

Rulings could shape Vegas trial of 6 in Bundy ranch standoff

LAS VEGAS (AP) — A federal jury was sworn in Tuesday for the trial of six defendants accused of stopping U.S. agents at gunpoint from rounding up cattle near Cliven Bundy's ranch in 2014.

U.S. District Judge Gloria Navarro scheduled opening statements for Thursday, giving attorneys and jurors a day to prepare for trial.

The judge will also consider crucial rulings ahead of the trial focused on six men characterized by the prosecution as less-culpable gunmen and followers.

Bundy, four sons and six other men are due to stand trial later this year. All have pleaded not guilty to conspiracy, assault, weapon and other charges.

AGENT IN CHARGE
Several defense attorneys are seeking dismissal of the case, accusing the U.S. attorney's office of improperly withholding information about Daniel Love, the federal Bureau of Land Management supervisor who oversaw the Bundy cattle roundup in April 2014.

Findings released last week by the federal Interior Department inspector general faulted the supervisory agent from Salt Lake City for accepting tickets and transportation at the Burning Man festival in Nevada in 2015, and for influencing the hiring of a friend to the bureau.

The unnamed agent was accused of trying to influence employees not to cooperate with the probe of his activities. The findings weren't final, but were referred to higher-ups for possible disciplinary action.

Federal public defenders representing one defendant identify Love as the head of the Bundy cattle impoundment operation and an important witness for the prosecution.

They say they should have been informed last year about the allegations against him.

Tom Pitaro, a Las Vegas defense attorney with decades of trial experience who isn't representing anyone in the Bundy case, called it unlikely that the disclosures about Love would derail the trial.

"The reality is that rarely happens," Pitaro said. "Dismissal is the most extreme response."

FBI FILM CREW
The judge ruled Monday against one defendant's bid to prevent the government from showing jurors an interview he gave in the months after the standoff to a film crew from a company called Longbow Productions.

Defense attorneys allege that crew members said they were making a documentary, but the interviews were for the FBI.

Cliven Bundy is among other defendants seeking to prevent the jury from seeing his interview. He says that witnesses were paid, tricked and coached into making incriminating statements.

A lawyer for another defendant says he wants the jury to see his interview, because it will show his client telling why he was at the Bundy ranch.

Nancy Rapoport, a professor at the University of Nevada, Las Vegas, said it will be up to the jury to determine the credibility of the witnesses and the value of the evidence.

BREADTH OF FOCUS
Prosecutors have asked the judge to narrow the focus of the trial to the day of the standoff, and to prohibit defense teams from referring to federal land policies in Nevada and other states in the West where the federal government owns vast swaths of rangeland.

Defense lawyers argue that if the government hopes to prove conspiracy, the jury has to hear what the defendants believe and why they went to the Bundy ranch.

Pitaro called that a common — and key — courtroom fight.

"In every criminal case, the prosecution tries to narrow the focus only to the act and what happened that day," he said. "The defense always tries to expand it to get into other areas."

DeVos ekes out confirmation win as Pence casts historic vote

WASHINGTON (AP) — Charter school advocate Betsy DeVos won confirmation as education secretary Tuesday by the slimmest of margins, pushed to approval only by the historic tie-breaking vote of Vice President Mike Pence.

Two Republicans, Susan Collins of Maine and Lisa Murkowski of Alaska, joined Democrats in a marathon effort to derail the nomination of the wealthy Republican donor. The Senate historian said Pence's vote was the first by a vice president to break a 50-50 tie on a Cabinet nomination.

Despite the win, DeVos emerged bruised from the highly divisive nomination fight. Opposed by half the Senate, she faced criticism, even ridicule for lack of experience and confusion during her confirmation hearing. At one point, she said some schools should have guns because of the threat of grizzly bears.

And there has been scathing opposition from teachers unions and civil rights activists over her support of charter schools and her conservative religious ideology.

President Donald Trump accused Democrats of seeking to torpedo education progress.

In a tweet before the vote, he wrote, "Betsy DeVos is a reformer, and she is going to be a great Education Sec. for our kids!"

DeVos was sworn in hours after the Senate vote by Pence, who told the new Cabinet member: "I wasn't just voting for you. Having seen your devotion to improving the quality of education for some of our most vulnerable children across the nation for so many years, I was also casting a vote for America's children."

"I can tell you, my vote for Betsy DeVos was the easiest vote I ever cast," Pence said.



AP Photo/Pablo Martinez Monsivais
Vice President Mike Pence swears in Education Secretary Betsy DeVos in the White House complex Tuesday, as DeVos' husband Dick DeVos watches.

DeVos released a statement promising to be "a tireless advocate for all students."

"Partnering with students, parents, educators, state and local leaders, Congress and all stakeholders, we will improve education options and outcomes across America," she said.

She now takes the helm of a department charged with implementing laws affecting the nation's public schools with no direct experience with traditional public schools. Her opponents noted that she has no experience running public schools, nor has she attended one or sent her children to one.

She also will have to address several hot-button issues in higher education, such as rising tuition costs, growing student debt and the troubled for-profit colleges, many of which have closed down, leaving students with huge loans and without

a good education or job prospects.

Close attention also will be paid to how DeVos deals with sexual assault and freedom of speech on campuses.

Ahead of Tuesday's vote, emotions ran high as constituents jammed senators' phone lines. Protesters gathered outside the Capitol, including one person in a grizzly bear costume to ridicule DeVos.

Democrats and labor unions vigorously fought the nomination, suggesting that DeVos would defund traditional public schools by diverting taxpayers' money to charter and private institutions. They cited her financial interest in organizations pushing for charter schools, though she has said she will divest those interests.

Collins and Murkowski said they feared her focus on charter schools

will undermine remote public schools in their states.

"President Trump's swamp got a new billionaire today," the Democratic National Committee said in a statement. "Millions of teachers, parents and students could not have made their opposition to Betsy DeVos' confirmation any clearer — they do not want someone whose only education experience is dismantling public schools."

DeVos supporters, however, saw her confirmation as an occasion to breathe new life into a troubled American school system and a chance to shift power from Washington to the local level.

"She has been a leader in the movement for public charter schools — the most successful reform of public education during the last 30 years," said Sen. Lamar Alexander, the chairman of the Education Committee. "And she has worked tirelessly to help low-income children have more choices of better schools."

DeVos has her work cut out. "She will have to make it a priority to reach out to educators and education policy makers to reassure them that she is committed to working to improve education for all students including the vast majority who attend and will continue to attend traditional public schools," said Martin West, associate professor of education at Harvard University. "My view is that she is committed to doing that."

In addition to DeVos, Republicans hope to confirm a series of other divisive nominees this week: Alabama Republican Sen. Jeff Sessions as attorney general, GOP Rep. Tom Price of Georgia as health secretary and financier Steven Mnuchin as treasury secretary.

First lady says high profile could mean millions for her brand

WASHINGTON (AP) — First lady Melania Trump has said little about what she intends to do with her prominent position. But in new court documents, her lawyers say that the "multi-year term" during which she "is one of the most photographed women in the world" could mean millions

of dollars for her personal brand.

While the new documents don't specifically mention her term as first lady, the unusual statement about her expected income drew swift condemnation from ethics watchdogs as inappropriate profiteering from her high-profile position,

which is typically centered on public service.

The statement came Monday in a libel lawsuit the first lady re-filed in a state trial court in Manhattan. Mrs. Trump has been suing the corporation that publishes the *Daily Mail's* website over a now-retracted report that claimed she once

worked as an escort. In the filing Monday, Mrs. Trump's lawyers argued that the report was not only false and libelous, but also damaged her ability to profit off her high profile and affected her business opportunities.

Mrs. Trump "had the unique, once-in-a-lifetime opportunity, as an extremely

famous and well-known person, as well as a former professional model, brand spokesperson and successful businesswoman, to launch a broad-based commercial brand in multiple product categories, each of which could have garnered multi-million dollar business relationships" the filing read.

EASTERN OREGON FORUM *Presents*

TUESDAY, FEBRUARY 21ST, 2017 AT 7:00 P.M.

BLUE MOUNTAIN COMMUNITY COLLEGE (BMCC), 2411 NW CARDEN, PENDLETON, OR, SCIENCE & TECHNOLOGY BUILDING, ROOM ST-200

CASCADIA AFTERMATH FEATURING: PHILIP SCHMITZ, JOSEPH FRANELL, THOMAS ROBERTS

Philip Schmitz has been a full-time faculty member at BMCC since 2008. He has a Bachelor's Degree from the University of Notre Dame, and a Master's Degree from the University of Utah. He has done research on the Juneau Icefields in Alaska, the geochemistry of Carlin (Nevada) trend gold ores, and he has worked as a geo-technical consultant in the upper Midwest. Philip lives in Pendleton, volunteers with the youth hockey program and referees high school and middle school soccer.



Joseph Franell is the Chief Executive Officer of Eastern Oregon Telecom (EOT), a rural competitive telephone company and Internet service provider serving residents and businesses in Umatilla and Morrow Counties, in Northeastern Oregon. EOT is currently providing residential and commercial Gigabit services in four of the communities in its service area.

Prior to coming to work at EOT, Franell was the Director of Information Technology for the city of Ashland, Oregon, where he was responsible for the Ashland Fiber Network, a municipally-owned and operated broadband telecommunications company. During his tenure there, Ashland was selected as one of the Intelligent Communities Forum Smart 21 Communities for 2007 and 2008, because of its innovative and visionary use of broadband technologies.

In 2009, Franell was appointed by the Governor of Oregon to the Oregon Broadband Advisory Council (OBAC) on which he has served as the chairman for the past six years. The OBAC's mandate is to advise the legislature and Governor's office on matters pertaining to broadband in the State, and to specifically promote the adoption and utilization of broadband for economic development, e-government, tele-health/tele-medicine, education, public safety, and tribal lands. In this role, Franell assisted in developing the communications portion of the Cascadia Playbook, the document that details roles and responsibilities immediately following a major Cascadia Subduction Zone event (earthquake).

Franell is a ten-year veteran of the US Army, is happily married, and has one daughter.

Thomas Roberts has been the Emergency Manager for Umatilla County since June, 2016. He has an Associate of Applied Science Degree in Emergency Management from Clackamas Community College and is a graduate of Hermiston Senior High School. He is a FEMA Trained Master Exercise Practitioner and Advanced Public Information Officer.

His prior positions include: Emergency Management for US Army at three Chemical Stockpile Emergency Preparedness Program (CSEPP) Sites including the Umatilla Chemical Depot in Hermiston, Oregon, the Pueblo Chemical Depot in Pueblo, Colorado, and the Bluegrass Chemical Depot in Richmond, Kentucky.

He has also served as a Volunteer Firefighter/EMT for 20 combined years with the Hermiston Fire and Emergency Services, the Pendleton Fire Department and as a Lieutenant with the Irrigon Fire Protection District.



For more information about the EO Forum, please contact: Karen Parker at 541-966-3177.

The EO Forum is a collaborative effort among leaders from Blue Mountain Community College, InterMountain Education Service District; the East Oregonian; American Association of University Women; and Harriet Isom; a former United States ambassador who also serves on the committee. This EO Forum program is offered as part of Blue Mountain Community College's annual Arts and Culture Festival. For more information on the festival go to www.bluecc.edu.