

# O EAST OREGONIAN PINION

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## Tip of the hat, kick in the pants



A tip of the hat to the all our graduating seniors, some of whom have already crossed the stage with a diploma in hand, and others who will be doing so in the next week.

High school is an important part of everyone's life, where we learn the basic skills that put us on the road to our future.

We make friends, we lose friends, we laugh and cry, and we become better for it. Hopefully all graduates commit to lifelong learning, be it next at a college or university of their choice, or in the military or in the job market.

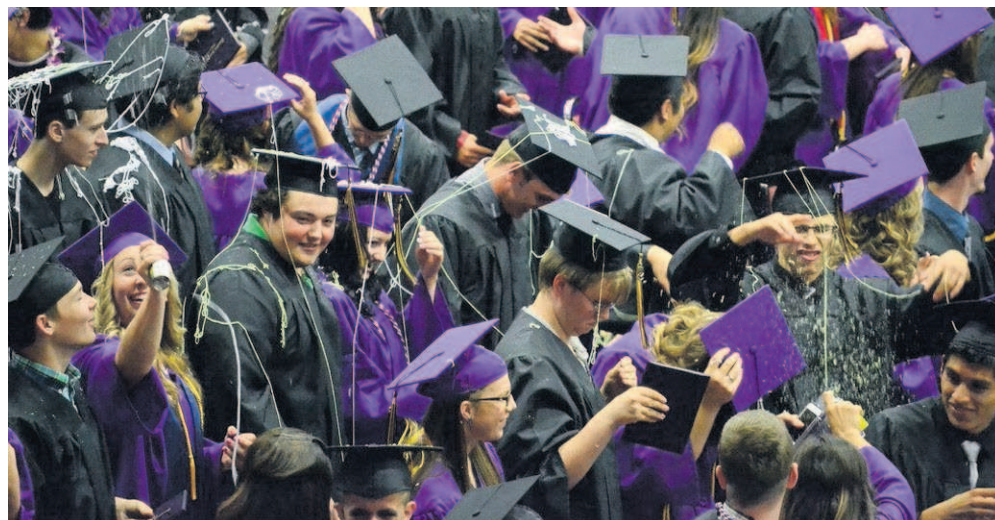
Either way, the lessons and discipline we hope were imparted in your high school classrooms are worth holding on to as you grow up and into the adult you'd like to be. Congrats to all who have earned their diploma, and

best of luck to the Class of 2018.

A kick in the pants to Donald Trump's plan to pardon recent white collar criminals who have been found guilty of different types of corruption by the U.S. justice system.

Trump announced Thursday that he had pardoned conservative commentator and writer Dinesh D'Souza of his felony campaign finance fraud convictions, in which D'Souza schemed to donate more than legally allowed to a Senate campaign by using proxy donors and repaying them. Carrie Cohen, the woman who prosecuted D'Souza's case, said he "pled guilty because he was guilty" of knowingly breaking federal law.

Trump also threw out trial balloons for pardoning former Illinois governor Rod Blagojevich, who was caught on



EO file photo

### Hermiston graduation

tape trying to sell a Senate seat and was sentenced to 14 years in prison, and Martha Stewart, who served five months in federal prison for committing securities fraud and obstruction of justice.

It does seem like Trump is using the pardons to further his narrative that people like him and his rich friends are mistreated by the justice system. But people like Blagojevich have not been treated unfairly. During both his criminal trials, it was clear that he was

guilty beyond a reasonable doubt.

We supported Trump's pardon of boxer Jack Johnson last week and supported commuting the sentence of the Hammonds, but we do not support these swampy moves.

Using the pardon power to dole out transactional favors is an insult to the office of the presidency and a breach of faith. But it may be more than that: A message to witnesses in a criminal investigation into Trump's campaign. That's even more disturbing.

### OTHER VIEWS

## Right about Roseanne

Of course ABC and its parent company Disney were right to cancel the sitcom "Roseanne" after its eponymous star, Roseanne Barr, wrote a racist tweet. There are necessary taboos and essential decencies in every morally healthy society. Writing that Obama administration aide Valerie Jarrett was the baby of "Muslim brotherhood & planet of the apes" violates these in the foulest of ways.

This is not a First Amendment issue. Constitutional rights are what you're entitled to in the public sphere, not as an employee of a private corporation. Barr's speech has not been curtailed; she remains free to opine (and mostly free to tweet) to her heart's content. She's just not free to do so while getting \$250,000 a show from an employer whose reputation she stained and whose values she traduced.

This is not a "free speech" issue — using "free speech" in the broader, less legalistic sense of the term. The University of Chicago president, Robert Zimmer, has made the case that institutions like his, though not strictly subject to the First Amendment, should nonetheless encourage the free and vigorous exchange of ideas for the sake of fostering intellectual excellence. That's right. But what Barr tweeted wasn't an idea. It was a slur.

This is not a "double standards" issue. With his trademark combination of puerile self-pity and fang-toothed nastiness, Donald Trump took to Twitter on Wednesday to denounce Disney's chairman, Robert Iger, for not apologizing to him for the "HORRIBLE statements made and said about me on ABC." But he's the ultimate public figure, whereas Jarrett is a private citizen subjected to unprovoked racial attack by an ABC employee. That the president fails or refuses to appreciate the distinction is the thousandth reminder of his unfitness for office.

This is not a "one bad tweet" issue. In March, I argued that Kevin Williamson, the conservative writer briefly hired by The Atlantic, should be judged by the totality of his work, not by a vile tweet (and, as it later turned out, a discussion on a podcast) in which he seemed to suggest that women who get abortions should be hanged.

Williamson insists his comments were misunderstood, but that's another story. The relevant question here is: What's the "totality" of Barr's work, at least when it comes to political and racial questions? John Podhoretz, the editor of Commentary magazine, summed it up perfectly when he described Barr as "a boor," a "notorious believer and propagator of conspiracy theories related to 9/11," and, in all, "not merely a loose cannon but a MIRVed ICBM ready to go off in all directions at any time."

Barr's tweet about Jarrett, in other words, wasn't the odd needle in the hay-

stack. It was the last straw.

What about the argument that liberals — and, in this case, I — use another double standard when we applaud Barr's dismissal while defending the rights of football players who take a knee to protest police brutality during the singing of the national anthem? The players, after all, also don't have unrestricted First Amendment protections while wearing the jerseys and

playing in the stadiums of the teams that pay their salaries.

It's true the players don't have the legal right. But they have the moral one, especially when their gesture is dignified, considered and silent (even if I also think it's mistaken); and when the NFL has aggressively blurred the lines between its commercial interests and the totems of American patriotism. To love freedom is to exercise it. That's not a function of standing for a song.

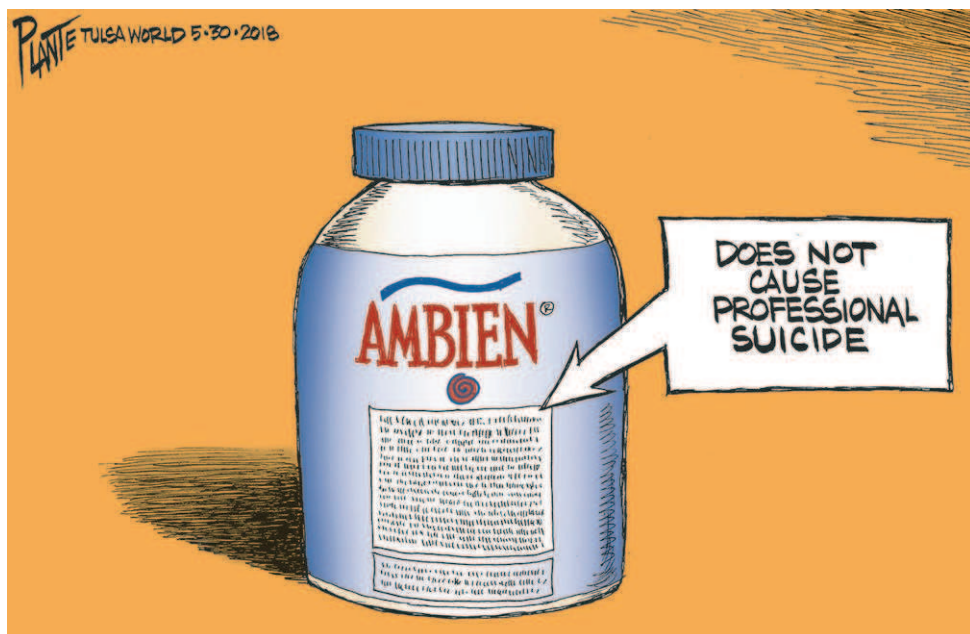
Barr, too, has exercised her freedom to tell us what she thinks — without, however, the virtues of dignity and consideration, never mind silence. And Iger and the ABC Entertainment president, Channing Dungey, exercised their freedom in denouncing her tweet and canceling her show.

To their credit, Dungey and Iger appeared to be acting on moral principle, and not — as has too often been the case lately — merely surrendering to the verdict of a social-media mob. That's an important distinction. The intelligent defense of free speech should not rest on the notion that we must tolerate every form of speech, no matter how offensive. It's that we should lean toward greater tolerance for speech we dislike, and reserve our harshest penalties only for the worst offenders. That requires considered adult judgment, not professional defenestration via a bad Twitter ratio.

Also to their credit, Dungey and Iger acted despite "Roseanne" being a ratings hit. Something mattered more than a bottom line. The show was supposed to help explain, and humanize, Trump's base to a frequently unsympathetic and uncomprehending public. Through her tweet, Barr managed to do so all too well. Perhaps the reason Trump voters are so frequently the subject of caricature is that they so frequently conform to type.

OK, that's much too sweeping a statement. I know Trump supporters who don't conform to type, and many of them are writers or talking heads. Let's hear from them on this — presumably, something other than the muttered excuses and tendentious whataboutism of a political movement that is capable of saying and doing anything except look itself in the eye.

Bret Stephens won a Pulitzer Prize for commentary in 2013. He is a columnist for The New York Times.



### YOUR VIEWS

## Striking the right balance with memo on marijuana

Albany Democrat-Herald

Billy Williams, the U.S. attorney for Oregon, recently announced his office's guidelines for cannabis enforcement in the state, and you have to give the prosecutor credit for consistency.

In a memo, Williams said his office would target the illicit marijuana market, work to protect minors, and "prioritize enforcement of federal marijuana violations that involve or pose a substantial risk of violence."

Williams issued the memo after U.S. Attorney General Jeff Sessions decided to jettison an Obama-era policy that largely tolerated marijuana in states, like Oregon, where the drug is legal.

Nothing in Williams' memo should have come as a surprise to anyone who's been following his reaction to Oregon's continuing experiment with legal pot. And the memo strikes us as a canny attempt to find a response that balances the concerns of Sessions with Williams' legitimate worries, all the while trying to leave space for the state's nascent marijuana industry.

The essential conflict here is this: Despite the decisions by Oregon voters to legalize marijuana for both medical and recreational use, it remains illegal at the federal level. The feds even continue to (ludicrously) classify marijuana as a Schedule I drug, the category reserved for substances with the highest potential for abuse and with no proven medical benefit.

As Williams, his predecessors in Oregon and his colleagues across the United States dealt with efforts to legalize pot, the Cole memo gave them some guidance.

The election of Donald Trump added uncertainty, since it wasn't clear what Trump thought about the issue — but the appointment of Sessions, a longtime foe of legalization, seemed to tip the president's hand. Sure enough, earlier this year, Sessions revoked the Cole memorandum.

Williams' memo came as a response to Sessions' decision.

The Williams memo carried two overall messages: First, he said, his office has serious concerns over how marijuana legalization is playing out in Oregon.

But it also had this message: In general, legitimate marijuana businesses do not need to live in constant fear that federal agents will be knocking at the doors, although he declined to give the pot industry the assurance that Gov. Kate Brown sought, that he never would go after a legitimate marijuana business: "I will not make broad proclamations of blanket immunity from prosecution to those who violate federal law," he wrote.

Still, it was enough to calm some of the fears of the state's marijuana businesses: "I am not going to advise clients to shutter their businesses and I frankly don't think this will change anyone's view on investment," said Dave Kopilak, a Portland lawyer who advises cannabis businesses.

With that said, though, it's clear that marijuana overproduction continues to be a sore spot with Williams:

He also hit on a relatively newer point, one that was highlighted during a February marijuana summit he convened: enforcement of federal marijuana violations that have "serious adverse effects on federal land or natural resources, including water, air, and listed species." Examples he gave include cultivating marijuana on federally managed lands, using unlawful pesticides or large amounts of water.

The Williams memo won't be the last word on this topic, of course: Legalization efforts may finally bear fruit in Congress. Or the next U.S. attorney for Oregon could take a harder line. But taken on its own, the memo is a nice piece of work: It doesn't send a deep chill across the state's growing marijuana industry, but it doesn't shy away from the serious issues that have emerged in the wake of legalization.