

# MARIJUANA: Vote will not affect legality to consume, possess, grow

Continued from 1A

Umatilla County sheriff's race and even Owyhee Canyonlands monument are ubiquitous while marijuana-related signs are virtually nonexistent.

But while the vote in Hermiston and Milton-Freewater was within 1 percent of the county average, only 55.9 percent of voters in Pendleton cast a ballot against Measure 91. Moore said that gap is easier for pro-marijuana voters to close.

Having the issue appear on the ballot with a presidential election also works in its favor because Democrats, typically a more marijuana-friendly group, turn out in higher numbers during those elections.

Despite all three communities putting marijuana sales to a vote at the same time, they'll appear on the ballot slightly differently.

Pendleton voters will get three questions — one on repealing the ban on recreational marijuana sales, another on repealing the medical marijuana sales ban and another on imposing a 3 percent tax on recreational marijuana sales.

Milton-Freewater has paired the question of medical and recreational marijuana retail bans together and also includes a second question for the 3 percent tax.

Hermiston has one question about the ban on medical and recreational marijuana but does not include a question on sales tax.

Proponents point out that a tax on marijuana could be a boon for small communities. According to *The Oregonian*, the state has taken in \$33.5 million in tax revenue from January through the end of August.

In addition to the state's 25 percent tax, 10 percent of which goes to local law enforcement in cities with legal marijuana sales, voters can impose their own local 3 percent tax. Those dollars would go straight to city coffers.

Even though many Umatilla County residents may not have first-hand

knowledge of the marijuana retail industry, the surrounding area has made it easier than ever for them to buy cannabis legally, provided they don't mind a drive.

Recreational dispensaries can be found two hours east in Huntington or two hours west in The Dalles, and medical dispensaries can be found even closer in La Grande. Several medical and recreational dispensaries can be found in Walla Walla and the Tri-Cities, although bringing marijuana back across state borders is a federal crime.

The November vote — no matter the outcome — won't affect the legal status of marijuana in any city. It will still be legal to consume, possess and grow marijuana for personal use.

It's difficult to prognosticate the outcome of the elections because there's a dearth of data from Eastern Oregon.

The DHM study surveyed 150 people living outside the Willamette Valley on their opinions on marijuana sales and found that 50 percent had a positive view on the impact of recreational marijuana legalization, 54 percent opposed a ban on marijuana retail and 73 percent supported taxing marijuana.

However, the area outside the valley covers a politically diverse landscape, including eight counties that voted in favor of Measure 91.

Putting the data and political science aside, Hermiston City Councilor Doug Primmer anticipates it will be a close race in his city, a battle of wills between younger pro-marijuana voters and older anti-cannabis voters.

"It won't be runaway either way," he said.

Primmer, like Chuck Wood, also voted to put retail sales to voters despite personally opposing marijuana use.

Ballots will start going out to voters Oct. 19.

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# PALMER: Faced criticism for deputizing untrained civilians

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"confided" in a man recently convicted in Grant County of the theft of fire equipment. Palmer had investigated and cleared his friend, Roy R. Peterson of Monument. The Oregon State Police did a separate investigation and a jury found Peterson guilty in August.

A flooring contractor he considered a "close friend" asked to become a special deputy so he could process concealed handgun licenses in the Portland area. Palmer said he didn't learn until four years later that the man was associated with the Oregon Firearms Federation, a gun rights organization.

Palmer, 54, gained national attention for his sympathy with occupiers who took over the wildlife refuge in January. His conduct prompted John Day city officials and Grant County residents to file 11 complaints questioning his fitness for office. The state Department of Public Safety Standards and Training said it will conduct an administrative inquiry once the state criminal investigation of Palmer is complete.

*The Oregonian/OregonLive* sought Palmer's email records, including during the period of the occupation, but he said there were no emails in the private email account he uses for most of his government work. Through his attorneys, he provided a state document called "E-mail Policy Manual for Local Government" as his legal authority.

His attorneys wrote in court filings that the sheriff's office "practice regarding staff and officer emails" to maintain only hard copies followed requirements in the manual.

But handed the manual during the deposition, Palmer testified, "I have never reviewed this document prior to today."

He said his office had no policy on how to retain

or print emails. Asked if employees had been instructed when to delete emails, Palmer replied that "I don't believe so. I've never had a discussion with anybody to that effect."

Sally DeFord, a civil deputy who handles administrative functions in Palmer's office, testified that she knew of no office email policy and "nothing" had been communicated to her about keeping emails. She said that Palmer hadn't told her when she could delete emails.

The deposition zeroed in on the evening when refuge occupier Robert "LaVoy" Finicum was shot and killed by state troopers as he and other occupiers traveled off the bird sanctuary and headed to John Day. Palmer released records from his personal cellphone that included a mix of personal and work calls. He redacted the telephone numbers and length of calls for those he considered personal.

The evening of Jan. 26, Palmer was in uniform at a community center in John Day, ready to speak at a gathering that featured Ammon Bundy, the leader of the refuge occupation. He drove to an Oregon State Police roadblock in the south end of Grant County after he heard about Finicum's shooting but returned after a short time.

The records for Jan. 26 after the shooting showed that Palmer used his personal cellphone to make or receive 12 calls that evening. He classified 10 of them as personal. He said that in general he would consider calls to anyone associated with the occupation to be personal.

He said he would have classified as personal any call with Brooke Agresta, 36, a friend who has described herself as the intelligence officer for an Idaho militia group. She said in Facebook postings that she was the one who notified Palmer of Finicum's shooting and kept him

posted by phone through the evening. Palmer didn't say whether he had redacted Agresta's number from his personal cellphone records. But her number doesn't appear on the records for a second, government-issued phone that he provided without redaction.

Palmer was asked whether he learned of the shooting in his role as sheriff.

"It's kind of a gray area," Palmer said. "I don't know whether to say yes or no."

Palmer also struggled to explain phone records showing repeated calls on his government cellphone to Peterson, his friend convicted recently for stealing fire trucks. Records Palmer provided for his personal cellphone also showed calls to Monument but with the telephone number redacted. He said those were to Peterson, too.

The sheriff said he had known Peterson and his family for years, once lived two doors from Peterson, and the two once were firefighters with a local department. He said some phone calls in the records were personal and some were work. He deputized Peterson in March for rescue missions and radio work while he was awaiting trial on the theft charges.

"I confide in him quite a bit of stuff that's going on," Palmer said.

He investigated Peterson in 2013 when a rural fire district complained that Peterson wouldn't turn over fire engines and other equipment. Palmer closed the case, concluding it was a civil matter. State police subsequently took up the investigation. Peterson was sentenced this week to 60 days in jail.

Under questioning about his government-issued cellphone, Palmer testified "there's lots of personal calls."

State ethics law prohibits public officials from making personal use of government property. The

Oregon Government Ethics Commission in a staff opinion said that a public official can use a government-issued phone "for personal business on a brief and infrequent basis (2 to 3 times per month)" without violating the law.

In 2010, Palmer deputized Salvatore D. Casuccio, 49, of Gresham, so he could process concealed handgun licenses for out-of-state applicants. State law authorizes sheriffs to issue licenses to residents of their county or to residents of neighboring states.

The sheriff has faced local criticism for deputizing untrained civilians. Grant County records show he has appointed 65 volunteer deputies since 2010. He has said he has no applications or other records documenting the training or qualifications of the deputies.

Palmer described Casuccio as a close friend who approached him about becoming a special deputy.

"I think he got ahold of me and kind of threw the idea at me," Palmer said.

He said he had "no files" regarding Casuccio. He said Casuccio already was trained in fingerprinting and he gave only verbal instructions about duties to Casuccio.

He said he learned about four years after he deputized Casuccio that he was affiliated with the Oregon Firearms Federation.

"Somebody told me that he has something to do with the membership" of the federation, he said.

Casuccio didn't respond to telephone messages. The Oregon Firearms Federation didn't respond to questions about why Casuccio's affiliation wasn't disclosed to Palmer. The organization instead asked for a transcript of Palmer's testimony.

The federation's political action committee earlier this year gave \$5,000 to Palmer's legal defense fund — his largest contribution.

# CANDIDATES: Rowan endorsed by Barreto, Hansell and county commissioners

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cop have been under the influence of drugs or alcohol. Yet the detoxification center in Pendleton will not accept people who are suicidal, and the mental health provider Lifeways Inc. will not take anyone intoxicated.

No third option exists, he said, but he would push for one as sheriff.

Rowan agreed that mental health is the most significant problem for law enforcement. So he helped institute new programs in the county jail to help inmates with their mental health, including the availability of a counselor who can evaluate inmates. But Rowan said he, too, gets frustrated with the lack of facilities and options.

"We know they are in crisis," he said. "But we don't have anywhere to put them."

To that end, Rowan said he is interested in finding better ways to help people in crisis, and state Rep. Greg Smith (R-Heppner), could look at the issue in the 2017 Legislature. Rowan said he would join such an effort.

Campaign financial reports show Smith's re-election committee gave \$500 to Rowan's effort. And Umatilla County Commissioner Bill Elfering contributed \$250. Rowan's campaign has raised \$9,513 and has \$4,920 cash on hand. Lehnert's campaign has raised \$10,045 and has \$4,428 available.

Rowan also touted endorsements from state Rep. Greg Barreto, R-Cove, and state Sen. Bill Hansell, R-Athena, all three Umatilla County commissioners, as well as a trio of retired commissioners.

Rowan also said he built

his first campaign platform to address complaints he heard as the former undersheriff about the lack of patrol deputies and long response times. So he pursued policing contracts with Athena and Weston, he said, and looked for savings in the budget that resulted in adding seven deputies to make a total of 14.

But Lehnert claims the complaints about lack of response from the sheriff's office have not gone away. He said the first contributor to his campaign was upset that Rowan would not return phone calls, a complaint he has heard others express, including some in law enforcement.

Rowan said he undertook a careful, layered approach to improving the sheriff's office, from getting all employees into the same uniform to a major upgrade at the dispatch center. And the work is not finished, but he said accomplishments in his first term are numerous and the relationships with partner agencies are solid.

Lehnert said the sheriff's office needs to become accredited, like the Pendleton Police Department, to show it is a professional agency.

That's a "big mountain," he said, given all the sheriff's office does, but it needs to happen. Right now, Lehnert said, other local police agencies do not respect the agency and he called Rowan an "absentee sheriff."

Rowan said his accomplishments speak for themselves, and that he has restructured, redesigned and re-energized the office.

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