

ACLU director: State's not so liberal as some think

By TAYLOR W. ANDERSON
The Bulletin

BEND — David Fidanque, outgoing director of the American Civil Liberties Union of Oregon, has a message for the state: It's not as progressive as some say.

"You tell me Oregon is a progressive state? That all depends on the issue," Fidanque said in an interview after announcing that March 31 is his last day in the position he's held since 1993.

At the time Fidanque became leader of the Oregon ACLU chapter, the state was engulfed in debate over local ballot measures that would prevent anti-discrimination protections for gays and lesbians. A wave of states would soon pass gay marriage bans, including one that was in place until last year in Oregon. Others remain in place elsewhere.

The Oregon chapter added staff and its budget grew fourfold, to about \$1 million, as it continued to be a driving force in civil liberties under Fidanque.

"When you work for the ACLU there are always issues where we may not win today, or this year, or next year," he said, "but we are

building the foundation to increase public support around those issues for the future."

Fidanque held the reins when the country faced major decisions on marriage and racial equality. Oregon also took steps toward prison sentencing reforms.

But for every victory under his tenure, there were more setbacks.

Several local anti-discrimination proposals passed in the early 1990s.

But then, the ACLU in 1996 came out strongly against a ballot measure referred from the Legislature to remove a prohibition on vindictive justice from its Constitution, saying Oregon was taking out a 136-year-old ban on vengeance. The measure passed.

"We're certainly not as progressive as we should be on criminal justice reform, or even as progressive as we were in 1859," Fidanque said, citing passage of Measure 26.

He also said that although the country has seen large protests and conversation around racism in America, he believes the racism that prevails today, while less blatant than in the past, will persist.

"It's the unconscious racism and discrimination that is so much



This May 19, 2014 file photo David Fidanque of the ACLU speaks to a crowd in Portland. Fidanque announced Monday that March 31 will be his last day in the position he's held since 1993.

more difficult to eliminate," Fidanque said. "There's a lot more to be done before we'll be able to look back and say that racial discrimination" is over.

Fidanque also said the response to 9/11 and the revelations of widespread spying on Americans show what ACLU and other groups view as attacks on the Constitution that

they'll continue to combat. "The Constitution is a road map to security, not an obstacle," he said.

Such is the peak-and-valley life of the director of a group devoted to civil rights and civil liberties.

Oregon has been stubborn to change or preserve liberties in some ways, Fidanque said. "On

the other hand, we have no restrictions on access to abortion in Oregon. We're the only state in the nation that can say that."

Fidanque joined the ACLU in 1982 after working as a reporter for KEZI in Eugene and working for U.S. Rep. Jim Weaver in the 1970s.

He served for four years on the ACLU national steering committee that coordinated work among the group's executive directors.

The 65-year-old Fidanque said he wanted to retire "before people start wondering when I'm going to retire," adding that he felt fortunate he was financially able to retire. The group said it will conduct a nationwide search for a replacement.

ACLU of Oregon board President Jennifer Middleton said Fidanque helped lead to victories on free speech, reproductive rights, racial justice and individual privacy, among others.

"Dave is leaving us a vital, strong organization, and we look forward to a smooth transition," Middleton said in a statement.

Information from: The Bulletin, <http://www.bendbulletin.com>

Oregon business group outlines its legislative wish list

By JONATHAN J. COOPER
Associated Press

SALEM — Influential Oregon business groups are calling for a focus on education, infrastructure and natural resources as they outline their agenda for the upcoming legislative session.

The annual Oregon Business Summit is scheduled for Tuesday in Portland. Gov. John Kitzhaber, U.S. Sen. Ron Wyden and state legislative leaders will speak to a group of executives, lobbyists and lawmakers.

The group will unveil the so-called Oregon Business Plan, which represents the collective will of the state's business community. Rather than specific bills, it calls broadly for policies that corporate leaders believe would improve the business climate, raise employment, improve wages and reduce poverty.

With Democrats empowered by expanded majorities in the House and Senate, business officials are pushing issues on which they hope they can find common ground.

"The business plan understands the importance of high-quality public services," said Duncan Wyse, president of the Oregon Business Council. "Infrastructure, especially education — we need those services for the economy to be successful."

The plan calls for making education more relevant to careers. It suggests improving technical education and math and science classes, as well as connecting employers more closely with schools. It also requests more funding for higher education.

The business officials also want more spending on infrastructure improve-

ments, including a package of statewide transportation projects. They call for more state spending on forestry projects, including biomass development and research into using wood products in large buildings.

The Oregon Business Plan was first developed in 2002 by a group of many of the state's most politically active businesses and business groups. It's been modified every year since.

The plan has found an enthusiastic supporter in Kitzhaber, who has worked aggressively to implement many of its top priorities. The Democratic governor successfully pushed for cuts in public employee retirement benefits to reduce the state's unfunded pension liability. He also fought hard for a new Interstate 5 bridge across the Columbia River, but the plan fell apart last year.

Court: State failed to protect salmon

Associated Press

GRANTS PASS — The Oregon Court of Appeals has ruled that the state Water Resources Department failed to limit the amount of water cities and water districts can draw from the lower Clackamas River so that there would be enough water left in the river for threatened and endangered salmon.

The ruling handed down last week says the withdrawals permitted by the department were not supported by "substantial evidence or substantial reason" that they would not harm protected fish.

The court sent the permits back to the department to be revised. The permits are held by the city of Lake Oswego and water districts serving people in Oregon City, West Linn and northern Clackamas County.

Attorney Lisa Brown of the conservation group WaterWatch, which brought the lawsuit, says there is plenty of water to draw on in the area without threatening salmon in the Clackamas River, where so much money and effort have been spent on restoring salmon.

Department spokeswoman Racquel Rancier said the agency was still evaluating the ruling and had no further comment.

At issue are undeveloped water rights under old withdrawal permits, some dating to the early 20th century, which were granted before the potential harm to salmon was a consideration.

Extensions of deadlines for developing those water rights are routinely granted. But under a 2005 law, the department must set conditions to assure "the persistence" of protected fish.

The conditions are supposed to be based on advice from the Oregon Department of Fish and Wildlife, which in this case recommended target flows as well as ways to increase flows during the low summer months.

Specifically, the court found that the department failed to justify how it had come to the conclusion that allowing river flows to drop below levels recommended by Fish and Wildlife did not harm salmon, putting it in violation of the law.

Water Resources argued that Fish and Wildlife had said that protected salmon had persisted during low-water conditions below the target flows, and the target flows were what was needed on a long-term basis, and did not have to be followed in the short term. Water Resources added that the movement of fish from the lower 3.1 miles of the Clackamas and the deaths of some fish would not threaten the persistence of the species in the river.

Corrections

The East Oregonian works hard to be accurate and sincerely regrets any errors. If you notice a mistake in the paper, please call 541-966-0818.

EAST OREGONIAN
— Founded Oct. 16, 1875 —
211 S.E. Byers Ave., Pendleton 541-276-2211
333 E. Main St., Hermiston 541-567-6211
Office hours: Monday through Friday, 8 a.m. to 5 p.m.
Closed major holidays
www.eastoregonian.com
To subscribe, call 1-800-522-0255
or go online to www.eastoregonian.com
and click on 'Subscribe'

East Oregonian (USPS 164-980) is published daily except Sunday, Monday and Dec. 25, by the EO Media Group, 211 S.E. Byers Ave., Pendleton, OR 97801. Periodicals postage paid at Pendleton, OR. Postmaster: send address changes to East Oregonian, 211 S.E. Byers Ave., Pendleton, OR 97801.
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Single copy price:

\$1 Tuesday through Friday, \$1.50 Saturday

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To submit sports or outdoors information or tips: 541-966-0838 • sports@eastoregonian.com

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AccuWeather.com Forecast

TODAY Intervals of clouds and sunshine
WEDNESDAY Mainly cloudy
THURSDAY Chilly with clouds and sun
FRIDAY Cloudy
SATURDAY Mostly cloudy

PENDLETON TEMPERATURE FORECAST
47° 30° 41° 28° 37° 30° 39° 28° 39° 30°

HERMISTON TEMPERATURE FORECAST
49° 32° 43° 31° 40° 31° 40° 30° 40° 29°

ALMANAC

PENDLETON
through 3 p.m. yesterday
TEMPERATURE HIGH 53° LOW 45°
Yesterday 53° 45°
Normals 40° 26°
Records 62° (1933) -11° (2004)

PRECIPITATION
24 hours ending 3 p.m. 0.08"
Month to date 0.18"
Normal month to date 0.29"
Year to date 0.18"
Last year to date 0.02"
Normal year to date 0.29"

HERMISTON
through 3 p.m. yesterday
TEMPERATURE HIGH 57° LOW 31°
Yesterday 57° 31°
Normals 40° 27°
Records 63° (1933) -11° (1950)

PRECIPITATION
24 hours ending 3 p.m. 0.02"
Month to date 0.10"
Normal month to date 0.20"
Year to date 0.10"
Last year to date 0.02"
Normal year to date 0.20"

SUN AND MOON
Sunrise today 7:36 a.m.
Sunset tonight 4:26 p.m.
Moonrise today 6:28 p.m.
Moonset today 8:09 a.m.

Last New First Full
Jan 13 Jan 20 Jan 26 Feb 3

REGIONAL FORECAST

Coastal Oregon: Clouds and sun today. Mostly cloudy tonight, except partly cloudy across the north.

Eastern and Central Oregon: Times of clouds and sun today. Clear tonight, except mostly cloudy across the north.

Western Washington: Cloudy today, but times of clouds and sun across the south.

Eastern Washington: Considerable cloudiness today into tomorrow. Thursday and Friday: mostly cloudy.

Cascades: Intervals of clouds and sunshine today. Partly cloudy tonight. Partly sunny tomorrow.

Northern California: Sunny to partly cloudy today, except some clouds in the interior mountains.

REGIONAL CITIES

	Today			Wed.		
	Hi	Lo	W	Hi	Lo	W
Astoria	57	40	pc	58	39	c
Baker City	40	26	pc	37	24	pc
Bend	51	30	pc	50	30	pc
Brookings	59	47	pc	62	47	pc
Burns	44	21	pc	42	19	pc
Enterprise	42	27	pc	40	26	pc
Eugene	53	35	pc	54	35	pc
Heppner	47	30	c	43	29	pc
Hermiston	49	32	c	43	31	c
John Day	51	31	pc	50	27	pc
Klamath Falls	55	30	pc	54	28	pc
La Grande	45	29	pc	45	28	pc
Meacham	44	29	pc	44	27	c
Medford	56	34	pc	59	35	pc
Newport	58	43	pc	60	44	pc
North Bend	59	43	pc	62	43	pc
Ontario	39	27	pc	37	25	pc
Pasco	48	32	c	43	30	c
Pendleton	47	30	pc	41	28	c
Portland	53	35	pc	54	34	pc
Redmond	53	28	pc	51	26	pc
Salem	54	34	pc	55	33	pc
Spokane	41	29	c	36	27	c
Ukiah	49	30	pc	48	30	c
Vancouver	52	33	pc	54	32	pc
Walla Walla	48	34	c	41	31	c
Yakima	48	28	c	46	31	c

WINDS

(in mph)	Today	Wednesday
Boardman	VAR 3-6	VAR 3-6
Pendleton	ESE 3-6	NNW 3-6

UV INDEX TODAY

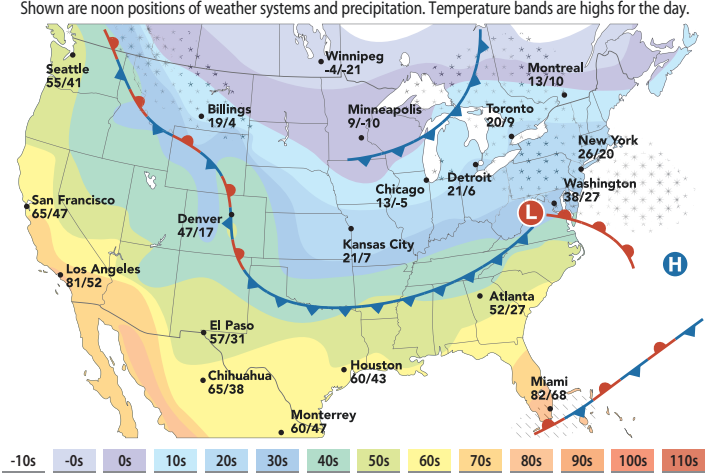
0 0 1 0 0 0
8 a.m. 10 a.m. Noon 2 p.m. 4 p.m. 6 p.m.
0-2, Low 3-5, Moderate 6-7, High; 8-10, Very High; 11+, Extreme

The higher the AccuWeather.com UV Index™ number, the greater the need for eye and skin protection.

Forecasts and graphics provided by AccuWeather, Inc. ©2015

NATIONAL WEATHER TODAY

Shown are noon positions of weather systems and precipitation. Temperature bands are highs for the day.



National Summary: Snow will fall on the Northeast today with bands of heavy snow downwind of the Great Lakes. Rain showers will dampen South Florida. Snow will fall over the northern Rockies and High Plains.

Yesterday's National Extremes: (for the 48 contiguous states)
High 85° in Fullerton, Calif. Low -29° in Togo, Minn.

NATIONAL CITIES

	Today			Wed.			Today			Wed.			
	Hi	Lo	W	Hi	Lo	W	Hi	Lo	W	Hi	Lo	W	
Albuquerque	52	31	s	43	24	sn	Louisville	35	17	c	19	2	pc
Atlanta	52	27	s	40	16	pc	Memphis	44	29	pc	31	13	pc
Atlanta City	33	26	sn	32	15	pc	Miami	82	68	pc	80	57	pc
Baltimore	32	23	sn	29	11	pc	Millwaukee	15	-1	c	3	-8	pc
Billings	19	4	sn	27	21	c	Minneapolis	9	-10	pc	-1	-10	s
Birmingham	50	25	pc	38	13	pc	Nashville	41	25	pc	26	5	pc
Boise	40	31	pc	40	29	pc	New Orleans	59	42	pc	53	28	pc
Boston	23	17	sn	30	0	sf	New York City	26	20	sn	28	10	sf
Charleston, SC	61	36	s	54	20	pc	Oklahoma City	41	19	pc	23	12	pc
Charleston, WV	33	21	sn	22	8	sf	Omaha	17	-3	c	1	-7	s
Chicago	13	-5	c	2	-11	pc	Philadelphia	28	23	sn	29	10	sf
Cleveland	22	10	sn	14	4	sn	Phoenix	73	47	s	75	53	pc
Dallas	52	30	pc	37	19	pc	Portland, ME	18	10	sn	24	-6	sf
Denver	47	17	pc	29	3	sf	Providence	24	15	sn	29	1	sf
Detroit	21	6	sn	13	3	sf	Raleigh	51	30	pc	40	14	pc
El Paso	57	31	s	52	30	pc	Rapid City	19	-5	sn	17	17	pc
Fairbanks	-6	-19	s	5	1	s	Reno	56	27	sn	55	27	pc
Fargo	3	-12	pc	2	-4	s	Sacramento	64	39	sn	65	41	pc
Honolulu	76	64	s	76	64	s	St. Louis	27	9	pc	10	3	s
Houston	60	43	pc	54	29	pc	Salt Lake City	46	30	c	47	30	s
Indianapolis	24	4	sn	5	-9	c	San Diego	77	51	c	73	53	pc
Jacksonville	69	37	s	62	28	pc	San Francisco	65	47	s	66	47	pc
Kansas City	21	7	pc	8	-4	s	Seattle	55	41	c	51	40	s
Las Vegas	64	43	s	66	40	pc	Tucson	72	41	s	72	47	pc
Little Rock	49	27	pc	33	16	pc	Washington, DC	38	27	sn	32	16	pc
Los Angeles	81	52	s	79	54	pc	Wichita	27	16	pc	17	4	pc

Weather (W): s-sunny, pc-partly cloudy, c-cloudy, sh-showers, t-thunderstorms, r-rain, sf-snow flurries, sn-snow, i-ice.