



Warrenton's Tyler Whitaker, No. 4, drives to the basket in the third quarter of the basketball game at Ilwaco High School Wednesday.

## Hoops: Warriors fall in season opener at Ilwaco

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quarter (21-11 after one) and 14 in the second, but we did a good job in coming back."

Warrenton tied the game in the third period then took the lead in the fourth, after out-scoring Ilwaco 27-18 over the second and third quarters.

The Warriors' Christian Holt scored 17 points to lead all players, while freshman Alex Kaino had 16 for Ilwaco.

Warrenton picked up 11 points from Tyler Whitaker, and Hunter Wilson added

eight. Ethan Bannister and Zac Tapio scored seven points apiece for Ilwaco.

### Mules 54, Comets 40

CATHLAMET, Wash. — Travis Pine scored 17 points for Naselle, but the Comets fell in their season-opening game at Wahkiakum Tuesday night.

The Mules jumped out to a 15-6 lead after one quarter, on their way to a 54-40 win.

Hayden Gudmundsen added seven points for Naselle, while Zach Brown led Wahkiakum with 16.



Warrenton's Hunter Wilson, No. 2, fights for the ball with Ilwaco's Alex Kaino, No. 5, in the fourth quarter.

## Judge: Supervision can be cut in half

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Counties across the state are handling earned discharge differently. Some county probation officers are working with the court and district attorney's office before releasing offenders.

Clatsop County District Attorney's Office claims the office is getting letters from the probation department saying the discharge is already done.

"We don't necessarily oppose the early termination of probation. It is an incentive to get people to do the things they need to do with their lives," Brown said. "We just oppose this particular method of doing it."

In addition, Brown said, victims do not have a voice in the process. A victim is not informed about the consideration of earned discharge, cannot give input into the pro-



Joshua Bessex/The Daily Astorian  
Judge Philip Nelson reads from 2013 Oregon Revised Statutes during a November hearing on a probation dispute.

cess and only finds out from the district attorney's office.

"This allows for people to be kicked off probation without any judge or prosecutor to be allowed in the process," Brown said.

The four cases brought before Judge Nelson involved

people on probation for driving under the influence of intoxicants, menacing and first and second-degree attempted assault convictions.

### Probation officers will follow state law

Lt. Kristen Hanthorn, who oversees Clatsop Community Corrections, said the local court ruling will have little impact on how the department continues to handle early discharge.

Whether an eligible defendant is discharged from supervision or probation, Clatsop Community Corrections no longer has to supervise them.

Hanthorn said her department will continue to follow the state law. Earned discharge is enforced by the state Department of Corrections, which sends reports with every offender who may be eligible for release. Hanthorn's department reviews the reports and

makes a decision.

"We are not going to change anything we are going to do right now," Hanthorn said.

With Clatsop Community Corrections no longer supervising someone on probation, it becomes similar to a bench probation, where a person remains under the jurisdiction of the court.

If a defendant violates probation and the violation comes to the attention of the court or the District Attorney's Office, it could trigger a probation violation hearing, Nelson said.

District Attorney Josh Marquis said his office will have to be especially diligent with monitoring people on felony probation. The office will also have to inform victims when defendants are no longer being supervised.

"What it is going to do is create a lot more work for the District Attorney's Office," Marquis said.



Joshua Bessex/The Daily Astorian

Employment law defense attorney Jennifer Bouman-Steagall speaks during a lunchtime lecture about workplace bullying Wednesday at Buoy Beer Co.

## Bullies: Curbing hurtful employee behavior

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among groups of employees targeting individuals.

It can be overt: power tripping, throwing tantrums, dominating conversations and excessively criticizing. And it can be rather covert, like stealing credit for colleague's ideas, spreading malicious gossip to undermine their reputations and advocating for the needs of one department at the expense of other departments.

Bullying can even be a product of the workplace itself, fostered by the cut-throat nature of the business. Some sales industries, for example, seem to actively encourage bullying behavior among employees plagued by job insecurity.

"Anytime there's competition — anytime there's a reward for the top dog — you're going to see bullies," Bouman-Steagall said.

### Bullying vs. harassment

If companies don't take steps to address bullying before it gets out of hand — either by disciplining or terminating the problematic employee — workers can lose trust in their managers and become less emotionally invested in the company's success.

"If I don't trust you, I'm not going to give you my extra effort, because I can't count on you, so it's not worth it to me," she said, adding that disillusioned and disgruntled employees quickly learn they can put in partial effort and still get 100 percent of their paycheck.

Though workplace bullying is not illegal per se, it can lead to litigation when it crosses the (often blurry) line into illegal harassment. This happens when the bully appears to target someone because the victim is of a certain age, race, gender, religion or other class protected under anti-discrimination laws.

Bouman-Steagall said that when managers allow bullies to run amok, they sometimes chalk up the dysfunctional work environment to personality clashes and the hypersensitivity of thin-skinned employees. They dismiss the bullying as joking or as harmless "locker room" behavior, unaware that the bullying has become a legal liability.

Then the company gets sued, and the ex-employee's attorney may look for a possible connection between the pattern of incessant bullying and straight-up ageism, rac-

ism or sexism. In the context of a hostile work environment, something as simple as male employee calling a female co-worker a "bitch" (an inherently gendered insult) can move a jury from viewing the case as an instance of bullying to one of illegal harassment.

"It doesn't take much," Bouman-Steagall said. "In my experience, the volcano of evidence that I see is bullying behavior that managers didn't do anything about because it didn't have anything to do with protected class at the time. And they just thought, 'Hey, why can't people just get along?'"

### De-escalation

Situations in which the bully is an owner who answers to no one can present a singular challenge for aggrieved workers.

"Sometimes there isn't a lot we can do. We can give them information. We can show them how their behavior is impacting employee morale. We can show them how it's impacting the perception (of the company) in the community," she said. "But sometimes, you just can't fix it. And sometimes we have to understand that maybe this isn't the right place for us anymore because we can't fix it."

Though legislation may one day make workplace bullying illegal, companies — if only out of financial self-interest — should not wait for the go-ahead from the state to uproot behaviors that demean or isolate their employees, she said.

"You'll find that if we start addressing bullying behavior, it won't get to harassment behavior," she said. "It won't escalate to that level."

She recommended that companies implement and enforce policies that either prohibit workplace bullying and harassment of any flavor, or that promote behaviors that create a respectful workplace, one in which bullying — intended or unintended — has no place.

"As an organization, we should be doing everything we can to make sure that we encourage our employees to treat each other with respect — respect, kindness, courtesy, professionalism. Because it's that kind of behavior that makes sure we give amazing customer service," she said. "If we internally can't treat each other well, you'd better believe your staff is not going to treat your customer base well."

## Rental: Process likely to begin early 2016

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"I urge the City Council to adopt a collaborative approach with the short-term rental homeowners," Whittemore said. "Rather than pitting one side against the other, please forgo restrictions in favor of an educational approach."

Council Sue Lorain said education is "always a good thing."

"But I believe, also with education, we need some fundamental things that give consistency to all the rentals," she said.

Lorain asked councilors to choose language carefully and avoid words like "restrictions" or "bans," which have negative connotations.

"I don't think it has ever come up that we have ever said we want to ban or prohibit these homes, but what we want is a regulation for uniformity," Lorain said. "I don't think we need a survey. I think we need the minimum regulation from the start to level the playing for everybody."

### Mixed input

Over recent weeks, councilors had solicited letters and comments from homeowners

and renters alike.

"We are not Seaside or Cannon Beach and I suggest that we not copy their ways," Whittemore said in opposing regulation. "Let's keep the 'heart' in Gearhart."

Vacation guests Michel and Marian Boileau urged the council not to restrict short-term rentals in Gearhart. Without a short-term vacation home available, "we would not have come to Gearhart for our vacation," they wrote.

Planning Commission Vice-President Richard Owsley supported regulation. "By consensus, the Planning Commission recommends and supports short-term rental regulations, and we are ready to begin work immediately," Owsley told the council.

"Successful regulation I've seen along the coast includes prudent limitations to the amount of guests a home can have, as well as the amount of vehicles," wrote Dean McElveen, director of operations for Oregon Beach Vacations.

"I am looking for regulation that permits rentals while protecting the feel of our residential, non-touristy community," said Jeremy Davis, who was officially appointed to the

city's Planning Commission Wednesday.

South Marion Avenue resident Paula Madden urged adoption of measures like those in Cannon Beach. These could limit the number of short-term rentals and establish a minimum number of days per stay to between five and seven days in the high summer season.

"Gearhart should learn from the Cannon Beach example and follow this lead without delay," Madden wrote.

### Joint work session planned

Widdop, Lorain and Councilors Dan Jesse and Paulina Cockrum voted to forgo the poll, while Councilor Kerry Smith voted on its behalf.

Councilors plan a joint City Council and Planning Commission work session, likely the first council meeting of the new year.

In preparation, Sweet was instructed to gather information on licensing, regulations, safety and health measures, rules and taxation.

"I think it would be nice, Chad, for you to get some of the rules of people who have successful rentals, so we can

get a wider range of what's working," Lorain said.

"So we don't need to reinvent the wheel," Widdop added.

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