

SHOOTING: More than 100 people endured the rain for a candlelight vigil

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Chuck Sams, spokesman for the tribes, and the FBI sent written statements about the shooting and case, and a letter from Gary Burke, chairman of the tribes board of trustees, provided the names of the victims and other information about the investigation.



Contreras

Umatilla tribal police responded at 5:53 a.m. Saturday to a report of shots fired near the tribal housing development on Willow Drive. Officers arrived and found the bloodied Welch and Jimenez.

An ambulance rushed Welch to St. Anthony, and an air ambulance flew Jimenez to Kadlec Regional Medical Center, Richland, Washington, where doctors declared him dead.

Tribal police led the shooting investigation with assistance from the FBI and local and state law enforcement, including members of the area's major crime team. Police booked Contreras into the jail at 2:15 a.m. Sunday, according to the jail's website.

Tribal police also arrested two men Saturday morning on warrants: Cameron Joseph Shawl, 30, for a probation violation; and Joseph Benjamin Thompson, 32, for misdemeanor and felony failure to appear. Jail website information showed these arrests and Contreras' occurred at or near 30 Willow Drive.

Umatilla County District Attorney Dan Primus

explained if this was a homicide on the reservation involving non-tribal members, his office would have jurisdiction. But the charge was attempted murder, and while neither Contreras nor Jimenez were enrolled members of the Umatilla tribes, Welch is a member, thus the prosecution shifted to the federal courts.

This is the second fatal shooting on the Umatilla Indian Reservation in 2016, the first coming Jan. 27 when Thadd Nelson was shot and killed at his home near Emigrant Springs State Park. Police in both cases arrested men from California in connection to the crimes, and both cases are now in federal courts.

FBI spokeswoman Beth Ann Steele said the criminal investigation into Saturday's crimes remains active, and it was too early to know if this case is related to the murder of Nelson.

More than 100 people endured the rain Sunday night for a candlelight service to honor Jimenez. His family and close friends huddled under a tent on stage at Roy Raley Park in Pendleton to stay out of the downpour. Many in the crowd wore rain coats or pressed together under umbrellas around the grass amphitheater. Loudspeakers on either side of the stage broadcast rap, soul and pop songs.

The music ended, and Marisol Jimenez of Spring-

field took the microphone. She was Tony's younger sister and thanked so many for coming. She said her brother had a giving heart, then tears choked off her words.

Rocio Jimenez of Kennewick, his older sister, said her brother was loving and loyal and a prankster. He once mooned her and her sister, she said, and they swiped lipstick across his backside for the stunt.

The story drew a laugh from the assembly. Rocio Jimenez said she was sad those antics have ended, and she would cherish her memories of Tony.

Their mother, Florinda Jimenez, came from Florida for the vigil. She missed her son, she said, but also could not hold forth for more than a few moments.

One friend, Eric Rodriguez, said he grew up with Tony and called him the kind of man who shook his friends' hands and hugged them whenever he saw them. Tony had some troubles in the past, Rodriguez said, but turned that page and was becoming involved in the lives of his three children.

Marisol Jimenez said her brother grew up in Pendleton. His children, Eliana, Xavier and Antonio III, are around 5-8 years old. An older sister, Gloria, died when she was 4 months old.

The memorial ended around 9 with a moment of silence. The rain was letting up by then. The hugs and the tears lasted a while longer.

A fund to help pay for funeral expenses has been set up at www.gofundme.com/ayv62f7w.

MUSIC: A community creator, regardless of socioeconomic status or language

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Desert View Elementary, some students burned energy in the gym; others clapped, sang and played percussion in Rachel Goller's music classroom, the walls decorated with colorful musical notes, posters and other reminders of song. Down the hallway, a bulletin board shows how school staff have music in their own lives.

Goller teaches 10 music classes a day. Over 40 minutes, students learn how to read sheet music. They practice being piano and mezzo, and they learn how to compose music and play the recorder. While students sing, they read the words on a screen, and as they count beats, they do mathematics. "It's still academic, but they're not sitting behind a desk," Goller said. "They can move, they can sing, they can express themselves."

For Goller's students in the classroom setting, music isn't just about having a talent.

"When I teach them how to play an instrument, I expect them to at least try," she said. "I tell my kids to just give me their best."

While the elementary students practiced beats and danced to the music, high school students were also taking advantage of Hermiston's focus on education. At the high school, students can choose from concert, marching and jazz bands. They can take music appreciation, join the wind ensemble or the drumline. For vocal performance, the school offers four separate performance ensembles: concert choir, chamber choir, Con Brio and Majazzy.

Both the band and choir hosted a district band and choir festival where Hermiston ensembles competed against 13 bands and 13 choirs from across Eastern

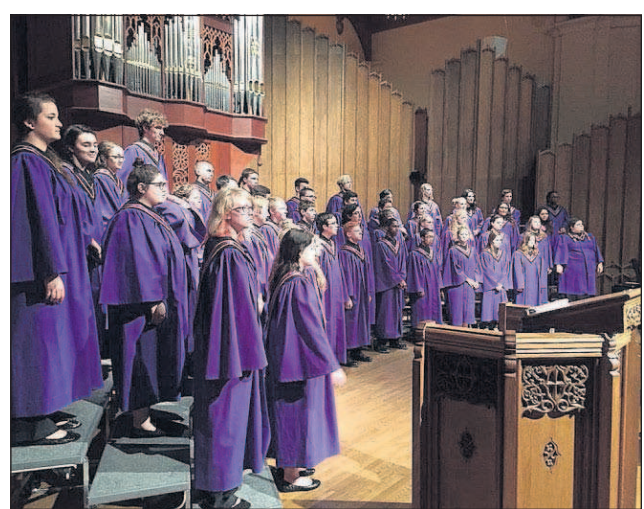


Photo Contributed by Josh Rist

The Hermiston High School choir performs in concert at the Oregon State University's Orange and Black scholarship concert in Corvallis.

Oregon for a chance at the state competition. The Hermiston High School bands continue to win awards, and the Chamber Choir recently toured Salem and Corvallis, performing and learning. Josh Rist, HHS choir director, said music should be a core part of curriculum.

"I think that music education should be as fundamental a part of a student's education as learning to read or to engage in sciences or study history," he said. "It is a study of who we are as people as well as a study of an art form that has been a part of human history as long as there has been human history."

"Even if music didn't have all these other benefits, it is worth investing in so generations can tell their story through music and create communities through music."

Rist pointed to music's history as a community creator, regardless of background, socioeconomic status or language. Music is able to draw people together, and Rist finds value in teaching students how to create and explore music.

"When people engage in music, it becomes a more

beautiful world," he said. "It is really a place where diversity is celebrated. Athletes and computer programmers, cheerleaders and chess club members, everyone working together in harmony. We have an ideal society where people celebrate each other's differences and work together for a common good. That's what the world needs."

For the educators, music doesn't stop at the edge of the classroom. Whether it is giving students an outlet for expression or making the world a more beautiful place, the teachers hope to bring music to life in the Hermiston community.

"I'd love to see more music performed in Hermiston at the Saturday markets, at the bars and coffee shops, where music becomes an integral part of our culture," Rist said. "These kids not only become musicians in high school: They become supporters of the arts, and they want to live more beautiful lives because of this experience. We want to make Hermiston a more beautiful place."

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RECORDS: State officials can waive public records fees if releasing the information benefits the public

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a barrier imposed by the legislator. It is not a barrier engineered by the public."

Inconsistencies in the way state agencies answer public records requests — including delays and high charges — contribute to the perception that agencies sometimes block release of public information, according to a November audit by the secretary of state's office.

The Capital Bureau's request illustrated that those disparities can be even greater when the recipients of the requests are legislators. Lawmakers shape public records rules and have exempted themselves from many of the requirements. Disparities in charges and response times, along with fewer options for recourse when a lawmaker denies a records request, raise questions about whether the public can access information about how their representatives spend their time and make their decisions. Oregon law allows lawmakers and their staff to refuse to release records during legislative sessions.

Hourly charges and the time estimated to release calendars varied dramatically. For example, Courtney's staff members indicated they would charge nearly \$80 an hour to review, make redactions and release his calendar. Meanwhile, Sen. Michael Dembrow's office gave an estimate of less than \$23 an hour.

State agencies charge anywhere from \$15 to \$40 per hour for staff time spent on fulfilling public records requests, according to the secretary of state's audit. Time estimates to produce the calendars ranged from two hours for Courtney's to 10 hours for Sen. Arnie Roblan's.

Lawmakers who volunteered to waive fees associated with releasing their calendars were Rep. Margaret Doherty, D-Tigard; Rep. Ann Lininger, D-Lake Oswego; Senate Majority Leader Ginny Burdick, D-Portland; Senate Minority Leader Ted Ferrioli, R-John Day; and Sen. Floyd Prozanski, D-Eugene.

At the bureau's request, Sen. Dembrow, D-Portland, House Minority Leader Mike McLane, R-Powell Butte, and Sen. Roblan, D-Coos Bay, later agreed to also waive

the fees. Senate President Courtney, House Speaker Kotek and House Majority Leader Jennifer Williamson, D-Portland, held firm on their charges.

Setting a cost barrier

In their leadership positions, Courtney and Kotek shape the policy agenda, can block bills from the chamber floor and often negotiate backroom deals on legislation. Their power in the state rivals only that of Gov. Kate Brown.

Kotek and Courtney's estimates for their calendars equaled nearly \$300. As a comparison, Brown agreed to release nearly a year of her calendar, with detail fields, for \$45.

Courtney's office indicated it would charge for his most expensive employee, Chief of Staff Betsy Imholt, to process the request, at a cost of \$80 per hour. Imholt earns \$110,838 a year.

Courtney's office later agreed to reduce the charge to \$60 an hour, when the bureau pointed out the hourly charge appeared inconsistent with Imholt's annual salary. The original \$80 charge contained a prorated cost for benefits, said Robin Maxey, Courtney's spokesman.

Legislators are allowed to charge fees for the time it takes to release their calendar, including redacting items that are not legislative business. That can include personal information, personal appointments, such as doctor visits, and campaign-related events, Trujillo said.

The charge "recoups the cost to the public body incurred in responding to the request — in this case, the staff time that was diverted from taxpayer-funded duties to fulfill your request," said Lindsey O'Brien, Kotek's spokeswoman.

The Speaker's Office didn't offer any evidence that providing the records caused an additional cost to the state.

Not every public record request incurs overtime, so if an employee doesn't work overtime to fulfill the request and an extra employee isn't hired to do so, it is unclear what benefit the fee serves, except to discourage such public records requests, said Orchard of the ONPA.

Orchard also questioned whether lawmakers have a right to charge for removing their personal appointments from a public calendar. With today's technology, any lawmaker can keep separate personal and legislative calendars and sync them, Orchard said.

"The decision to merge public and private appointments on a calendar is your decision to make," he said. "To turn around and charge the public for a decision you made to merge the two seems to me to set up a cost barrier for people getting access to that public record."

Lawmakers "need to know what time is really free and not free," said legislative counsel Dexter Johnson. "That inherently means kind of a blended calendar of both public and private events."

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