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OUR VIEW

Tip of the hat; kick in the pants

A tip of the hat to everyone who slept in this morning, avoiding the Black Friday crowds and especially those “sales events” that stretched into Thanksgiving proper.

Although everyone appreciates a good deal, we should appreciate time with friends and family even more.

That’s what holidays should always be about, and Thanksgiving especially so. It’s one day a year we set aside to feel grateful for the things we have — a mountain of food on the table and the people who have chosen to share in the gluttony of the meal. And the leftovers — thank God for the leftovers, the best thing about the day after Thanksgiving.

We shouldn’t exchange the pleasure of over-indulgence for long lines in pitch-black parking lots, nor hustling through department stores in a competitive rush to save a few bucks. In addition, skipping that day allows our family members and neighbors who work in retail to enjoy the holiday too. Nothing like having to show up at work at 4 a.m. to impede on your enjoyment of Thanksgiving.

Simply, our national slow-food holiday is more necessary than ever. That rat race that precedes Christmas is right around the corner, but we should all stand firm by keeping it away from our beloved Thanksgiving.

The shopping season will get here soon enough, and people should look to support local businesses that circulate their dollars in the local area, and allow their employees to spend their holiday with family and friends.

A tip of the hat, too, to all the people who volunteered at one of the many free Thanksgiving Day meals in our area.

From Boardman to Hermiston to Pendleton and places in between, there was no reason not to join a community meal where everyone was welcome. Lack of family or funds wasn’t an issue.

As we said above, spending Thanksgiving with the ones you love is important. And if the ones you love is the community at large — people who were strangers just the day before — then you’re well on your way to making this world a better place.

This community appreciates it, and you surely made some people happy yesterday.

Unsigned editorials are the opinion of the East Oregonian editorial board of publisher Kathryn Brown, managing editor Daniel Wattenburger, and opinion page editor Tim Trainor. Other columns, letters and cartoons on this page express the opinions of the authors and not necessarily that of the East Oregonian.



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Early Christmas shoppers...



OTHER VIEWS

Attorney General Jeff Sessions is Democrats’ worst nightmare

President-elect Trump’s transition team knew that nominating Jeff Sessions for Attorney General would set off controversy. Democrats and their allies in the press have at key times in the past called Sessions a racist — they’re now using the Alabama senator’s full name, Jefferson Beauregard Sessions III, to heighten the Old South effect — and now, as they oppose Trump at nearly every turn, they’ve turned to race again.

Here’s why the effort to stop Sessions is likely to intensify as his confirmation hearings near. Sessions is the Senate’s highest-profile, most determined, and most knowledgeable opponent of comprehensive immigration reform. Democrats are particularly anxious about immigration because of the unusually tenuous nature of President Obama’s policies on the issue. Those policies can be undone unilaterally, by the new president in some cases, and by the attorney general and head of homeland security in other cases. There’s no need for congressional action — and no way for House or Senate Democrats to slow or stop it.

There are extensive, and in some cases, strict immigration laws on the books, passed by bipartisan majorities of Congress. Obama wanted Congress to change those laws. Congress declined. So Obama stopped enforcing provisions of the law that he did not like. A new administration could simply resume enforcement of the law — a move that by itself would bring a huge change to immigration practices in the United States. No congressional approval needed.

There are laws providing for the deportation of people who entered the U.S. illegally. Laws providing for the deportation of people who entered the U.S. illegally and later committed crimes. Laws for enforcing immigration compliance at the worksite. Laws for immigrants who have illegally overstayed their visas for coming to the United States. Laws requiring local governments to comply with federal immigration law. And more.

Many of those laws have been loosened or, in some cases, completely ignored by the Obama administration. A Trump administration would not need to ask Congress to pass any new laws to deal with illegal immigration.

If there was a presidential order involved in Obama’s non-enforcement, Trump could undo it, and if there were Justice Department directives involved, Sessions could undo them, and if there are Department of Homeland Security directives involved, the still-to-be-nominated secretary could undo them.

“It will be possible for the Trump administration to dramatically increase enforcement of immigration laws by using what is now on the books,” notes Jessica Vaughan, director of policy studies at the Center for Immigration Studies, which advocates reducing immigration into the U.S.

One of the immediate changes would be to get rid of Obama’s Priority Enforcement Program, instituted in 2014.

Known as PEP, the program made it almost impossible for Immigration and Customs Enforcement to even begin deportation proceedings until an illegal immigrant has been convicted of an aggravated felony or multiple misdemeanors. Obama’s policy



BYRON YORK
Comment

“forced local ICE offices to release of thousands of deportable criminals,” Vaughan has noted, “including Eswin Mejia, an illegal alien with prior arrests who killed 21-year old Sarah Root in Omaha, Neb., while drag-racing drunk in January of this year. Like many of the 86,000 convicted criminals released by ICE since 2013, Mejia is now a fugitive but considered a ‘non-criminal,’ because he has yet to be tried and convicted for Root’s death.”

President Trump could throw PEP out the window. And that would be just a start. The Center for Immigration Studies has published a list of 79 Obama policies the new administration could change without any action by Congress. (The list was compiled in April 2016, before anyone could know who the next president would be.) Among them:

1) End the embargo on worksite enforcement. “Experience has shown that employers respond very quickly and voluntarily implement compliance measures when there is an uptick in enforcement,” Vaughan notes, “because they see the potential damage to their operations and public image for being caught and prosecuted.”

2) Restore ICE’s authority to make expedited removals of illegal immigrants who are felons or who have recently crossed into the United States.

3) Tighten requirements for H-1B visas, including banning such visas for low-salary, low-skill jobs, revoking visas that are followed by layoffs of American workers, and other measures.

4) Stop suing states that take action to support immigration enforcement, and instead support such enforcement. After Arizona’s famous SB 1070 law, Obama cracked down, arguing that the federal government has the sole authority to enforce immigration law, and also to not enforce immigration law. President Trump could choose to enforce the law.

5) Force sanctuary cities to observe the law. Trump campaigned extensively on the subject of sanctuary cities, mentioning San Francisco murder victim Kate Steinle in many speeches. Attorney General Sessions could enforce an existing law, 8 USC 1373, which prohibits local communities from banning their officials from cooperating with federal immigration authorities.

Those are just a few of the things a Trump administration, and an Attorney General Sessions, could do using executive authority. It’s not hard to see why Democrats want to stop them.

Of course, Democrats on the Senate Judiciary Committee, which will handle the Sessions nomination, cannot very well say to the nominee: “I will not support you because you might actually enforce the law.” So they need another basis on which to oppose Sessions. That’s where 30-plus year-old allegations come in.

Republicans, with a narrow majority in the Senate, should be able confirm their colleague, especially since soon-to-be-former Sen. Harry Reid nuked the minority’s ability to filibuster executive branch nominations. But before that happens, look for the noise and the anger over the Sessions nomination to increase. There’s too much at stake for Democrats to go along.

Byron York is chief political correspondent for *The Washington Examiner*.

OTHER VIEWS

Dealing with the death penalty

The Oregonian

Five years ago, former Gov. John Kitzhaber made an announcement that was as bold as it was surprising: His voice shaking with emotion, Kitzhaber declared that he would not allow any executions to take place as long as he was governor.

The decision immediately halted the impending execution of death-row inmate Gary Haugen, who had waived his legal appeals to protest the justice system. But it was also meant to kickstart a statewide conversation about the legitimacy of the death penalty in Oregon, a punishment so rarely carried out that only two of 63 people sentenced to die since 1984 have been executed. Both men, like Haugen, were volunteers.

But five years and a new governor later, the debate Kitzhaber envisioned hasn’t begun. Meanwhile, the death-penalty machinery continues to run, with prosecutors seeking death sentences, juries granting them and the state spending millions in legal challenges, fighting for the right to execute someone who most likely will never be executed. Tuesday’s anniversary of the moratorium marked yet another year of missed opportunity.

There is, however, no better time than now to start changing that trajectory. Two studies, one by the Oregon Justice Resource Center and one by Gov. Kate Brown’s general counsel’s office, provide some ammunition for doing so.

First is cost: The Oregon Justice Resource Center, an anti-death penalty legal-services nonprofit, funded a study to quantify the cost of the death penalty to taxpayers, although it captured only some of the expenses.

But the data it gathered showed that aggravated murder cases that resulted in death sentences cost taxpayers almost \$1 million more than those that don’t, as *The Oregonian*/OregonLive’s Tony Hernandez reported. That’s not even including the cost of housing them in separate death-row quarters, a statistic that the Department of Corrections doesn’t split out from the overall prison population.

The second piece comes from a report compiled by Brown’s general counsel. The report, which includes fascinating

accounts of the preparations state officials undertook for Haugen’s planned execution, detail significant legal, medical and logistical issues if Oregon were to resume executions. Among the chief problems: Manufacturers of drugs used in the lethal injection sequence are no longer making them or selling them to prisons.

All of this helps bolster the case for having this discussion. And while Brown has said she opposes the death penalty and will continue the moratorium, she hasn’t signaled that she will drive the debate any further. Her spokesman, Bryan Hockaday, said her priority now is on the state’s budget and that she has not identified any legislative priorities relating to the death penalty.

Certainly, the \$1.7 billion budget shortfall that the state faces is and should be her primary focus. But the projected deficit also highlights why she and other leaders must move the death-penalty debate forward. The state’s spending on such prosecutions that seek a theoretical punishment is the definition of wasting taxpayer money.

A good start would be in getting our arms around what we don’t know. For example, Lewis & Clark Law School professor Aliza Kaplan, who was one of the authors of the report, notes that prosecutors don’t tally the hours they spend on a case.

The state could direct district attorneys’ offices to start tracking their time per case, just as lawyers in private practice bill clients for their work.

Similarly, the Department of Corrections could break out the portion that it devotes to death-row operations, which require more intensive management or special arrangements that aren’t in place for the general prison population. The governor’s report, for instance, noted that death-row inmates generally aren’t allowed to leave their cells to seek medical care, requiring that medical staff visit inmates there each week.

Getting better data is something both supporters and opponents of capital punishment should get behind. It simply makes no sense to spend millions of dollars on a system that doesn’t do what it says it will do. It’s equally nonsensical to refuse to even talk about it.

