to pass, would allow the Secretary of State's office to maintain a website that would host various petitions and allow people to sign them online. He said it would simplify the process, increase the percentage of valid signatures per petition and be more environmentally friendly.

According to publicly available comments from a lawyer on Our Oregon's behalf, the majority of Our Oregon's com-

plaint is based on the wording of the initiative. The complaint contends that the initiative doesn't include the entirety of the law it would alter (as is required by the Oregon Constitution), and the caption, "yes" statement and conclusion are flawed, incomplete or confusing.

Our Oregon also had substantive complaints, contending Carlson's initiative fundamentally shifts the onus of collecting signatures from the petitioners to the Secretary of State.

"Our current process ensures consistency and accuracy in the ballot titles that voters sign and ultimately vote on," Our Oregon said in a statement about the new rule. "The current process is thorough and well tested, and there's no need to change it."

Contact the reporter at cradnovich@statesmanjournal.com or 503-399-6864, or follow him on Twitter at @CDRadnovich.

AG warns of price gouging ahead of solar eclipse

WHITNEY M. WOODWORTH
STATESMAN JOURNAL

With just over a month until a solar eclipse plunges parts of Oregon into darkness and fills the state with hundreds of thousands of visitors, Attorney General Ellen Rosenblum is urging eclipse chasers to confirm their hotel reservations to avoid unexpected cancellations and price gouging.

The Oregon Department of Justice reported an increase in consumer complaints from people who've had hotel reservations canceled or their room rates doubled or tripled.

An estimated one million visitors are expected to travel to the eclipse's path of totality, which passes over several Oregon cities including Lincoln City, Salem and Madras, on Aug. 21.

"Travelers need to be able to trust

that hotels will keep their reservation and honor the original price," Rosenblum said. "While most hotels play by the rules, we are concerned that some could try to make money off of this unique event, and increase the price of the hotel room without telling the customer."

In February, one Washington visitor and amateur astronomer canceled his reservation after he discovered his room rate at the Grand Hotel in downtown Salem had doubled from \$200 to \$400, even though he reserved rooms more than a year in advance.

DOJ officials are working with 12 Oregon hotels to resolve consumer complaints involving price gouging or canceled reservations. Seven of the hotels agreed to honor the original room price.

The Justice Department sent letters of warning to all hotels in the eclipse

path and all hotels with complaints detailing the state's consumer protection laws.

The letter instructed hotel managers to either honor visitors' reservation with the originally booked price or give at least \$500 to each consumer.

"We want to make sure travelers know that hotels must honor their advertised prices, regardless of whether the prices are advertised directly by the hotel, or with a third party," Rosenblum said.

As many as 300,000 people are expected to flood into the 6,000-person city of Madras for the once-in-a-lifetime event.

An official at the Inn at Cross Keys Station in Madras said all of the hotel's 72 rooms were booked in the days surrounding the eclipse. Many reservations began trickling in about five years

ago, and now, motels and hotels in the area were booked solid.

A night at the Inn runs about \$300 for eclipse visitors. Officials said the price is set upon reservation.

Canceling a reservation or increasing the room rate constitutes a deceptive practice under Oregon's Unlawful Trade Practice Act, which prohibits a business from making false or misleading representations concerning an offering price of goods or services.

Those who encounter problems with canceled reservations or price gouging should contact the Oregon Department of Justice's consumer hotline at 877-877-9392 or justice.oregon.gov/complaints.

For questions, comments and news tips, email reporter Whitney Woodworth at wmwoodwort@statesmanjournal.com, call 503-399-6884 or follow on Twitter @wmwoodworth

Marion County cadet charged with invasion of privacy in social media case

COOPER GREEN
STATESMAN JOURNAL

A Marion County cadet has been charged with invasion of personal privacy, a misdemeanor, after sharing "invasive images" of another cadet on a photo sharing application.

Cadet Brooke Eshelman, 18, was placed on administrative leave, according to Oregon State Police.

The Marion County Sheriff's Office was made aware of the incident on May 20 and forwarded the case to the Marion County District Attorney's Office. Charges were filed July 6.

Eshelman is scheduled to appear at the Marion County Circuit Court Annex on July 19 at 9:30 a.m.

New state law means life sentences for second-strike sex offenders

WHITNEY M. WOODWORTH
STATESMAN JOURNAL

Repeat rapists and certain sex offenders can now be given a "two strikes and you're out" ticket to life in prison under a bill recently passed by the Oregon Legislature.

Senate Bill 1050 imposes presumptive sentences for those convicted of first-degree rape, first-degree sodomy or first-degree unlawful sexual penetration if the defendant has been previously convicted of those crimes or an equivalent federal offense.

It also gives judges latitude to impose lighter sentences based on "substantial and compelling reasons."

The bill handily passed the Oregon Senate 30-0 and the House with a 58-0 vote.

"This bill will finally get at protecting our community from the most dangerous of sexual criminals," Senate President Peter Courtney said in his testimony before the Senate Committee on Judiciary.

Courtney, who co-sponsored the bill, has long worked to impose stricter sentences on predatory sex offenders.

"This type of criminal has haunted me for years— since I served on Gov. Barbara Roberts' task force regarding sex abuse crimes," he said. "Hearing about these heinous crimes— many committed against children— really messed me up."

His work on the task force led him to sponsor six bills in 1991 that became law that strengthened Oregon statutes with regard to sex crimes, especially against children.

He later sponsored two bills requiring mandatory life sentences for violent



DANIELLE PETERSON / STATESMAN JOURNAL

Tall concrete walls with guard towers surround the Oregon State Penitentiary, the state's only maximum-security prison, along State Street in Salem.

sex offenders. Both bills died in committee.

"People were concerned that they went too far," he said in his testimony.

Oregon Voices, a non-profit community organization that advocates for rational sex offender policies and against mandatory sentencing laws, voiced their opposition to the bill.

"I think all of us can feel the emotional pull of (Courtney's) bill, because we share not only a revulsion for the crimes it addresses, but also a particular revulsion when we (see) these crimes repeated," wrote member Ken Nolley.

However, he said, the bill undoes the shift the criminal justice system has made toward a risk-based model— a more practical and effective way to protect society. Locking people up for their senior years is costly. Prisons have an expensive geriatric problem, and elderly offenders might not even pose a risk to society, he said.

"Locking such people

up in perpetuity may satisfy our sense of moral outrage, but it does not make good policy," Nolley said.

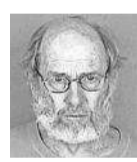
Oregon is no stranger to sentencing sex offenders to life in prison.

In 2001, the legislature passed a "three strikes and you're out" bill. The bill created a presumptive sentence of life in prison for those convicted of three felony sex offenses.

Under the law, even public flashers can be handed life sentences if they have previous convictions. Dennis James Davidson, 40, was arrested for masturbating at a Keizer park while in front of children. Due to his multiple previous convictions of public indecency and his lack of response to treatment, he was convicted in 2011 and sentenced to life in prison.

The Oregon Court of Appeals overturned his conviction and the Supreme Court upheld the court of appeals ruling, finding that the life sentence was unconstitutional because of his previous sex abuse and sodomy convictions. William Michael Althouse, 71, was arrested after being found pantless along a Salem jogging path.

The Supreme Court ruled another Salem man's life sentence for public indecency was constitutional because of his previous sex abuse and sodomy convictions. William Michael Althouse, 71, was arrested after being found pantless along a Salem jogging path.



Althouse from a middle school and near children while he exposed himself.

The Supreme Court found a life sentence—the second harshest sentence in Oregon— was allowable in light of the circumstances his current offense and his history of committing similar crimes against other young children.

The Criminal Justice Commission reviewed the Oregon Department of Corrections intake data from 2010 to 2016 and found 10 inmates with first-degree rape, sodomy or unlawful sexual penetration convictions who had previous serious sex crime convictions.

Currently, the people convicted of these crimes are sentenced to a mandatory minimum prison sentence of 25 years. The increased cost burden to the prison system would depend on an inmate's life expectancy. According to a legislative fiscal impact report, total cost increases could be \$1.6 million to \$2.7 million per biennium.

For questions, comments and news tips, email reporter Whitney Woodworth at wmwoodwort@statesmanjournal.com, call 503-399-6884 or follow on Twitter @wmwoodworth

PUBLIC NOTICE

IN THE CIRCUIT COURT FOR THE STATE OF OREGON FOR THE COUNTY OF MARION PROBATE DEPARTMENT

In Re the Estate of LETIE MARY SHEPPARD

Deceased.

Case No. 17PB03967

NOTICE TO INTERESTED PERSONS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative. All persons having claims against the estate are required to present them, with vouchers attached, to the undersigned personal representative at 85 The Green Lydd, Romney Marsh, Kent, England, within four months after the date of first publication of this notice, or the claims may be barred. All persons whose rights may be affected by the proceedings may obtain additional information from the records of the Court, the personal representative, or the lawyers for the personal representative, Jane Waters.

DATED: June 21, 2017.

/s/ Colin G. Andries

Attorney for Personal Representative Colin G. Andries

Personal Representative: Jane Waters 85 The Green Lydd, Romney Marsh, Kent, England

Lawyer for the Personal Representative: Colin G. Andries OSB No. 051892 111 SW Fifth Ave., Suite 1940 Portland, OR 97204 (503)417-7777 colin@slindenelson.com

Silverton Appeal July 5, 12, & 19, 2017

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