

House votes to ensure rights for survivors of sexual assault

By **MATTHEW DALY**
Associated Press

WASHINGTON — The House on Tuesday unanimously approved legislation outlining a federal bill of rights for survivors of sexual assault, following a national outcry over the sexual assault of an unconscious woman by a former Stanford University swimmer.

The House bill would ensure that survivors in federal criminal cases have a right to a sexual assault evidence collection kit, to be told of the results and to be notified in writing before the kit is destroyed. Lawmakers said they are troubled by the number of untested rape kits that remain in the country, despite efforts to reduce a national backlog.

Rep. Mimi Walters, R-Calif., one of the bill's sponsors, said she hopes it can serve as a model for states, which she said now have an uneven patchwork of laws across the country.

That patchwork all-too-often "prevents sexual assault

survivors from having full access to the justice system," Walters said.

House Judiciary Committee Chairman Bob Goodlatte, R-Va., said the bill would give sexual assault survivors additional rights in seeking justice and help them recover from trauma.

The bill heads to the Senate, where similar legislation was approved this spring.

Former Stanford swimmer Brock Turner registered as a sex offender Tuesday in Ohio, where he's living with his parents.

Turner was convicted of assaulting a woman last year near a trash bin after they drank heavily at a fraternity party. The woman passed out, and Turner was on top of her when confronted by two graduate students passing by on bicycles.

The case exploded on social media and ignited a debate about campus rape and the criminal justice system after a letter the accuser read at Turner's sentencing was published online.

UMATILLA: Lindstrom would still like to pursue dealer school

Continued from 1A

disagreed with the council's characterization of the school as a gambling "business," stating that the purpose games played at the school would be educational, not to make a profit. Other audience members gave testimony that playing with Monopoly money as suggested would not replicate the stressful environment of a live poker game at a casino or other venue.

However, the council unanimously rejected Lindstrom's request for a social gaming license for the school.

On Tuesday Lindstrom was back with an application for a separate license that would merely set up a card table run by Lindstrom at the Lamplighter Motel, which Lindstrom manages. He did not testify in front of the council again, but Pelleberg stated in his staff report that Lindstrom would still like to pursue a dealer school at another location in Umatilla

if the council was willing to revise the city's code of ordinances to allow it.

Councilors voted to approve the license for a card table at the Lamp Lighter 4-1, with Roak Ten Eyck absent and David Lougee opposed.

On Tuesday the city council also gave staff the green light to vacate a small undeveloped section of Hamilton Street off of Powerline Road. The city planning commission and the Umatilla County Road Department supported the vacation, noting that if the right of way were paved and used as a street, cars accessing Powerline Road at that point would create a "safety hazard."

The right of way will be split between the two lots adjacent to it, which both belong to Mike and Suzanne Kontur. The couple plans to build a house on one of the lots.

Contact Jade McDowell at jmcdowell@eastoregonian.com or 541-564-4536.



Hermiston resident Mark Leslie talks with Warming Station volunteer Trish Rossell at the downtown location in December 2014 before departing for work. The center is looking for a permanent home this winter.

SHELTER: Will schedule volunteer training during October, November

Continued from 1A

would prefer to rent their own space again this year but landlords have proven wary about renting to an organization that gives homeless people a place to sleep.

"They shouldn't be afraid," she said, "because we have volunteers present."

The nonprofit plans to schedule trainings for volunteers during October and November. She said planning for volunteers should be easier if they know exactly what nights the shelter will be open, and she hopes to see both returning volunteers and new faces. People who aren't comfortable working directly with homeless guests can still be used to do things like paperwork and inventorying supplies.

"My biggest challenge every year is trying to get volunteers," Rossell said. "People are very generous with writing a check or donating hot chocolate but we really need adults able to volunteer."

She said she hopes they will be able to add some new services this year, such as vouchers for rides and showers.

Last winter and spring a number of homeless campers were evicted from several popular but illegal encampments, including one along River Road near Umatilla. At the time the people evicted said they did not know where they would go or whether they would stay in the area, but Rossell said that should not have much of an effect on the Warming Station's numbers because the people who use the shelter tend to be recently evicted or otherwise newly homeless and not established in a tent.

For more information about volunteering or leasing a space to the nonprofit visit the Hermiston Warming Station Facebook page or contact Rossell at 541-720-1146.

Contact Jade McDowell at jmcdowell@eastoregonian.com or 541-564-4536.

Most humpback whales taken off endangered species list

By **AUDREY MCAVOY**
Associated Press

HONOLULU — Federal authorities took most humpback whales off the endangered species list Tuesday, saying their numbers have recovered through international efforts to protect the giant mammals.

Known for their acrobatic leaps from the sea and complex singing patterns, humpback whales were nearly hunted to extinction for their oil and meat by industrial-sized whaling ships well through the middle of the 20th century. But the species has been bouncing back since an international ban on commercial whaling took effect in 1966.

The moratorium on whaling remains in effect, despite the new classifications.

The National Marine Fisheries Service said it first had evidence to indicate there were 14 distinct populations of humpback whales around the world. It then said nine of these populations have recovered to the point where they no longer need Endangered Species Act Protections. These include whales that winter in Hawaii, the West Indies and Australia.

Before, the agency classified all humpback whales as one population. They had been listed as endangered since 1970.

"Today's news is a true ecological success story," Eileen Sobek, assistant administrator for fisheries at the National Oceanic and Atmospheric Administration, said in a statement.

The whales will continue to be protected under other federal laws,



Boaters watch a humpback whale breach off the coast of Gloucester, Mass. in August 2012.

including the Marine Mammal Protection Act. Vessels will continue to have to stay a specific distance away from humpback whales in Hawaii and Alaska waters.

A Hawaii fishermen's group that petitioned for delisting three years ago said it was happy with the decision.

"We just saw a lot of whales. So we thought this is a success in ocean management and we wanted to point that out to the world — that things are good with whales in Hawaii," said Phil Fernandez, president of the Hawaii Fishermen's Alliance for Conservation and Tradition.

An estimated 11,000 humpback whales breed in Hawaii waters each winter and migrate to Alaska to feed during the summer, the fisheries service said.

But an environmentalist group said the protections should stay in place.

"These whales face several significant and growing threats, including entanglement in fishing gear, so ending protections now is a step in the wrong direction," Kristen Monsell, an attorney with the Center for Biological Diversity, said in a statement.

Humpbacks that breed in Central America in

the winter and feed off California and the Pacific Northwest in the summer are among those that will remain on the endangered list.

Marta Nammack, the fisheries service's Endangered Species Act listing coordinator, said that's because the population is estimated at only about 400 whales. These whales also face threats from vessel collisions and getting entangled in fishing gear, she said.

Whales that breed off Mexico and feed off California, the Pacific Northwest and Alaska will be listed as threatened. There are about 3,200 of the whales in this group, which is only about half of what scientists previously thought, Nammack said. The whales also face fishing gear entanglement threats.

The different classifications mean that Alaska's whales will be a mix.

In addition to whales that breed in Hawaii and Mexico, Alaska also gets whales that spend the winter in waters around Okinawa and the Philippines. These whales are endangered. They number only about 1,000 and faces threats from energy exploration and development, whaling and fishing gear entanglements.



Residue from years of exhaust from diesel engines has coated many areas of the main fire station raising possible health concerns for firefighters. Diesel exhaust is a known carcinogen.

PENDLETON: Two city bonds recently expired, county jail bond will expire soon

Continued from 1A

vehicle and equipment, which he said were necessary expenditures that were sorely needed by the department.

The equipment component includes money for an ambulance, heart monitors and the "Jaws of Life" extraction equipment.

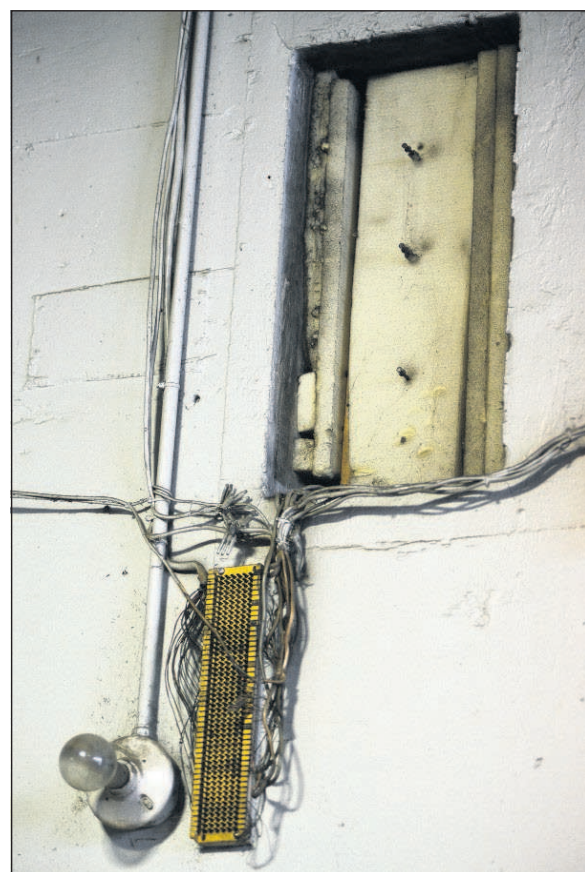
Ciraulo said he believes the public sees the value of replacing emergency equipment because it's something everyone will come into contact with at some point.

"You want us to have the best equipment to help save your life," he said.

Ciraulo said there's a "structural deficit" in the department's capital replacement and the equipment bought through the bond would buy the city some time while he looked at ways it could be adjusted.

Ciraulo initially requested two fire engines, but he had to drop them from his ask to keep the bond proposal under \$10 million, even though there's still a dire need.

"It's always a sad sign when the firefighters on the fire engine are younger than the fire



Exposed electrical wiring on a wall in the main fire station on Monday in Pendleton.

engine they're riding on," he said.

If passed, the bond would tack on an additional 62 cents per assessed \$1,000, although it would also come at a time when other bonds are coming off the books.

Two city bonds

recently expired and councilor Paul Chalmers said a Umatilla County Jail bond will also expire soon.

Contact Antonio Sierra at asierra@eastoregonian.com or 541-966-0836.

TRIAL: Occupiers contend nobody was threatened

Continued from 1A

were protected under the First Amendment.

Cox, Fry, Banta and the Bundys also are charged with possessing a firearm at a federal facility. Cox, Medenbach and Ryan Bundy are acting as their own lawyers.

Why were they at the refuge?

It started as a protest against the imprisonment of two Oregon ranchers convicted of setting fires and grew into demands for the U.S. government to turn public lands over to local control.

The father-and-son ranchers distanced themselves from the occupiers, reporting to prison two days after the standoff began. Ammon Bundy and others contend that the Constitution limits federal power to acquire and own property within a state's borders, revealing the larger dispute over the government's control of vast expanses of Western range.

How did the occupation end?

The Bundys and other leaders were driving to a community forum when police stopped and arrested them. Finicum fled and crashed his truck into a snowbank to avoid a police roadblock. Authorities say he was reaching for a weapon when he exited the vehicle and that's when Oregon State Police officers opened fire.

The four occupiers who remained after Finicum's death finally surrendered on Feb. 11 after protracted negotiations with federal authorities who surrounded the refuge.

How many people face charges?

A total of 26 people were charged with conspiracy. Eleven have pleaded guilty, including several from Bundy's inner circle. Seven defendants sought and received a delay in their trial, now scheduled for February.

What's the government's evidence?

The takeover received extensive media coverage. Ammon Bundy gave daily news conferences and the group used social media in a mostly unsuccessful effort to get others to join them. In short, there's no question the group occupied the refuge. Prosecutors have said the evidence includes seized weapons, thousands of photographs, thousands of hours of video and reams of information gleaned from social media.

What's their defense?

They claim they used their First Amendment rights to engage in a peaceful protest and that those with guns were exercising their Second Amendment rights. The occupiers contend that nobody was threatened, no workers were impeded from performing their duties and the government fired the only shots. Moreover, they say those shots, which killed Finicum, showed why they needed guns for protection.

Is the trial going to last longer than the occupation?

It looks that way. U.S. District Judge Anna Brown has set aside three days for jury selection, and opening statements are tentatively scheduled to start Sept. 13. The trial is expected to take two or three months.

Aren't the bundys also facing trial in Nevada?

They and five others from the Oregon case have been charged in a 2014 armed standoff with federal agents near their father Cliven's cattle ranch in Bunkerville, Nevada. The three Bundys are scheduled for a February trial in Las Vegas.

The elder Bundy drew national attention after his sympathizers pointed weapons at agents rounding up his cattle on public land. The U.S. government says he racked up more than \$1.1 million in unpaid grazing fees and penalties over two decades, while Cliven Bundy claims it has no authority over the land.

Several people took part in both standoffs. Federal officials were widely viewed as having backed down from the elder Bundy, possibly emboldening the Oregon occupation.

Cliven Bundy was arrested at Portland International Airport in February when he arrived to visit his sons.