

## SHORTAGE

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Eastern Oregon attorneys at the time earned an average salary of \$84,000, while Portland attorneys were paid \$125,000 on average — or nearly 20% more than the Oregon average and roughly 50% more than those working in Eastern Oregon. That \$41,000 a year difference means student loans can be paid off much faster.

And those averages, which cover all attorneys, still are higher than the advertised salaries posted for prosecutors in many Eastern Oregon counties.

Union County, which has one open position, offers a starting salary of just more than \$56,000 a year and going up to \$92,000 a year based on experience. Morrow County, which does not have a deputy district attorney at the moment, advertises \$68,400 per year with the ability to earn up to an additional \$30,000 per year by doing county and city work. Umatilla County pays up to \$77,000 for an entry-level deputy district attorney.

Wallowa County's open position advertises a yearly salary of just over \$52,000 for a newly minted lawyer. Frolander said the salary for a prosecutor was raised recently, but it has yet to attract any prosecutors to join the team in Wallowa County. While the

district attorney's office waits for applicants, the lack of qualified staff to prosecute cases means cases sometimes don't receive the attention they deserve.

"There are cases that I have resolved for less than I wanted to," Frolander said, "and there have been cases I've declined to prosecute due to resources."

Frolander also said the coronavirus pandemic has created a traffic jam of cases that has yet to clear, further impacting the office's ability to prosecute crimes.

"Prosecutors should be able to make decisions on whether to pursue a criminal action based on the merits of the case, rather than on the resources available," Carpenter wrote. "However, that is exactly the position many prosecutors in Northeastern Oregon are in at the moment. The lack of available deputy prosecutors and the lack of funding to attract the qualified applicants leave us in the position of making resource-based decisions every day."

Umatilla County District Attorney Dan Primus said his office was able to increase the salary, but he mused that money isn't the sole cause of hiring woes in Eastern Oregon.

"I think that regionally, it plays a role in what we're doing. I think it's also less desirable to be a prosecutor," Primus said.



Alex Wittwer/EO Media Group, File

Reed West, Union County deputy district attorney, sits in the Union County Courthouse during arraignments on Tuesday, July 20, 2021.

### Soldiering on

Morrow County District Attorney Justin Nelson is used to working on holidays or late into the evening. His phone and laptop are never too far out of reach, just in case the sheriff's office or the police need a search warrant reviewed or a suspect charged.

However, he's not used to doing it alone.

"When it's only two, when you have one gone you definitely feel it," Nelson said.

The Morrow County District Attorney's Office held on to a full staff through most of the pandemic, unlike Nelson's colleagues in Umatilla, Wallowa and Grant counties. That meant the rolling backlog of cases caused by the

court shutdowns in 2020 never had a chance to metastasize into growing problems, like those felt in Wallowa County.

"I'm now experiencing what Mr. Primus has been experiencing for quite a bit," Nelson said, referring to the Umatilla County district attorney. "That's a unique thing for me to experience now. We really went through the COVID-19 thing fully staffed, so I do think we were in a better position than any of the other counties, because while COVID affected everybody, we weren't also dealing with a staffing shortage at the same time."

But Nelson, like district attorneys across Northeastern Oregon, is used to the challenges and

the duty that is asked of them. He noted that despite working through every holiday — especially now with his office short staffed — his troubles are eclipsed by the officials and public he serves.

"Anytime law enforcement is working, I have to be working, too," Nelson said. "If there's a single officer out there that might need to have a search warrant reviewed, I need to be available. If it's a weekend and someone gets picked up on a warrant, I need to be available. But I'm going home at night. I'm with my family at night. You know, there's law enforcement officers out on the street, and they have it harder than me. At the end of the day, I'm a lucky guy."

And while other counties have their own version of a deputy district attorney shortage, and some noted the lack of attorneys may make cases take longer and require more attention, none said the lack of lawyers will affect their ability to prosecute crimes and defend victims' rights.

"Our office has worked with a shortage of attorneys before and likely will again," Union County District Attorney Kelsie McDaniel said. "We strive to make sure that the citizens don't see any difference in the work coming out of our office on behalf of Union County."

## SPIKE

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work on," said Dana Hargunani, Oregon Health Authority chief medical officer.

Omicron spreads twice as fast as the delta variant that swamped Oregon hospitals and peaked in September.

Early studies show omicron more easily infects fully vaccinated people compared to earlier versions of COVID-19. But people who have received the two-shot Pfizer or Moderna vaccine and also had the recently added booster shot are unlikely to suffer the worst outcomes.

In so-called "breakthrough" cases, people who have had the maximum number of shots make

up about 4% of those needing hospital care and 1% of deaths. The average age of death for that group is 81.

Sidelinger said omicron was a "red alert" for unvaccinated people, who make up the vast majority of severe cases requiring hospitalization, intensive care unit beds, ventilators and whose infections prove fatal.

But the severity of omicron will be largely offset by the sheer number of people who will be infected.

"That doesn't help with the kind of all-at-once impact on hospital capacity that we're going to see here, and hopefully prevent," said Peter Graven, the chief medical forecaster for Oregon Health & Science University.

The unvaccinated who fall severely ill will require high

levels of care that will make it more difficult for already overstretched and exhausted medical personnel to care for people with heart attacks, strokes, and injuries from vehicle accidents.

Gov. Kate Brown also ordered the Oregon National Guard to deploy what Sidelinger called 500 "non-clinically trained" members to help relieve hospital staff around the state whose staff are depleted by infections among their own ranks.

Which hospitals will receive aid from the National Guard is under consideration and won't likely be announced until Monday, according to Brown Press Secretary Liz Merah.

Under recent state guidelines following recommendations by the Centers for Disease Control and Prevention, anyone vac-

inated who tests positive for COVID-19 should isolate for five days, then wear a mask in all places for another five days.

The Oregon officials said they were monitoring states to the east, where the omicron spike arrived earlier.

The ability of omicron to infect vaccinated people has led to staff shortages in medical emergency responders, schools, law enforcement, public transit, private businesses and government agencies.

COVID-19 will take its toll on the schools, said Colt Gill, director of the Oregon Department of Education.

Keeping children in classrooms was the "north star" that the state was following as closely as possible.

But the virus is having an

impact on schools that is likely to rise in coming weeks.

"I'm not saying students and staff won't be exposed," Gill said.

Graven said the forecast will peak with hospitalizations 30% higher than the peak of the delta variant at the beginning of September.

Sidelinger said that he understood people are fatigued by what are now six waves of the virus since the pandemic reached Oregon in February 2020. But dropping masking, social distancing or not getting as many vaccinations are recommended will only extend the time before new infections get low enough for a return to some pre-COVID-19 conditions.

"We're all tired of the virus, but the virus is not tired of us," he said.

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