

OTHER VIEWS

Memorial Day carries an added significance in 2020

We live in a new normal of strange days and that is why the traditional elements to our daily life — such as Memorial Day — carry a little more meaning this year.

The day and the weekend where Memorial Day falls has evolved since it became an official federal holiday in 1971.

The weekend is synonymous with the beginning of summer, the end of school, barbecues and family gatherings.



ANDREW CUTLER
EO MEDIA GROUP

Yet, the holiday isn't really about trips to fish or barbecues. Originally

known as Decoration Day, it began after the Civil War and is marked by Americans visiting cemeteries to honor fallen members of the nation's armed forces.

The day isn't a celebration so much as it is a way to highlight some of the key components — like duty, commitment and sacrifice — that make up our democracy.

The graves of our service members should serve as a reminder that there is, indeed, a price for freedom and most often that bill is paid by young Americans serving in faraway places.

This year, though, the holiday, I think, carries a bit more significance than at any other time in my memory.

We are firmly ensconced in a pandemic that has upturned all of our lives. The focus, justifiably, shifted as we all faced a new paradigm connected to the COVID-19 virus. And, not surprisingly, the one item — a virus — that should have avoided being politicized is now a bitter point of contention among many, including some — inexplicably — who don't believe it even exists.

That is the condition of our country today. And it is troubling. That's because we do not advertise ourselves across the globe as a disinterested, fractured society intent on tearing itself apart. We still, despite everything, represent to many places on the globe, a shining example of what is possible with democracy, how it can prosper and benefit millions.

Our system is, indeed, worthy of great sacrifice and toil.

That is what Memorial Day represents. Not division. Instead, the graves of the fallen, the final resting place of those who gave so much for our nation, symbolize we are not divided on our views of freedom. Memorial Day is a time to remember that despite all our flaws and missteps we still produce fine young men and women who willingly decide to commit to our greater good.

The hallowed ground where our honored fallen rest represents the best of our nation and also signifies that we are, indeed, a united people. That in times of crisis, we deliver our very best.

The sacrifices of our brave men and women are forever logged on the pantheon of brave deeds.

Yet, their sacrifice, their commitment, also places a solemn responsibility on those of us who live and work and play in our great nation. That responsibility is a simple one — not to let them down and discard their commitment by division and discord.

We face another great test with the COVID-19 outbreak. Our institutions — and our patience — face nearly overwhelming stresses. This weekend, though, we should not focus on what separates us, but remember those who died in the service of our nation, who believed in what America stands for and were willing to put their lives on the line to ensure its continued success.

About the Author

Andrew Cutler is the editor of the East Oregonian, a member of the EO Media Group, which also owns The Observer. He also is an Army veteran.



Your views

Bentz needs to get straight on counties reopening

Thanks to The Observer for covering the forum for 2nd District Congressional candidates. I'd like to offer a correction to something that Cliff Bentz, the candidate who won the Republican primary, said at that forum. To quote the paper, "He described the state's plan to reopen businesses as one-size fits all, an approach that doesn't account for the rural counties with minimal cases of the virus."

Nothing could be further from the truth. Counties were asked to submit their plans to reopen. All of Eastern Oregon was permitted to do just that. The counties in and around Portland — Multnomah, Clackamas, and Washington — didn't even bother asking since they are still dealing with the pandemic. Polk and Marion — around Salem where there have been almost a thousand verified cases, dozens of deaths, and with the count still rising — were both initially denied their request. So Eastern Oregon got its due and Mr. Bentz needs to acknowledge that instead of turning a real health emergency into one more political wrestling match. If he can't do that, I'll find someone else to vote for.

The pandemic is simple to explain. It's a forest fire. There was a lightning strike off in the distance. Smoke and flames can be seen rising high into the sky with a few embers falling nearby. Some of those embers are smoldering in the duff underfoot. There's the possibility of fires starting from those sparks. Some will be put out. Others might explode into conflagrations if we're not careful.

The dynamics of a pandemic are exactly the same, and we are the fuel. We should thank the fire crew in the governor's office for having kept us safe so far.

Norm Cimon
La Grande

DA fails to make case against judge

I have practiced law as an appellate and trial attorney since 1989, so I read about Union County District Attorney Kelsie McDaniel's motion to disqualify Circuit Judge Wes Williams from a criminal case because she believes he favors the defense and cannot be objective ("DA moves to sideline judge," April 25 edition of The Observer).

I obtained a copy of McDaniel's memorandum from the court. McDaniel cites numerous examples of what she considers to be Williams' bias. However, her memorandum includes only about a third of the records to support her allegations. Some cases McDaniel relies on are juvenile or civil commitment cases — conveniently, no one can double-check the truthfulness of those claims because those records are sealed.

Other claims are untrue. McDaniel discusses a ruling Williams purportedly made on Jan. 1, 2019 — but Jan. 1 is a court holiday, when hearings are not usually held, and Williams was not even a judge (he took office later that month). McDaniel included a transcript to support her claim — but it was a transcript from a hearing on Oct. 8, 2019, and of a different issue. McDaniel frequently fails to cite any legal authority to show Williams' rulings are actually wrong. McDaniel's failure

to include all of the supporting records, combined with her sloppy and inaccurate legal work, makes it difficult to guess whether her complaints about Williams are valid.

The way the court has handled McDaniel's motion raises more serious issues about our county's criminal justice system.

Oregon law provides no way for an attorney to file a "blanket motion" that covers all of her or his cases. Instead, an attorney who wants to raise an issue must file a motion in the specific case. Additionally, Oregon law prevents an attorney from disqualifying any judge after that judge has made a substantive ruling in a case. However, I understand from court staff that following McDaniel's motion, Presiding Judge Tom Powers removed Williams from the criminal cases he was handling when McDaniel's filed the motion and is no longer assigning Williams new criminal cases.

Powers allowed McDaniel to remove Williams from all criminal cases without filing a motion in each case — work required of any other attorney in this state. Additionally, Powers allowed McDaniel to remove Williams from cases Williams already made substantive decisions on — something McDaniel has no legal way to do.

If I were still practicing law, I would be alarmed by Powers' willingness to bend the rules to accommodate the district attorney. If I were a criminal defendant, I would insist on disqualifying Powers from hearing my case, based upon his clear showing of favoritism and bias for McDaniel and her office.

Anne Morrison
La Grande

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