

# Grants to Black Oregonians resume after state settles lawsuit

John Day logging company lawsuit leads to settlement to distribute \$5.3 million

By **JAMIE GOLDBERG**  
The Oregonian/OregonLive

SALEM — Oregon once again began distributing grants last week through its unique \$62 million coronavirus relief fund for Black Oregonians.

Organizers of the fund distributed \$49.5 million to Black Oregonians, Black-owned businesses and Black-led nonprofits across 31 Oregon counties last fall, but they agreed to hand over their remaining funds to a federal court and stop allocating grant money in December after a John Day logging com-

pany and Portland coffee shop challenged the constitutionality of the state fund.

The state and organizers of the fund reached a settlement with John Day logging company Great Northern Resources in March, allowing them to recoup \$5.3 million from the court to distribute to Black Oregonians.

Fund organizers began distributing that money last week. They are using the funds to provide grants to people and organizations that applied for support late last year but never received funding

due to the legal case. The fund is not accepting new grant applications.

“We are working as fast as possible to notify applicants and distribute awards, while ensuring security and compliance,” said Anthony Jordan, president of The Contingent, the nonprofit administering the grants.

As part of the settlement, Oregon is also using its own risk fund to pay grants to up to 1,252 non-Black applicants that sought funding through the program before Dec. 8. The court is continuing to hold an additional \$3.5 million deposited by fund organizers until the state pays out those grants.

While the state and fund organizers reached a settlement with Great Northern

Resources, the constitutionality of the fund may still be litigated through a separate ongoing lawsuit brought against the fund by Maria Garcia, the Mexican American owner of a downtown Portland coffee shop.

Approximately \$42,000, the maximum grant that Garcia would have qualified for if she were eligible for a grant through the fund, is still being held by the court while that case continues.

Oregon lawmakers voted last July to set aside 4.5% of the federal pandemic relief money received by the state to seed the fund. Oregon appears to have been the only state that allocated federal coronavirus relief dollars to individuals and business owners of a specific race.

# Oregon’s embattled state forester quits

Consultant’s report, department critics highlight agency problems

By **TED SICKINGER**  
The Oregonian/OregonLive

SALEM — Peter Daugherty, Oregon’s state forester and the leader of the long-struggling Department of Forestry, has submitted his resignation to the state board that oversees the department, effective May 31.

Daugherty has led the agency since 2016, and his tenure has been marked by deep financial problems within the department, a dysfunctional relationship with the Board of Forestry and the loss of state lawmakers’ confidence, even as the agency is looking for a massive infusion of new resources to better respond to the state’s increasingly severe wildfire seasons. The Oregonian/OregonLive in recent years documented many of the agency’s troubles in its Failing Forestry series.

Daugherty’s resignation comes in the wake of a scathing report from an outside accounting consultant, MGO, that described a fundamental lack of financial controls and oversight within the agency. The report was reviewed in a hearing this week before the Natural Resources subcommittee of Ways and Means, prompting some incredulity from lawmakers, who said they were aware of the problems in general but found details the firm uncovered eye-opening and troubling.

His resignation also comes after Gov. Kate Brown was able to remake the state forestry board, which is responsible for hiring and firing the state forester. The previous board had put Daugherty on what amounted to a performance improvement plan, but the new board chair, Jim Kelly, said it was time for a change.

“You cannot have an effective state forester unless they have the confi-

dence of the governor and the legislature,” Kelly said, “and clearly that isn’t the case with Peter.”

At the hearing Wednesday, May 5, Sen. Kathleen Taylor, D-Portland, laid a good deal of the blame for the agency’s problems on the Board of Forestry.

“It’s no secret that I’m not a supporter of having a Board of Forestry,” she said. “I don’t support that. I believe the Legislature should be overseeing the

straw for Daugherty. In his resignation letter, he said he had discussed the decision with the governor’s office and decided it would be in the best interest of the newly reconstituted board and the department to select a new state forester. Daugherty said his last effective day in office would be May 28.

In an email to staff, Daugherty said leading the department had been the highlight of his long career in forestry. He said the

her nominees to the board, effectively remaking it.

“The board will soon meet to discuss leadership during this time of transition,” said Liz Merah, a spokesperson for Brown. “While the board has statutory authority in appointing the State Forester, the governor is interested in a national search for someone who can further drive the agency as a national leader in fighting wildfires, while at the same time adapting to new technology and changing conditions on the ground.”

Merah said there were no severance payments accompanying Daugherty’s departure. His salary was just over \$182,000 a year.

Reached at his home in Eastern Oregon, Kelly, the new board chair, said Daugherty’s decision to resign was reached mutually and the board would look to hire an interim replacement with strong financial expertise, as the agency needs to get its financial house in order before it can do anything else effectively.

Kelly said he thinks the dynamics on the board already have changed.

“There’s reason to believe we have the chance to create a highly functional board and have that trust reestablished,” he said.

Bob Van Dyk, the Oregon policy director of the Wild Salmon Center, and a frequent critic of the department, said Daugherty’s departure was long overdue.

“Under Daugherty’s leadership, critical voices on the Board of Forestry were marginalized and bullied,” he said in an emailed statement. “Oregon faces enormous challenges on our forests to protect water quality, manage fire, and respond to climate change. I hope the board can take this moment to turn the page and move the agency into the 21st Century.”

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— **Bob Van Dyk**, the Oregon policy director of the Wild Salmon Center,

Department of Forestry. The board has been given this awesome responsibility by the public ... and I’m concerned the board did not do its duties of overseeing the department.”

Rep. Jeff Reardon, D-Portland, said MGO’s report was just the beginning of the actions that need to be taken.

Rep. Paul Holvey, D-Eugene, said many of the shortcomings called out in the report had been noted in an audit of the department by the Secretary of State in 2015.

“We are six years later dealing with the same damn issue and I don’t see any improvement,” he said. “And so either the Legislature needs to step in and do something dramatic or ... I really appreciate (the report), but it just solidifies and exemplifies what we’ve been dealing with for years. I’m just so frustrated that I don’t see any improvement.”

The airing of the report may have been the last

agency’s “executive team is committed to supporting the transition and helping prepare Oregon’s next State Forester for the challenges and rewards that come with this role, both of which are immense.”

The board’s control over the employment of the state forester left the governor’s office and legislators with less control as the agency’s finances spun out of control in recent years and the board took no definitive action. Lawmakers had, however, demanded that Daugherty begin submitting monthly financial reports to the co-chairs of the Ways and Means Committee.

Brown, meanwhile, also expressed deep frustration last fall with her inability to remake the board and bring stronger financial expertise to its ranks, as lawmakers from timber-dependent counties joined Republicans to kill her slate of board nominees. That changed this spring, as the Senate confirmed three of

## STATE NEWS BRIEFS

### Prineville Reservoir first Oregon park to get ‘dark sky’ nod

PRINEVILLE, — Prineville Reservoir State Park has been certified as an International Dark Sky Park and is the first Oregon park to make the list of the places around the world with the least nighttime light pollution.

The certification recognizes the exceptional quality of the park’s night skies as well as efforts to install environmentally responsible lighting and educate the public about light pollution.

Prineville Reservoir joins only 174 locations worldwide to have followed the rigorous application program.

The park’s location in central Oregon makes it more critical as a place to enjoy star-gazing without light pollution, according to the Dark-Sky Association. To compete for the designation, park staff had to replace harsh outdoor lights with soft yellow and red lighting to reduce sky-glow, the Oregon Parks and Recreation Department said in a statement.

The designation will bring tourists from light-polluted cities and should attract astronomers of all levels, said Bill Kowalik, chair of the Oregon Chapter of the International Dark-Sky Association.

### Second police officer indicted in BLM flag vandalism case

FOREST GROVE — A second Forest Grove police officer is facing a criminal charge in the case of an officer accused of vandalizing a home where a Black Lives Matter flag was displayed last fall.

Officer Bradley Schuetz was indicted Thursday, May 6, by a grand jury on one count of official misconduct, The Oregonian/OregonLive reported. He was arrested, cited and released, police said.

Schuetz picked up officer Steven Teets from the crime scene on Oct.

31, 2020, and drove him home instead of arresting him, investigators said.

Teets faces charges of second-degree criminal mischief and second-degree disorderly conduct for allegedly walking into the driveway of a Forest Grove couple’s home, setting off the alarm on their truck, hitting the Black Lives Matter flag outside their garage and kicking their front door.

The residents called police and another officer arrived and identified Teets. Schuetz then responded and took Teets home, investigators said.

Teets was off-duty at the time. Schuetz was on duty.

Teets has been on administrative duty while the Washington County Sheriff’s Office investigated the incident. Schuetz is on paid leave.

### Oregon Forest Service to reduce wild horse population

PRINEVILLE — The U.S. Forest Service will reduce the wild horse population east of Prineville to a level horse advocates say could lead to the herd’s elimination.

The most recent estimate of wild horses on the Big Summit Wild Horse Territory of the Ochoco National Forest puts the population between 130 and 150, Oregon Public Broadcasting reported.

The management plan approved Friday, May 7, will decrease the herd to 47-57 horses total over the next five years. Officials say “excess” horses will be captured and put up for adoption.

“We want to make sure that we manage this herd for its genetic viability,” said Cassidy Kern, public affairs officer for the Ochoco National Forest and Crooked River National Grassland.

The agency will use contraception and sterilization to limit population. The Forest Service said it will not euthanize horses as part of this plan.

— *Associated Press*

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