

ROSENBLUM: Has replaced staff involved in searching Johnson's tweets

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with Kirby, who was his supervisor. Kirby consulted Tweedt, who recommended a written assessment. Boss approved the written assessment. After Williams prepared the assessment, he submitted it to the department's counsel for review.

Johnson alleges that investigators never attempted to contact him or independently verify information, which was a violation of department policy. He didn't learn of the assessment until about two weeks after Boss and Rosenblum received the report.

According to the suit,

Williams had no reasonable suspicion of a crime, and was not involved in a criminal investigation when he performed the original assessment.

Johnson claims the defendants violated his First, Fourth and Fourteenth Amendment rights. He seeks unspecified compensatory and punitive damages, and attorney's fees.

The Attorney General's Office issued a statement Wednesday noting that Rosenblum has replaced staff members involved in the digital search of Johnson's tweets and taken steps to help prevent racial profiling. She

fired Williams last summer and demoted Tweedt in January. Kirby left his post in May to become operations integrity director of Privateer Holdings in Seattle, according to his LinkedIn page.

DOJ employees also will be required to undergo cultural competency and implicit bias training, beginning next month, said Kristina Edmundson, a department spokeswoman.

The attorney general still considers Johnson "a valued member of her inner circle staff, as he serves as her outreach director to diverse communities throughout the state," Edmundson said.

POOL: High school will start practicing mid-Nov.

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The short-term solution came during discussions between BMCC administrators and swim team, school and government stakeholders. They hammered out a creative co-mingling of resources that would save the pool. In September, the BMCC Board of Education voted to pay \$25,000 to bandage the pool for two years until a more permanent solution emerges. Pendleton and Hermiston school districts and the swim association agreed to divide the remainder of the emergency repair costs, estimated at another \$25,000.

Parker said one issue in the pool room — lead

paint — will be dealt with soon, but not by the time the pool reopens. The lead isn't airborne, she said, but paint flakes from the walls. By December, workers will have encapsulated the lead (and a minor amount of mold) underneath a layer of sheetrock.

"It's the right thing to do," Parker said.

High school swimmers will start practicing in mid-November.

The college is in the midst of setting a new fee schedule for pool users. Last year, Pendleton and Hermiston swim teams paid nothing for a combined 488 hours of pool use. The swim association paid \$1,125 for 360 hours of usage. Other

community groups contributed \$500. Tuition and fees brought in another \$1,245. In all, the pool generated \$2,960 in direct income last year plus a fluctuating amount of state money given for each full-time equivalent student who took pool-related curriculum, estimated in the neighborhood of \$74,000. The pool cost \$85,000 to operate last year.

The pool could close earlier than two years in the case of a major mechanical malfunction that would impact swimmers' health and safety.

Contact Kathy Aney at kaney@eastoregonian.com or call 541-966-0810.

MARIJUANA: Ordinance has been enforced twice

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amounts of marijuana odors from leaving a property and entering another.

Because the odor of marijuana is subjective and officers aren't present to observe the offense, the people who complain about the smell can sign a citation that invokes the ordinance.

Since the odor law went into effect, there have been two cases where it has been enforced, the most recent involving downtown business Elite Guns & Bows and Citadel Studios, a yet-to-be-opened music studio and concert venue. The downtown Pendleton businesses on Southeast Second Street share a wall.

In a written statement, Citadel owner Jake Sierra said problems between him and the owners of Elite Guns & Bows — Fred and Jeff Bradbury, father and son — started soon after he moved into his storefront.

According to Sierra, the Bradburys' complaints that marijuana was emanating from Citadel's space into their own store escalated into racial epithets, unwanted surveillance and threats of violence from Jeff Bradbury and his customers. Both Jeff and Fred Bradbury declined to comment for this story.

In an email, Police Chief Stuart Roberts wrote that Jeff Bradbury signed a marijuana odor citation on April 14 and made related complaints twice more on April 29 and May 17.

Sierra reported to police on May 18 that Jeff Bradbury made a gesture as if to shoot at him, but no firearm was observed.

Both sides went to Pendleton Municipal Court Aug. 3, where Judge Jeff Wallace found Sierra guilty, but suspended a \$500 fine if the nuisance was abated.

Wallace requested police Cpl. Jon Lehman to conduct a walkthrough of Elite Guns & Bows and Citadel to see if the odor had been abated, and when Lehman reported that he could detect no odor during his visit, the judge dropped the fine at an Oct. 4 hearing. Sierra said the Bradburys weren't present for the hearing.

In an interview, Sierra said he nor anyone in the studio has ever smoked, stored or grown marijuana there and suspected the smell might come from the area behind Elite Guns & Bows, where patrons from nearby bars sometimes congregate to smoke.

Sierra said the ordinance is flawed because he was threatened with a hefty fine

despite being misidentified as the source of the smell.

Even though there was legal resolution to the dispute, Sierra is still wary that conflict could re-arise and wishes Jeff and Fred Bradbury, who is also the president of the Pendleton Downtown Association, had been more inclusive.

"This man is the president of the Downtown Association, and has never once attempted to welcome us, encourage us to join the downtown core, or even been remotely friendly to us, as any good neighbor would do," Sierra said in the written statement. "He has blatantly bad mouthed us to various people around town, people who have in turn come and asked us what it is we did to make this man dislike us so heavily, a question that no one has the answer to."

While the Pendleton City Council hasn't officially discussed the marijuana odor ordinance since its passage, the planning commission will consider zoning regulations for marijuana retailers at a meeting Thursday in case voters pass ballot measures legalizing marijuana sales on Election Day.

Contact Antonio Sierra at asierra@eastoregonian.com or 541-966-0836. There is no relation between the author and subject of the article.



Staff photo by E.J. Harris

Big squirrel on campus

A fox squirrel forages in a tree on the BMCC campus Wednesday in Pendleton.

Pentagon suspends National Guard bonus repayments

Postpones collection while Feds look for long-term solution

WASHINGTON (AP) — The Pentagon worked Wednesday to stave off a public relations nightmare, suspending efforts to force California National Guard troops who served in Iraq and Afghanistan to repay their enlistment bonuses that may have been improperly awarded.

Defense Secretary Ash Carter ordered the suspension in the wake of angry reaction from congressional Republicans and Democrats. They demanded he relieve the burden on Guard members following news reports that soldiers were asked to repay bonuses that in some cases totaled more than \$25,000.

The announcement does not end the reimbursement process, but postpones collection efforts while the Pentagon and Congress look for a long-term solution.

White House spokesman Josh Earnest said President Barack Obama was pleased with the decision, but said it was important for the Pentagon "to follow through" by finding a long-term solution. Obama had warned the Defense Department earlier this week not to "nickel and dime" service members who were victims of wrongdoing by overzealous recruiters.

In a statement issued during a meeting of defense ministers in Brussels, Carter said efforts to collect reimbursement from Guard members should stop "as soon as is practical." Carter said he has ordered the department to set up a streamlined process by Jan. 1 to help troops get relief from the repayment obligation, because the current program has moved too slowly.

Acting Under Secretary of Defense for Personnel



AP Photo/Paul Sakuma, File

In this Nov. 2011 file photo, California Army National Guard soldiers watch the arrival of the body of soldier Sean Walsh, who died on Nov. 16 during a combat operation in Afghanistan, at Moffett Federal Airfield in Mountain View, Calif.

and Readiness Peter Levine told reporters Wednesday that the process of identifying and processing the California Guard members who might have to repay the money may take up to 10 days.

"If we determine that recoupment was unjustified, there will be a process that allows the recovery of that and the reversal of that money," Levine said.

Levine said they are looking to set up "a one-stop place" for those affected to get a hearing and review, noting that the goal is to eliminate "a bunch of sequential processes." The details of that process have yet to be determined, he said.

Among about 14,000 California Guard members whose bonuses and other incentive payments were reviewed, about 3,000 of those are men and women have since left the National Guard, Levine said. They will be eligible for repayment as well, but it hasn't been determined how those cases will be handled since they do not have current addresses or contact details for many of those individuals, he added.

Senate Armed Services Committee Chairman John McCain said the move by the Defense Department is "a long-overdue first step,"

and he vowed to work with Senate colleagues "to explore all options available to hold those responsible for this unacceptable situation accountable and to ensure this never happens again."

Rep. Jeff Miller, chairman of the House Committee on Veterans' Affairs, called the measure "a weak and ham-handed attempt to shift the focus away from the Obama administration's shameful treatment of service members and veterans."

"Carter seems to have no plan to make those who've already been forced to pay back their bonuses whole, and by focusing only on the California Guard, he is ignoring what media reports indicate could be a national problem," Miller said.

The Los Angeles Times reported over the weekend that the Pentagon demanded that thousands of soldiers repay their enlistment bonuses after audits revealed overpayments by the California National Guard. Recruiters under pressure to fill ranks and hit enlistment goals at the height of the two wars improperly offered bonuses of \$15,000 or more to soldiers who re-enlisted.

If soldiers refuse to pay the bonus back, they could face interest charges, wage garnishments and tax liens.

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