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# Opinion

## Editorial Board

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## OUR VIEW

# Justice not served in Hammond case

By any measure, the five-year sentence given to Eastern Oregon rancher Dwight Hammond and his son Steven was excessive.

That's probably the one point on which all sides of the case can agree.

Beyond that, opinions vary on what level of punishment would have been fair in a case that illustrates the shortcomings of a skewed legal system and a federal agency whose employees — at least one of them — use government resources to reveal their biases and criticize the Hammonds.

The case grew out of an ongoing dispute between the Hammonds and the U.S. Bureau of Land Management.

Let's back up a few years, to 2001, to be exact. That's when the 139-acre blaze called the Hardie-Hammond Fire was set on the Steens Mountain Cooperative

Management and Protection Area, according to court documents.

In 2006, the Krumbo Butte Fire was set, burning 1 acre of public land, according to court documents.

In each case, the Hammonds had leased the land to graze their cattle. Fire is an oft-used tool to clear land of weeds, juniper and other invasive plants, but the Hammonds had no permission to set fires on public land.

In 2012, the Hammonds were taken to court. After a two-week trial, Dwight Hammond was convicted of setting the first fire and sentenced to three months in prison. His son Steven was convicted of setting the second fire and sentenced to one year in prison. Both also received three years of supervised release.

The Pendleton, Ore., jury acquitted the father and son of setting two other fires and the

government dismissed those charges.

At the sentencing, U.S. District Judge Michael Hogan opted for the lighter sentences, but the prosecutor appealed to the 9th U.S. Circuit Court of Appeals, which agreed with him that a mandatory sentence can't be ignored.

Two weeks ago, U.S. District Judge Ann Aiken resentenced the Hammonds to five years in prison.

Though legally correct, the sentence is patently unfair.

The Hammonds were charged with violating a federal law that carried with it a minimum sentence of five years in prison. The law is aimed at crimes in which terrorists or others destroy federal property through bomb blasts or arson.

Though exercising extraordinarily poor judgment in starting field burns on federal land without permission, the Hammonds are not terrorists.

Other federal laws that carry five-year minimum sentences address treason, child pornography, using a gun while committing a violent crime or importing drugs.

Burning 140 acres of back country hardly compares with any of those crimes.

That's the danger when Congress decides to tell judges how to do their jobs. Judges must have latitude to use their judgment in deciding sentences that fit the crimes. That's the whole point of having judges.

When he originally sentenced the Hammonds, Hogan described five years in prison as cruel and unusual and said such sentences would "shock the conscience."

He was correct.

When people such as the Hammonds are caught in a net that was set for terrorists, justice is not well-served.

A sideshow to this frustrating and

unfair case involves a BLM employee who used a government computer while on the taxpayers' time to post comments criticizing the Hammonds on the Capital Press website.

Such an occurrence only reinforces what we have long believed — that some federal employees have personal agendas that deviate from public policy. If this particular employee really looks at ranchers as "clowns" who endanger people, as he said in his comment, then he needs to reassess his career choice. We hear McDonald's is hiring.

In hindsight, this case should have been settled before trial. It would have saved the public the enormous expense of a trial, appeal, resentencing and providing the Hammonds with room and board for five years at a federal prison.

And the Hammonds would now permanently be at home, where they belong.



Rik Dalvit/For the Capital Press

## OUR VIEW

# Where urban/rural divide is widest

We have often used this space to highlight aspects of the so-called rural/urban divide.

At least in broad terms, people in the country differ politically, economically and culturally from people in the city. No place is this divide probably wider than on the subject of guns.

People in rural and urban areas hold all kinds of opinions about guns. It would be all too easy to reduce the arguments to stereotypes. But there is clear research showing that there are distinct differences in how rural and urban residents generally view guns.

A report released in August by the Pew Research Center, based in Washington, D.C., documented the urban-rural differences. Of people living in urban areas, 60 percent believe it's more important to control gun ownership and 38 percent believe gun rights should take priority. The results are reversed in rural areas, with 63 percent saying gun rights are more important.

Guns are a part of life in the country. They are a common tool made familiar to many rural residents years before

they are old enough to drive. They are used for sport — target shooting and hunting. They are used to dispatch predators and varmints that plague farms and ranches.

In locales where police are few and far between and help is not readily available, guns are kept ready for self defense.

Guns are respected, but not feared. They are a part of rural culture, but not the focus of it. Guns are certainly not a distinct culture onto themselves.

While many in the city can't imagine why people in the country keep guns, country people don't understand why someone in the city, where danger seems to lurk around every corner, would not.

That's not to say there aren't areas on which rural and urban Americans agree. No one wants to see people slaughtered in mass shootings. And no one objects to keeping guns out of the hands of criminals and the mentally ill.

We can all agree that "something" should be done to reduce violence. If only it were as simple as passing another gun law.

In the wake of the recent shooting at Umpqua Community College in Roseburg, Ore., President Obama and other politicians have suggested increasing background checks on gun buyers and tightening the definition of sellers who need federal firearms licenses.

All well and good, but these measures would not have prevented Christopher Harper-Mercer, the student who killed nine people and wounded nine others, from obtaining his guns. Nor would they have prevented other recent shootings.

Rural sensibilities are wary of actions that are expedient and designed to advance a broader policy on guns without addressing the problem of imbalanced, violence-prone perpetrators.

The vast majority of gun owners are responsible, peaceful and law-abiding. They see as absolute the right for individual gun ownership enshrined in the Second Amendment and upheld by the Supreme Court.

And when they understand that, urban gun control advocates will know everything they need to know about guns in the country.

# Farmers, ranchers are committed to raising safe, healthful meat

By GLENN BRUNKOW  
For the Capital Press

Guest  
comment  
Glenn Brunkow



Tonight we are going to sit down around the kitchen table and enjoy one of my favorite dinners, pot roast. There is nothing better than a slow-cooked, properly seasoned hunk of beef and the accompanying vegetables. I cannot wait. And the best part of all? I am 100 percent sure it is absolutely safe to eat and free of antibiotics.

How can I be sure my meal is free of antibiotics and safe? I raised the animal this particular pot roast came from and I have followed all of the protocols and precautions to make sure it was free of any possible antibiotic residue. So your response is naturally: Great, you raised it so you know, but what about the meat in the case at my local grocery store?

Whether it says "antibiotic free" or not I assure you that the meat in your grocer's case is also completely free of antibiotic residue. I know, each day we are all bombarded with information about antibiotic-resistant bugs and we all worry about our families' health.

Some of the stories are quite frightening, and we are right to ask questions and seek assurances.

Antibiotics are critical for farmers and ranchers both personally and professionally. Of course we are concerned about their effectiveness when it comes to treatment for humans: Our families come first and foremost. However, as a caretaker of animals, having effective antibiotics available for our animals is also of utmost importance.

We understand that the overuse of a specific antibiotic promotes resistance and that is why we use them only

when needed. We rely on our veterinarians to provide us with recommendations for using the right medicine, at the right dose, at the right time. We work with our veterinarians very closely. Want proof? My veterinarian is on speed dial: my doctor is not.

I speak for my fellow farmers and ranchers when I say that we are cognizant of the value of antibiotics and the dangers of their overuse. We are concerned about resistant bacteria in our livestock, but the concern for our animals pales in comparison when it comes to the concern we have for our families.

That is why we are diligent in our use of antibiotics and follow label directions and withdrawal dates. It is simply the right thing to do. As farmers and ranchers, we are proud to raise the meat on your dinner plates, but we are fathers, mothers, grandparents, uncles and aunts first. The safety of our families is paramount.

I assure you that we are in favor of continued monitoring when it comes to antibiotic resistance and will be the first ones to look for solutions if the time ever comes that a problem is found. Just know that the meat on your table is safe and healthful, and it will stay that way because of concerned, committed farmers and ranchers.

Glenn Brunkow, a fifth-generation farmer, raises cattle, sheep and crops with his family in Northeast Kansas. His weekly column "Dust on the Dashboard" can be found at <http://dustonthedashboard.blogspot.com/>.

# Currency manipulation allows TPP partners to skirt the deal

By ROGER JOHNSON  
For the Capital Press

Guest  
comment  
Roger Johnson



Negotiators have wrapped up the hidden agreements in the Trans-Pacific Partnership, a massive trade bill that includes the United States and 11 other Pacific Rim nations.

Unfortunately, it appears that we have not learned from past mistakes, and this trade deal again lacks enforceable language against currency manipulation.

Currency manipulation has become our trade competitors' favorite maneuver for skirting massive trade deals as soon as

they sign them, and it's about to happen again.

Before these trade deals become effective, some of our trading partners devalue their currency, immediately reducing the cost of their goods to us and everyone else, and increasing the cost of our goods to them.

Politicians on both sides of the aisle endorse trade agreements because of claims they will reduce or remove tariffs

and export subsidies, yet these large regional pacts, like the TPP, are also about setting fair rules for trade.

Most of the TPP pertains to non-tariff barriers and includes chapters on the environment, labor rights and intellectual property. Currency manipulation should be included as its own chapter since it is one of the most fundamental non-tariff barriers to trade. Unfortunately for the TPP, that is not the case.

The result of currency manipulation, as it occurs after trade agreements, is that it's nearly impossible for the U.S. to get a fair shake in these deals. In fact, if you look

at the data from trade deals we've already entered, the strongest correlation you can make is that the more trade deals we sign, the more jobs we lose and the higher our trade deficit grows.

Our current trade deficit sits at \$505 billion. This deficit has not only spurred the loss of good-paying American jobs, but it has also greatly weighed down our domestic economy by 2.5 to 5.5 percent every year for the last decade. If that drain didn't happen, we could have economic growth in this nation we haven't witnessed for decades.

This notion of currency

manipulation is not speculation. In August, Vietnam — one of the participating countries in TPP — devalued its currency in response to a major devaluation by China earlier this summer. Malaysia and Singapore have also intervened in their currency by increasing reserves by an unprecedented amount. There's nothing stopping others in the agreement from manipulating their currencies as well.

A recent report by the International Monetary Fund demonstrated the power of devaluation of a currency — a 10 percent fall in the value of a nation's currency can in-

crease exports by an average of 1.5 percent of GDP. At that point, the playing field is no longer level, and trade is not free or fair.

Currency manipulation is an enormously unfair trade measure that continues to be used to outmaneuver the U.S. government. The TPP agreement must include a chapter on currency manipulation that establishes enforceable rules and procedures to address currency manipulation. If it does not, TPP will not be worth the paper it is written on.

Roger Johnson is president of the National Farmers Union.