

## IN BRIEF

## Kindergarten event planned at Astor Elementary

Incoming kindergarten students will get to preview life at Astor Elementary School.

The event for incoming students who will be 5 by September will be held from 3 to 5 p.m. on Thursday. The students will get a chance to play on the school playground, draw with sidewalk chalk and participate in other activities hosted by the school.

Information will also be available about how to register children for kindergarten at Astor. Registration is open on the school's website. In general, the Astoria School District is expecting a large class of incoming kindergartners.

All activities at the Thursday event will occur outside. Masks must be worn as a precaution against the coronavirus.

— *The Astorian*

## Coast Guard suspends search for Oregon fisherman lost overboard

GRAYS HARBOR, Wash. — The U.S. Coast Guard suspended the search Friday for a 47-year-old man who reportedly fell overboard while fishing for halibut 28 miles northwest of Grays Harbor.

The man was identified as Jason LaBrie, of Oregon City.

Fishermen aboard the 26-foot vessel Defiance II activated an emergency position indicating radio beacon after realizing LaBrie was missing.

— *Chinook Observer*

## Earthquake strikes west of Port Orford

A 4.1-magnitude earthquake shook the bottom of the Pacific Ocean around 8 a.m. Sunday, according to the U.S. Geological Survey.

The quake struck about 100 miles west of Port Orford. It was the 10th-strongest earthquake off the Oregon Coast in 2021 so far, coming about two-and-a-half weeks after three separate quakes set just as many still-unbeaten records for the year. The strongest among them hit magnitude 5.4.

— *The Oregonian*

## DEATHS

May 17, 2021

LINDSLEY, Eileen, 74, of Astoria, died in Astoria. Caldwell's Luce-Layton Mortuary of Astoria is in charge of the arrangements.

May 16, 2021

DIAMOND, Louis Elliott III, 67, of Gearhart,

died in Gearhart. Caldwell's Luce-Layton Mortuary of Astoria is in charge of the arrangements.

May 12, 2021

WAGNER, Kathleen, 76, of Astoria, died in Astoria. Hughes-Ransom Mortuary is in charge of the arrangements.

## MEMORIAL

Wednesday, May 19

STEVENSON, Rosemary — Graveside service at 11 a.m., Ocean View Cemetery, 575 S.W. 18th St. in Warrenton. Ste-

venson, 98, of Longview, Washington, formerly of Astoria, died in Longview. Hughes-Ransom Mortuary is in charge of the arrangements.

## ON THE RECORD

## Theft

• Beth A. Scherf, 51, of The Dalles, was arrested Saturday at Fred Meyer in Warrenton for theft in the first degree.

## PUBLIC MEETINGS

## TUESDAY

Clatsop County Board of Commissioners, 10 a.m., work session, (electronic meeting).

Miles Crossing Sanitary Sewer District Board, 3 p.m., budget meeting, 34583 U.S. Highway 101 Business.

Port of Astoria Commission, 4 p.m., (electronic meeting).

Astoria Historic Landmarks Commission, 5:30 p.m., City Hall, 1095 Duane St.

Seaside Planning Commission, 6 p.m., work session, 989 Broadway St.

Seaside School District Board, 6 p.m., (electronic meeting).

## WEDNESDAY

Youngs River Lewis & Clark Water District Board, 2 p.m., budget meeting, 34583 U.S. Highway 101 Business.

Seaside Tourism Advisory Committee, 3 p.m., 989 Broadway St.

Seaside Tree Board, 4 p.m., 989 Broadway St.

Cannon Beach City Council, 6 p.m., work session, (electronic meeting).

## THURSDAY

Clatsop Care Health District Board, 3 p.m., budget review meeting, (electronic meeting).

Seaside Transportation Advisory Commission, 6 p.m., 989 Broadway St.

## Education district eyes space at recreation center

## Potential move from Astoria to Seaside

By R.J. MARX

*The Astorian*

SEASIDE — The Sunset Empire Park and Recreation District and the Northwest Regional Education Service District are in talks to lease a portion of the Sunset Recreation Center.

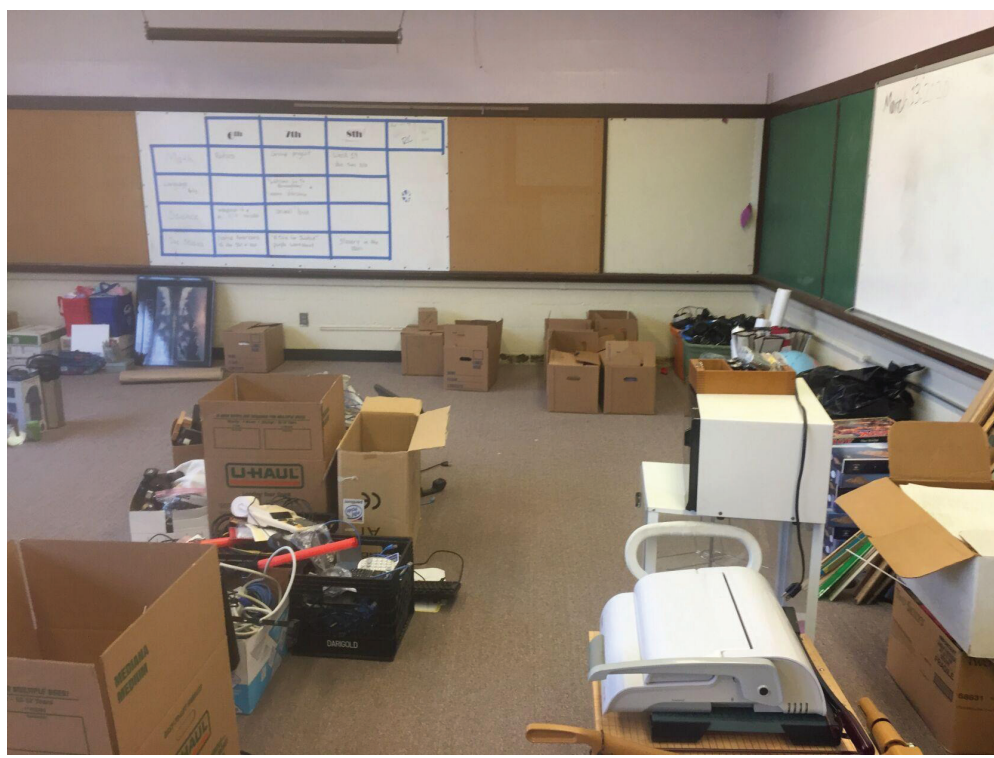
The former Broadway Middle School would be “the ideal hub for our services,” wrote Dan Goldman, the superintendent of the education district.

The education district is in the process of selling the 29,000-square-foot Clatsop Service Center location in Astoria and is seeking space to lease, Goldman said. They hope to downsize to a 7,600-square-foot space in the Sunset Recreation Center.

“It would be a significant downsize, but it’s what we need now,” Goldman said at a park district board meeting last week. “We’re looking to actually get in a space that not only is a better fit for us in terms of size, but also provides us an opportunity to do what ESD does best.”

The education district is seeking classroom space for preschool programs, community meetings and office space. The district brings additional school resources to students and school districts in Clatsop, Tillamook, Washington and Columbia counties. “We provide what you would consider a co-op of services across school districts,” Goldman said.

In Clatsop County, this



R.J. Marx/The Astorian

A former classroom is being used for temporary storage at the Sunset Recreation Center.

includes technology and administrative support, early learning, migrant education, child care and special education.

“I am struck by the alignment in our organizations’ visions,” Goldman wrote to the park district in a March letter. “We lead our community toward a healthy, active lifestyle and foster a sense of community through inclusive, sustainable, educational and recreational programs. ... The colocation of our services will undoubtedly multiply our respective capacities to serve Clatsop County children and families.”

Areas of interest to the education district at the former middle school include three classrooms along

the southwest corner of the building, the computer lab adjacent to the library, administrative office space and a counseling room.

These spaces would be used to provide programs and services to children and families in the community. “We shift resources to where there is the greatest need,” Goldman said.

The lease would likely include installation of temporary doors and walls to secure their part of the property. Restrooms in the west hallway could be shared.

The education district will be leaving the Astoria location at the end of June. If a deal doesn’t come together immediately, the district is “prepared to be remote for a little while,” Goldman said.

“We really like this option for the reasons I stated,” he said. “But if the park district felt like it couldn’t move forward, we’ll be OK.”

Board member Su Codrington viewed the proposal positively. “What an opportunity in having purchased this building, to have opportunities like this,” she said. “I am grateful to them for being interested.”

Board member Michael Hinton said he would enjoy working with the education district. “I think they would be a healthy partner for us,” he said. “I would like, at an appropriate time, to have Skyler (Archibald, the park district’s executive director) begin some kind of negotiation so we can define the lease.”

## Supreme Court ruling will not make unanimous jury requirement retroactive

By CONRAD WILSON  
*Oregon Public Broadcasting*

The U.S. Supreme Court ruled 6-3 on Monday that nonunanimous juries are not retroactive.

Last year, the high court found they were unconstitutional, ending the practice in Oregon, which at the time was the lone state that allowed juries to convict people of most felonies without unanimity.

In writing for the court’s conservative majority, Justice Brett Kavanaugh said applying the court’s earlier ruling retroactively “would potentially overturn decades of convictions,” adding that “conducting scores of trials years after the crimes occurred would require significant state resources.”

The court’s conservatives also noted their ruling applies to federal cases. “States remain free, if they choose, to retroactively apply the jury-unanimity rules as a matter of state

law in state post-conviction proceedings,” Kavanaugh stated.

The ruling could have tossed out convictions for anyone convicted by a nonunanimous jury, effectively sending their case back to the local prosecutor’s office that originally filed the charges to determine how to proceed.

The case the justices ruled in Monday, *Edwards v. Vannoy*, involved Louisiana prisoner Thedrick Edwards. He was sentenced to life in prison after being convicted by a nonunanimous jury and has since argued that prosecutors intentionally excluded Black jurors from the case.

In Louisiana, there are about 1,500 known nonunanimous jury cases, and in Oregon there are about 300.

In both states, the practice is based in discrimination. Voters in Oregon passed it in 1934 at a time when the Ku Klux Klan was popular and anti-immigrant sentiment was high. In Louisi-

ana, the law was directly tied to Jim Crow laws and aimed to make it easier to convict Black defendants so white landowners could maintain a cheap post-slavery labor force.

In last year’s decision in *Ramos v. Louisiana*, the Supreme Court took the unusual move of overturning precedent to find nonunanimous juries were unconstitutional. Justice Neil Gorsuch said then that the justices simply got it wrong in 1972 when they ruled on *Apodaca v. Oregon*, allowing the practice of nonunanimous juries in state criminal cases to continue for decades.

“Every judge must learn to live with the fact he or she will make some mistakes; it comes with the territory,” Gorsuch wrote. “But it is something else entirely to perpetuate something we all know to be wrong only because we fear the consequences of being right.”

Judge Elena Kagan wrote the dissent for the court’s

three liberals.

“Citing centuries of history, the court in *Ramos* termed the Sixth Amendment right to a unanimous jury ‘vital,’ ‘essential,’ ‘indispensable,’ and ‘fundamental’ to the American legal system,” Kagan wrote. “The court therefore saw fit to disregard stare decisis and overturn a 50-year-old precedent enabling states to convict criminal defendants based on nonunanimous verdicts. And in taking that weighty step, the Court also vindicated core principles of racial justice.”

Kagan stated the majority failed to follow its own precedent by not considering the *Ramos* ruling a “watershed” event, legally speaking.

“The result of today’s ruling is easily stated,” Kagan wrote. “*Ramos* will not apply retroactively, meaning that a prisoner whose appeals ran out before the decision can receive no aid from the change in law it made.”

## Second Amendment sanctuaries facing court test

By LINDSAY WHITEHURST AND ANDREW SELSKY  
*Associated Press*

SALEM — The first court test of whether local governments can ban police from enforcing certain gun laws is playing out in a rural Oregon county, one of a wave of U.S. counties declaring itself a Second Amendment sanctuary.

The measure that voters in Columbia County narrowly approved last year forbids local officials from enforcing most federal and state gun laws and could impose thousands of dollars in fines on those who try. Voters in Clatsop County rejected a similar measure.

Second Amendment sanctuary resolutions have been adopted by some 1,200 local



Andrew Selsky/AP Photo

Firearms are displayed at a gun shop in Salem.

governments in states around the U.S., including Virginia, Colorado, New Mexico, Kansas, Illinois and Florida, according to Shawn Fields, an assistant professor of law at Campbell University in North Carolina who tracks them.

Many are symbolic, but some, like in Columbia County, carry legal force.

The movement took off around 2018, as states considered stricter gun laws in the wake of mass shootings, including a high school shooting near Parkland,

Florida, that killed 17 people and made survivors into high-profile gun control activists.

After President Joe Biden took office, conservative lawmakers in several states proposed banning police from enforcing federal gun measures, and at least one proposal in Arizona has been signed into law.

The movement hasn’t yet faced a major legal challenge. The Oregon case was filed by Columbia County under an unusual provision in state law that allows a judge to examine a measure before it goes into effect. No timeline has been set for a court hearing.

“This will allow the court to tell us whether the county can actually decline

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