

JANUARY

New 'well-intentioned' legislation difficult to navigate

By Alyssa Sutton
The Observer, Jan. 15

Senate Bill 719, which allows families to petition the court to temporarily suspend a person's access to firearms, has been one of the most controversial pieces of legislation this past session.

Only one Republican, Brian Boquist from The Dalles, supported the bill within the Oregon Legislature, and several Democrats opposed it, but the bill, which began garnering signatures on a petition in 2016 — and was introduced in the Senate Judiciary Committee but never made it to the floor for a vote — managed to make it into Oregon law. Sen. Bill Hansell and Rep. Greg Barreto opposed the law.

Oregon joined four other states — California, Connecticut, Indiana and Texas — that have introduced the Extreme Risk Protection Order. This order will be temporary, and there must be documented evidence that an individual is a threat to him/herself or others.

"It's well-intentioned legislation, but the devil is in the details," said Captain Craig Ward of the Union County

Sheriff's Office.

He explained law enforcement is working with the district attorney, the circuit court administrator and organizations such as the Center for Human Development to fully understand the legislation and how it will be enforced.

The bill states if an individual feels that someone in the family — the person has to be a direct relative or someone living in the household such as a mother, father, sister, brother, spouse or intimate partner — might harm him/herself or someone else, the individual can file a petition with the court.

"(The orders) will be utilized in Union County," said Center for Human Development Mental Health Director Dwight Dill. "We've had individuals who have been a danger to themselves or others, and we've tried to make a safety plan, but prior (to the passing of the bill) we didn't really have a way to make this happen."

The court will look at the petition and issue or deny it on the same day that it is filed. The individual who requests the order must

provide evidence and submit a written and signed affidavit or an oral statement under oath.

"It's a class A misdemeanor to file a false petition," Ward said, adding the punishment is up to a year in jail and/or a \$6,250 fine.

Evidence the court will take into consideration includes a history of suicide threats, attempts or acts of violence toward others, a domestic violence offense, an offense involving cruelty or the abuse of animals, previous unlawful and reckless use of a deadly weapon, or the purchasing of a deadly weapon in the last six months.

According to the bill, the court is not allowed to take into consideration any mental health diagnoses. Essentially, the court will look only at the actions of the respondent.

If the court feels it has enough convincing evidence, it will issue an Extreme Risk Protection Order.

"We knock on the door and we serve them the notice," Ward said. "Even if the court feels strongly enough that they are an imminent threat, we still wouldn't enter the

house at (that) point."

The order temporarily forbids a person from possessing or purchasing deadly weapons. When the order is delivered, the respondent will also receive the evidence compiled by the petitioner, the date the order was issued, and where the respondent may request a hearing.

Shelter From the Storm Executive Director Mindy Mowery is a bit concerned about the process, however.

"It seems it could give a false sense of security to the petitioner. In addition, there is no back-up protection, such as a no-contact order," she said.

Once given the order, an individual has 24 hours to surrender his or her weapons and concealed licenses to law enforcement.

"If we're talking about the threat of harm, imagine what someone could do in that 24-hour time span," Mowery said.

Ward also stated there are concerns for law enforcement if an individual doesn't turn in the weapons after 24 hours.

"Then I have some moral

and sociological concerns because what if that person plans on shooting? I don't want police going in under fire, so do we use the SWAT team to serve a warrant?" he said.

The respondent may also surrender any weapons to a gun dealer or a third party, but the license must be turned in to law enforcement.

"I would not want to hold surrendered weapons," said Karl Baum of Oregon Trail Trader, whose website states the business carries the largest supply of firearms, knives and optics in Eastern Oregon. "I do not want to be connected to this bad legislation in any way. The law appears to not require due process to take away an individual's rights."

The individual has up to 30 days after the order was issued to request a court hearing to challenge the petition. If a hearing is requested, the court is required to notify the petitioner. The hearing will then happen within 21 days after the request.

If the respondent does not request a hearing within

the first 30 days of the order being served, the protection order will be considered confirmed and will be effective for a year after the original issued order.

During the hearing the court will again hear from the petitioner as well as the respondent. The court will again not take into account any mental illness diagnosis, but if the court finds there is convincing evidence, it will uphold the order. The petitioner also may file for a renewal of the order 90 days prior to the expiration date of the original order. If the order expires, the agency holding the weapons will return them, after a criminal background check.

If the court decides to terminate the order, the court will inform the county sheriff and the order will be removed from law enforcement databases.

Mowery said the Shelter From the Storm will be looking to law enforcement personnel and first responders for support in understanding the legislation and how it will best serve the county.

Oregon passes Tobacco 21, increases minimum smoking age

By Alyssa Sutton
The Observer, Jan. 5

At the first of the year, Oregon began enforcing a new law that raised the required minimum age to legally buy or obtain tobacco products and inhalant delivery systems from 18 to 21.

The law, known as Tobacco 21, has been in effect since Aug. 9, 2017, but wasn't actually enforced until the beginning of 2018.

"The reason for the lag time between effect and enforcement is our hope that it would already be lowering (tobacco use) among youth," said DeAnne Mansveld, Tobacco Prevention and Education Program coordinator for the Center for Hu-

man Development in La Grande.

Under the new law, retailers can no longer sell tobacco products or inhalant delivery systems, such as pipes or vaporizing devices, to people younger than 21.

Katrina Hedberg, MD, Oregon's state health officer and epidemiologist based at the Oregon Health Authority Public Health Division, said in a press release that raising the minimum age for buying tobacco products and inhalant delivery systems is proven to reduce youth initiation of tobacco use. She noted nine out of 10 adults report they started smoking before they were 19, and nearly 100 percent start before the age of 26.

"The earlier kids start using tobacco, the more at risk they are for becoming addicted to tobacco and developing chronic diseases such as heart diseases, asthma and cancer," Hedberg said. "Raising the legal sale age for tobacco products to 21 can reduce smoking rates and reduce tobacco-related deaths."

To ensure compliance with the law, retailers are required to post signs announcing that customers now must be 21 to buy tobacco products and inhalant delivery systems. In addition retailers were encouraged by OHA to talk to their employees and customers before Jan. 1 to help educate them about the enforcement of the law.

Violations of the law are punishable by a fine of \$50 for employees, \$250 for store managers and \$500 for store owners; for managers and owners, the fines double after the third offense.

The Oregon Health Authority Public Health Division is authorized to enforce the minimum age of tobacco sales law and coordinates with the Oregon State Police to conduct compliance inspections. Retailers are required to keep products in a location where customers cannot access them without the assistance of an employee, are not allowed to give out free samples and packaging must communicate the potential

risks of tobacco products.

Help is available for anyone in Oregon who wants to quit using tobacco. Call Oregon's toll-free Quit Line at 800-QUIT-NOW.

"They also have a special line for people 19 years old and younger that has a coach," Mansveld said. "They can provide two weeks of free nicotine therapy, and people should talk to their medical providers as well."

People who see a retailer selling tobacco products or inhalant delivery systems to someone younger than 21 can report the violation with the business name, address and other information to Tobacco. Inspections@state.or.us.

Market Place Family Foods' future uncertain

■ Grocery store holds meeting to ask the community, 'what can we improve on?'

By Cherise Kaechele
The Observer, Jan. 31

A plea for shopping local was made at a Jan. 29 discussion of a recent Market Place Family Foods survey. The store announced it will soon go through a "transition," and its fate is up to the community.

"The big box stores came into the community and changed some things," said Market Place Family Foods developer Al Adelsberger during the discussion. "This building is here because of the community. There's a transition in that building, and we're reaching out as best as we can."

The Union County Chamber of Commerce created the anonymous survey for random customers to provide feedback on the

Family Foods grocery store.

Approximately 24 people took the survey and rated the store on its overall appearance and its products and provided feedback on their priorities while shopping.

Bob Kavanaugh, executive director of the chamber, presented the overall results of the survey to the group.

The surveyors were split for the most part on the overall appearance and feel of the store, whether the customers felt welcomed and whether the shelves were organized.

"Beautiful on the outside, but dark, gloomy, cold, unfriendly on the inside," wrote one surveyor.

Surveyors reported many of the shelves were empty when they went into the

store. Some said the locations of the products didn't make sense and the price of the items weren't always readily available.

The quality of the products — including produce, meats, canned goods and dairy — were mostly rated as neutral.

The group was asked to elaborate on what was said in the surveys. Many of them offered constructive criticism or defended the grocery store.

Discussion participant John Bozarth said he doesn't believe it's feasible to assume Family Foods will have everything a customer needs.

Nathan Larson, who was one of the surveyors, said he thought the Bistro was probably the star attraction of the store. He said he plans to take advantage of the outdoor seating once the weather improves.

Larson also said having sale flyers available makes a big difference to him. Utilizing newspaper ads, Facebook or a website would help the store garner attention, he said.

Local business owner Jenny Bartell said she has seen meats that were past their best buy date. She was also disappointed to find items that contained MSG.

Several of the people in attendance said they base their shopping on what's on sale at the grocery stores. Some went a step further and said what's on sale will determine what's for dinner.

Sherry Kavanaugh said she had been hoping the new store would be similar to Whole Foods, a supermarket chain that specializes in selling food products without artificial preservatives, colors, flavors, sweeteners or hydrogenated fats.



Cherise Kaechele/The Observer

Brenda Parks restocks the eggs at the front of the Fourth Street grocery store in January.

"I want something you just can't get at Safeway," she said.

Adelsberger said he wants to see this store, and the community, succeed.

"I'm in love with this community," he said. "This is probably the best meeting

we've had (about the store) because of the exchange of information."

He said the community and the store need to support each other.

"If we don't support each other, then we're lost," Adelsberger said.



Happy New Year

10707 S. Walton Rd.
Island City, OR
541-962-0641

