

DAILY PLANNER

TODAY

Today is Wednesday, July 25, the 206th day of 2018. There are 159 days left in the year.



TODAY'S HIGHLIGHT

On July 25, 1994, Israeli Prime Minister Yitzhak Rabin and Jordan's King Hussein signed a declaration at the White House ending their countries' 46-year-old formal state of war.

ON THIS DATE

In 1866, Ulysses S. Grant was named General of the Army of the United States, the first officer to hold the rank.

In 1943, Benito Mussolini was dismissed as premier of Italy by King Victor Emmanuel III, and placed under arrest. However, Mussolini was later rescued by the Nazis, and re-asserted his authority.

In 1952, Puerto Rico became a self-governing commonwealth of the United States.

LOTTERY

Megabucks: \$4.2 million
11-13-27-35-36-46

Mega Millions: \$40 million
1-2-4-19-29-20-x3

Powerball: \$147 million
9-23-56-58-68-PB 1-x2

Win for Life: July 23
29-30-50-56

Pick 4: July 24
• 1 p.m.: 8-6-4-2
• 4 p.m.: 2-6-7-3
• 7 p.m.: 8-9-7-4
• 10 p.m.: 9-9-2-2

Pick 4: July 23
• 1 p.m.: 5-1-4-3
• 4 p.m.: 2-6-2-5
• 7 p.m.: 9-8-4-2
• 10 p.m.: 0-8-4-8

ROAD REPORT

Numbers to call:
• Inside Oregon: 800-977-6368.
• Outside Oregon: 503-588-2941.

NEWSPAPER LATE?

Every effort is made to deliver your Observer in a timely manner. Occasionally conditions exist that make delivery more difficult.
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QUOTE OF THE DAY

"Advertising is a valuable economic factor because it is the cheapest way of selling goods, particularly if the goods are worthless."
— Sinclair Lewis, *American author (1885-1951)*

Umatilla County DA pushes back against judge

By Phil Wright
East Oregonian

Umatilla County District Attorney Dan Primus last week started pushing to block Circuit Court Judge Eva Temple from presiding over new criminal cases.

It's an exceedingly rare action that has court administrators and local law enforcement questioning how the circuit court's caseload will be handled.

Court records show Primus' requests are for new felony and misdemeanor cases alike. The supporting affidavit for the motions asserts the following: "The state moves the court to appoint a judge other than the Honorable Judge Eva Temple in this matter because the state believes that it cannot have a fair and impartial trial or hearing before such judge."

Circuit Judge Christopher Brauer, the presiding judge in the judicial district, has granted the disqualifications.

Primus said he stands by the affidavit and described the action as among the most difficult he has made in his seven years in office. He said he spoke to half a dozen fellow district attorneys and consulted with local law enforcement and others before moving to disqualify the judge.

"I also understand the magnitude of the decision," he said. "But I have a duty and obligation as district attorney to make sure individuals receive a fair and impartial decision."

Primus, however, would not point to specific problems he and his office have with the judge. His office in 2016 filed a complaint against Temple after she told a client in drug court at that time to learn how to look for police in bars, and be careful what they say on jail phones because deputy district attorneys have nothing better to do than listen to those recordings.

Temple told the East Oregonian

Tuesday that judicial ethics prevent her from commenting on active cases and the district attorney's motions.

The 6th Judicial District, with five judges, encompasses Umatilla and Morrow counties and has court-houses in Pendleton, Hermiston and Heppner. Roy Blaine is the trial court coordinator for the district. He said Primus is filing the motions one case at a time, each time in the early stages of prosecution.

"If a judge makes what we call a substantive ruling, then it's too late (to disqualify them)," Blaine said, though he added there are some exceptions.

Temple will continue to preside over civil cases in Umatilla County.

Morrow County District Attorney Justin Nelson said he disqualified Temple from a case last year but has no plans to file future requests to disqualify. The district's five judges hear Morrow County cases on a rotational

basis, and Nelson said he confirmed with state courts that the situation in Umatilla County should not affect that rotation.

Hermiston Police Chief Jason Edmiston said he could not recall a similar action against one judge in his 21 years of law enforcement. He said Primus told him he was filing the motions, which could mean Hermiston police will travel more often to Pendleton for criminal court matters.

Gov. Ted Kulongoski in January 2011 appointed Temple to the circuit court bench, one of his last acts before leaving office. Gov. John Kitzhaber in August of that same year appointed Primus as district attorney. Primus has run unopposed in elections since. Temple ran unopposed in her first election in May.

Blaine is out of the office this week but said he and Brauer need to discuss what the freeze-out means for the court's schedule and the other judges.

Teen disciplined for Trump shirt receives settlement

By Andrew Selsky
The Associated Press

An Oregon high school student disciplined for wearing a T-shirt promoting a border wall reached a settlement of his lawsuit against the school district, his lawyers said Tuesday.

The case highlights the struggle among schools to balance free-speech rights with keeping students safe, as acrimony intensifies over America's immigration policies and enforcement.

Under the settlement announced Tuesday, the Hillsboro School District in Portland's western suburbs must pay \$25,000 for attorney fees and the principal had to write an apology.

"I brought this case to stand up for myself and other students who might be afraid to express their right-of-center views," Addison Barnes, who was a senior at Liberty High School when the incident happened in January, said in a statement sent by his attorneys.

In January, Barnes wore a "Donald J. Trump Border Wall Construction Co." T-shirt to a class where a discussion of immigration issues was scheduled. The shirt also said, "The wall just got 10 feet taller," a reference to a remark by President Donald Trump.

According to the lawsuit, a school official summoned Barnes and told him that at least one student and one teacher had been offended by the shirt. Barnes was told to either cover the shirt or go home.

Barnes went home, and his absence was listed as a suspension, which was later rescinded, the school district said.

One-third of Liberty's student body is of Hispanic origin, some of their family members have been deported, there have been recent events such as a sit-in to protest immigration

policy, and there have been racially-motivated incidents, the school district said in a statement Tuesday.

"Liberty High School administration believed they could reasonably forecast that Mr. Barnes' shirt might cause other students to feel unsafe and could potentially lead to walkouts, altercations, or other disruptive actions," the school district said.

School administrators "acted out of an abundance of caution on behalf of the student body to ensure safety."

Barnes said his First

Amendment rights to free speech had been violated. A federal judge on May 29 issued a temporary restraining order, essentially barring the school from prohibiting Barnes from wearing the shirt, and said the school district had not justified its censorship.

The Benbrook Law Group of Sacramento, California, and Lynch Conger McLane of Bend, which announced the settlement, noted the high school had allowed one of its teachers to hang a sign promoting sanctuary cities

that protect immigrants in the United States illegally.

Barnes said he was singled out for supporting Trump.

"Everyone knows if a student wears an anti-Trump shirt to school, the teachers won't think twice about it," Barnes said Tuesday. "But when I wore a pro-Trump shirt, I got suspended. That's not right."

Mike McLane, partner with Lynch Conger McLane and a Republican member of the Oregon Legislature, said: "Political speech, whether popular or not, is protected by the Constitution."

The school district said instead of contesting the lawsuit, which would have been costly and disruptive, it instead compromised.

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August 1-2-3-4

2018 Fair

UNION COUNTY

Wednesday, August 1, 2018

8am Fair Opens
10am Booth Exhibits Open
10:30am 4H Open Class Livestock Judging including exotic and small animals
2pm Cascade Amusement Carnival Opens
4pm Good Times/Bad Times, Main Stage
8pm Good Times/Bad Times, Main Stage
10pm Fair Closes

2pm Bad Penny
Pleasuremakers, Main Stage
4pm Talent Show, Main Stage
6pm Becky's Studio of Dance
8pm Bad Penny
Pleasuremakers, Main Stage
10pm Fair Closes

8pm Ring of Fire Reunion, Main Stage
10pm Fair Closes

Saturday, August 4, 2018

8am Fair Opens
10am Booth Exhibits Open
2pm Cascade Amusement Carnival Opens
4pm Junior Market Auction
Buyer

Friday, August 3, 2018

8am Fair Opens
10am Booth Exhibits Open
2pm Cascade Amusement Carnival Opens
4pm Ring of Fire Reunion, Main Stage
5pm Fair Parade Line-up
8pm Tap That Beer Garden Opens
10pm Parade Judging
6pm Fair Parade Downtown

4pm check in
BBQ
4pm Depot Street Syncopators, Main Stage
5pm Tap That Beer Garden Opens
5pm Junior Market Auction
8pm Depot Street Syncopators, Main Stage
10pm Fair Closes

Thursday, August 2, 2018

FAMILY DAY, SENIOR DAY
8am Fair Opens
8-10am Senior Breakfast
9am Open Class Goat Show
10am Booth Exhibits Open
10am Log Cabin Opens, Family Fun
2pm Cascade Amusement Carnival Opens

Sunday, August 5, 2018

8am-3pm All Exhibits Released

Thatcher's ACE Hardware & La Grande ACE Hardware

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