

DAILY
PLANNER

TODAY

Today is Saturday, March 14, the 74th day of 2020. There are 292 days left in the year.

TODAY'S HIGHLIGHT

On March 14, 1794, Eli Whitney received a patent for his cotton gin, an invention that revolutionized America's cotton industry.

ON THIS DATE

In 1885, the Gilbert and Sullivan comic opera "The Mikado" premiered at the Savoy Theatre in London.

In 1907, President Theodore Roosevelt signed an executive order designed to prevent Japanese laborers from immigrating to the United States as part of a "gentlemen's agreement" with Japan.

In 1962, Democrat Edward M. Kennedy officially launched in Boston his successful candidacy for the U.S. Senate seat from Massachusetts once held by his brother, President John F. Kennedy. (Edward Kennedy served in the Senate for nearly 47 years.)

In 1964, a jury in Dallas found Jack Ruby guilty of murdering Lee Harvey Oswald, the accused assassin of President John F. Kennedy, and sentenced him to death. (Both the conviction and death sentence were overturned, but Ruby died before he could be retried.)

In 1965, Israel's cabinet formally approved establishment of diplomatic relations with West Germany.

In 1967, the body of President John F. Kennedy was moved from a temporary grave to a permanent memorial site at Arlington National Cemetery in Virginia.

In 1976, movie musical director and choreographer Busby Berkeley, 80, died in Palm Springs, California.

In 1980, an LOT Polish Airlines jet crashed while attempting to land in Warsaw, killing all 87 people aboard, including 22 members of a U.S. amateur boxing team.

In 1990, the Soviet Congress of People's Deputies held a secret ballot that elected Mikhail S. Gorbachev to a new, powerful presidency.

In 2001, inspectors tightened U.S. defenses against foot-and-mouth disease a day after a case was confirmed in France.

In 2002, the government charged the Arthur Andersen accounting firm with obstruction of justice, securing its first indictment in the collapse of Enron. (Although Arthur Andersen was later found guilty, its conviction was overturned by the U.S. Supreme Court; however, the damage to the firm's reputation was enough to put it out of business.)

Five years ago, Robert Durst, a wealthy eccentric linked to two killings and his wife's disappearance, was arrested by the FBI in New Orleans on a murder warrant a day before HBO aired the final episode of a serial documentary about his life. (Durst is now on trial for murder in Los Angeles.) Math enthusiasts observed "Pi Day," in which the date — 3-14-15 — lined up with the first five digits of the mathematical constant pi: 3.1415.

LOTTERY

Megabucks: \$5.9 million

3-9-16-24-30-42

Mega Millions: \$80 million

7-22-37-43-44-22 x4

Powerball: \$120 million

4-29-49-50-67 — PB-23 x2

Win for Life: March 11

5-23-37-47

Pick 4: March 12

• **1 p.m.:** 9-6-9-2

• **4 p.m.:** 2-3-4-5

• **7 p.m.:** 8-1-3-9

• **10 p.m.:** 5-1-7-9

Pick 4: March 11

• **1 p.m.:** 9-4-0-5

• **4 p.m.:** 5-1-2-2

• **7 p.m.:** 1-7-4-4

• **10 p.m.:** 3-7-0-2

DELIVERY ISSUES?

If you have any problems receiving your Observer, please call the office at 541-963-3161.

QUOTE OF THE DAY

"Any fool can make things bigger, more complex, and more violent. It takes a touch of genius — and a lot of courage — to move in the opposite direction."

— Albert Einstein, German-born American physicist (born this date in 1879, died 1955)

Lawmakers snub state's public defenders

By Conrad Wilson

Oregon Public Broadcasting

SALEM — A bill that would've boosted Oregon's public defenders died as a result of the derailed legislative session in Salem.

House Bill 4004 would've established performance and case standards, and eliminated a requirement for the state to run a public defense system built around being as cost effective as possible.

"That had been, I think, originally thought by people to mean the cheapest," said Lane Borg, executive director of the state's Office of Public Defense Services.

The bill passed in the state House overwhelmingly. But like almost every other bill in the 2020 legislative session, it stalled after Republicans walked out because of a climate change bill, denying the Legislature a quorum necessary to conduct business.

The public defense bill also would've expanded the commission that runs the Office of Public Defense Services from seven members to nine, and required one of the members be an individual who had received public defense services.

Last session, lawmakers failed to pass HB 3145,



Carl Macpherson is the executive director of Metropolitan Public Defender. The MPD is the largest single provider of public defense services in Oregon.

OPB photo by Kaylee Domzalsk

which would've overhauled the state's public defense system and started the process of turning some public defenders into state employees. At the trial level, all public defenders in Oregon are contract employees of the state. Some of the attorneys work at nonprofits, while others are self employed or work with other attorneys in consortia.

In 2019, lawmakers received a report from the nonpartisan Sixth Amendment Center, which found Oregon's public defense

system was structurally flawed and effectively unconstitutional.

The commission that oversees public defense addressed some of the largest concerns raised by the report, including a flat fee contracting model that paid attorneys per case, regardless of the hours it took. While lawmakers didn't pass HB 3145, they pumped an additional \$38 million into the system for the 2019-21 budget; that led to about 30 additional attorneys and pay increases across the state.

Borg said there was an additional \$20 million possibility attached to the short session's budget bill, which also did not pass after the Republican walkout. He said he hopes to get the money released through the state's Emergency Board, which is made of a group of lawmakers who can allocate funds outside of the legislative session. There are also rumors of a special session.

Some public defenders said they're disappointed lawmakers didn't pass HB 4004.

"It does hurt morale in that public defenders are hoping, we're counting on this to pass," said Carl Macpherson, executive director of Metropolitan Public Defender, a nonprofit that serves indigent clients in Multnomah and Washington counties.

If Oregon fails to adequately provide a public defense system that meets the needs of its clients, the state could face a lawsuit.

"With the failure of House Bill 3145 in 2019 and the failure of 4004 in the short session, I think it's possible it could move us closer to a lawsuit," said Carl Macpherson, executive director of Metropolitan Public Defender, a nonprofit that serves indigent clients in Multnomah and Washington counties.

The American Civil Liberties Union has sued a number of states over a lack funding to public defense: Michigan in 2007, Washington in 2011, Louisiana in 2016, Missouri and Nevada in 2017, and Idaho in 2018.

Kelly Simon, interim legal director at the ACLU of Oregon, said it's good to see the state investing in the public defense system. But, Simon added, there remains the potential for costly litigation.



Photo by Kathy Aney/EO Media Group

Crystal King, charge nurse at Willowbrook Terrace, takes the temperature of Amber Rice on Thursday morning. Rice, deemed an essential visitor, had come to visit her grandmother.

State halts nursing home visits

Kathy Aney

EO Media Group

PENDLETON — A sign inside McKay Creek Estates' sliding front doors Thursday morning stopped visitors cold.

In red marker, it said "Under executive order by the Governor, we are not allowed visitors at this time."

The Pendleton assisted living facility placed the sign in the foyer after receiving a mandate from the state to prevent the spread of the novel coronavirus that has proven especially deadly for the elderly.

About a mile away, Willowbrook Terrace gave visitors much the same message. A sign warned, "STOP HERE!" ALL VISITORS AND VENDORS. Due to the COVID-19 virus, we are screening all visitors. Please see the nurse before entering."

Only visitors deemed "essential" will gain entrance into Oregon's nursing homes, assisted care facilities and residential care facilities — physicians, physical therapists, hospice workers and family members considered essential for the individual's well-being and care or visiting during end-of-life stages. Even essential people must answer screening questions and have their temperatures

taken.

"Our No. 1 priority is to stop the spread of this virus," said Fariborz Pakseresht, director of the Oregon Department of Human Services.

Pakseresht and Pat Allen, director of the Oregon Health Authority, announced the new restrictions Tuesday evening. The extraordinary step comes as data from around the world shows the elderly are most vulnerable to the coronavirus that causes the respiratory disease COVID-19.

State health authorities also directed the facility operators to limit community outings and work to arrange "virtual visits" for their residents.

The first cases of coronavirus at an Oregon assisted living facility were announced Wednesday night after two residents in a veterans' nursing home in Lebanon contracted the virus. State health officials have sent a "strike team" into the nursing home and will test all of its residents and staff.

Local administrators appear to be taking the mandate seriously.

"We have a really vulnerable population here," said Corey Crisman, administrator at Willowbrook Terrace. "We're trying to limit as many visitors as possible."

So far, he said, family

members are being understanding.

"They know we have to protect our residents," Crisman said. "We'll get through it."

Malhia Lieuallen, executive director at McKay Creek Estates, said residents, employees and visitors are disappointed, but compliant.

"This executive order trumps everything," Lieuallen said. "We're just being cautious."

Both facilities have ceased taking groups of residents to movies, concerts and other events in the community, everything except medical appointments. Similarly, musical groups and other community visitors won't be allowed to come in.

"We're doing a lot of bingo and planning a St. Paddy's Day party," Lieuallen said. "We're trying to keep them busy."

Crisman said Willowbrook residents will have movies and popcorn on-site, instead of going to a theater.

Tests to determine whether someone is infected are conducted through medical swabs sent to the state's central health laboratory.

Pakseresht said Oregon officials are taking every step they can to avoid "the tragic situation developing in Washington."

Teenage vaping small but growing trend in Wallowa County

By Bill Bradshaw and Ellen Morris Bishop
EO Media Group

ENTERPRISE — Vaping among young people has reached epidemic proportions both in Oregon and the U.S. according to the U.S. Food and Drug Administration. And this new, high-tech method of inhaling nicotine and other substances seems to be a growing problem in Wallowa County as well.

In Wallowa County, schools ban both smoking and vaping on school grounds and at school activities. But within the past three months, several students and student-athletes have reportedly been involved in vaping at athletic events. Despite the ban on kid-friendly vaping flavors, Mandy Decker, Director of Juvenile Services for Wallowa County, sees vaping as a growing problem.

Just like smoking tobacco, vaping delivers nicotine to the user. Hence, other concerns cited by the CDC include the negative effects of nicotine on the developing adolescent brain, the presence of heavy metals, including nickel, tin and lead in the aerosols inhaled, and the presence of known carcinogens in the same fluids. Flavorings can also trigger serious lung disease.

"It took 20 to 30 years to get the studies out that tobacco could kill you," said David Howe, principal at Wallowa High School. When it comes to studying vaping, "They're only a few years into it." Howe would neither confirm nor deny vaping by Wallowa students.

At Joseph Charter School, high school principal Sherri Kilgore said the school has taken steps to detect vaping in the school buildings and on the school grounds.

"It's a big enough problem we bought and

installed vaping detectors in the bathrooms and locker rooms," she said. "Those tend to be the places kids go to vape. We already have cameras down all the hallways. ... They work, they definitely work."

She said some students were caught vaping during a wrestling match in January, but they were not Joseph students, were from a visiting school and their coach was notified. Sheriff Steve Rodgers said that the sheriff's office was called late last year to Joseph Charter School and a youth was cited.

Although youth vaping has been called an epidemic, Kilgore doesn't believe that's the case at Joseph. But she admits she could be wrong.

"Problem is, the kids can conceal their use," she said. "I think it's a bigger problem than we see."

Enterprise School Superintendent Erika Pinkerton agreed, but noted that there haven't been any known incidents in Enterprise this school year.

Enterprise Police Chief Joel Fish noted that there was an incident at the Enterprise School where someone was reported vaping during a game. He didn't recall if anyone was caught or a citation was issued.

While a 2018, congressionally mandated, National Academy of Science study found that e-cigarettes and vaping may be less harmful than conventional cigarettes, it also noted that the long term effect of e-cigarettes was not clear, and that they were likely to draw more young people into nicotine addiction and, ultimately cigarette smoking.

Mandy Decker, Director of Juvenile Services for Wallowa County, said Friday, March 6, that although the youth vaping problem is growing, it doesn't seem to be very widespread in Wallowa County — yet.



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