

TEMPLE: Will hand most of her criminal caseload over to Hill

Continued from 1A

take place immediately. Temple becomes the chief administrative judge for all case types other than criminal. This spans lawsuits, small claims, mental health, domestic relations and more. She also hands most of her criminal caseload to Hill, who will manage it for the near term. Brauer, Hill and Judge Jon Lieuallen will reassign their non-criminal cases to Temple. And all new criminal cases land in the either Brauer’s or Lieuallen’s courtrooms, which are both in the county courthouse

in Pendleton. That will last until at least the end of 2018. Other changes are also in the works. Effective Sept. 1, service counters in Pendleton, Hermiston and Hepner will close at 3 p.m. on Fridays instead of 4:30 for staff training and learning opportunities. And in January, Robert Collins takes over courtroom 2 in Pendleton from Hampton, and he will get a share of Temple’s non-criminal work. Court staff also begin assigning all new civil and non-criminal cases randomly between Collins and Temple, and Hill’s caseload will undergo review, per the

plan, “for equitable rebalancing” between his court, Lieuallen’s and Brauer’s. And with any new plan, Blaine said, this is a work in progress. Defense attorney John Ballard of Hermiston handled an intoxicated driving trial Thursday in Temple’s courtroom. He said he hopes for a resolution to the mess he saw in the circuit court because the situation as it stood “kind of puts an avalanche on the other judges.” Ballard said he likes Primus and does not know his motive for disqualifying Temple, who he thinks is good at her job.

“I’ve got no beef with Judge Temple. I find her to be fair. Every judge has their own little quirks. Not every ruling goes the way you want it or the way you think it should,” Ballard said, but “... That’s the nature of the beast.” Ballard said the disqualifications also made him concerned about a defendant’s right to a speedy trial. The citation in his case came on July 23, 2016, he said, a bit more than two years ago. Ballard said he assumes any criminal case going to trial takes a year, and shutting off the flow to Temple’s courtroom could add six months

or more to that slog. “At some point you’re going to run into speedy trial issues,” he said. Blaine agreed, and said the plan is to mitigate that problem, but it does come with inconvenience for residents on the west side of the county, who now may have to travel to Pendleton for their cases. Blaine also said the changes to Temple’s docket only apply to Umatilla County cases and have no effect on her Morrow County cases. Blaine also said no one should consider Temple a poor judge because Primus wants her

off criminal matters. “Really, in my mind, it’s a over a technicality,” Blaine said. “I think the district attorney has an opinion, and this is his tool for expressing that opinion.” The *East Oregonian* tried to talk to other attorneys who have worked in Temple’s courtroom, but only Ballard returned the call. Several others have written letters of support for Temple that have appeared on the Opinion page.
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RECYCLING: 1.3B containers returned

Continued from 1A

as reported by the ORBC was 59 percent in January through March of 2017 but was at 82 percent in April through December. He said there was “probably some hoarding of containers” during the first part of the year, “But any way you look at it, there was a big jump in redemptions resulting in an increase of 231 million containers redeemed between 2016 and 2017.” The 1.3 billion containers redeemed in 2017 equals about 314 cans and bottles returned for each of Oregon’s 4.14 million residents. The OBRC estimated Oregonians left \$25 million on the table in deposits on unreturned cans and bottles that year. Cherilyn Bertges, the BottleDrop Give program manager, confirmed that redemption numbers had jumped since the deposit increase, and also pointed out that in January the system also expanded to include almost all types of beverage containers, including sports drinks, fruit juice and tea. “Between those two factors, we’re up 50 to 60 percent,” Bertges said of the cooperative’s recycling volume. She said partnering on fundraisers like the one for Agape House is a “great way to capture those containers out there” because it gives people an extra incentive. When a BottleDrop center opens in an area, she said, return rates tend to increase roughly 20 percent. The centers offer a one-stop shop of machines, with staff on hand and a system that allows people to add deposits to an account instead of collecting change. As part of BottleDrop Give, customers can pick up bags labeled with their favorite nonprofit and drop those off as donations as well. On Wednesday morning Izabella Garcia, 18, was one of the people standing in line with a cart holding a few bags of cans and bottles. She said she and her 13-year-old brother have a BottleDrop account and use it frequently to build up pocket money with containers they bring from home or that her brother picked up while he was walking around town. She said the BottleDrop center was much preferable to the old days of taking them to a local grocery store. “I think it’s a lot easier,” she said. “You can put money on an account.” Tena Tickal, who was feeding cans through a machine, said she brings in



A bottle falls onto a conveyor belt in the back of the BottleDrop facility on Tuesday in Hermiston.



Cubes of crushed cans stand on a pallet in the back of the BottleDrop facility in Tuesday in Hermiston.

her containers once every few months and uses the money to buy a new toy for her daughter. “I like this (the center) a lot better,” she said. “The other machines would always break down and you would have to wait and wait and wait.” She said that if Oregon didn’t have a deposit system it would be too easy to throw cans and bottles away instead of making the effort to recycle them. “They would probably end up in the dang landfill,” she said. **How the system works** Enforcement of Oregon’s Bottle Bill is overseen by the Oregon Liquor Control Commission, but the system is mostly privately run by beverage distributors. When a store gets a shipment of beverages, the store pays the deposit on the containers to the distributor. Then the customer who buys those beverages pays a deposit to the store. If the customer returns those containers to the store, the store pays the customer the deposit amount. The store then returns those empty containers to the beverage distributor, which reimburses the store for the

deposits on those bottles. BottleDrop centers run by the Oregon Beverage Recycling Cooperative cut out the last two steps in the process by having customers return containers directly to the distributors and get reimbursed directly. If a customer pays a deposit on containers that are then thrown away instead of returned, the beverage distributors get to keep the deposit. That has been a sticking point for critics of the five cent increase, who argued that the move — triggered automatically after two years in a row of return rates below 80 percent — would serve to line the pockets of the beverage industry. The OBRC argued that the “profits” actually help pay for the cost of picking up containers and sending them to be recycled. The Bottle Bill only applies to cans and bottles purchased in Oregon. Bertges said that many beverage containers have a UPC code that will tell the reverse vending machines whether the container was purchased in Oregon, but some don’t. In those cases, staff do their best to keep out Washington containers. They don’t

take Kirkland bottles at the Hermiston center, for example, because that’s Costco’s brand and the only nearby Costco is in Washington. According to the OLCC’s website, it is legal for the BottleDrop to turn people away if they don’t have receipts. “There is no requirement that a person has to be an Oregon resident to redeem containers, but a retailer or redemption center may refuse to accept any container if staff have reasonable grounds to believe the beverage was not purchased in Oregon,” the website states. “For some locations along the border with other states, staff may request receipts as proof that the beverages were purchased in Oregon.” People may still leave those cans and bottles to be recycled but they will not be paid a deposit for them. Bertges said containers returned for a deposit in Oregon are turned into a “really clean recycling product” in the United States, she said, despite restrictions from China that have slowed down other types of plastic recycling on the West Coast. Spendlow confirmed the restrictions haven’t slowed down beverage container recycling in the state, because the bottles are clean and well-sorted compared to the type of plastics pulled out of curbside recycling. “The stream of plastic bottles coming back under the bottle bill is a very clean, valuable stream, and so a consortium was formed to build a plant, called ORPET, in St. Helens, Oregon, to recycle those bottles, including the bottle caps,” he wrote.
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POT: 15,000 pounds has been seized going out of state

Continued from 1A

Williams, U.S. Attorney for Oregon. “It’s time for the state to wake up, slow down and address these issues in a responsible and thoughtful manner.” The Colorado study, released Thursday, focuses on the legal, general-use market, and researchers at the University of Colorado Boulder’s business school and a Denver consulting firm had access to state tracking data to produce the first-of-its-kind analysis. Colorado sales of broadly legalized marijuana began in 2014, roughly two years before Oregon allowed marijuana to be sold at non-medical retail stores. From the beginning, Colorado had stricter regulations for its growers than Oregon did. Colorado gave existing medical marijuana growers the right of first refusal for licenses, cutting down right away on a potential source of black market production. The state also requires growers to show they have sold 85 percent of their output before allowing them to expand their growing operation, said Beau Whitney, senior economist at national cannabis analytics firm New Frontier Data. “That was the right approach, and we’ve made that recommendation to other state regulators to do that because if you exclude the medical folks from entering the market, then there could be propensity for diversion” to the black market, he said. “Colorado has done a good job in sizing the market. In Oregon, it’s going to take a while for that balance to be established.” Oregon didn’t give existing medical marijuana growers priority over new applicants as Colorado did, and it also didn’t cap licenses. That created a perfect storm of endless licenses for all comers paired with less incentive for medical growers to enter the new industry. In June, the Oregon Liquor Control Commission, which oversees general-use marijuana, did put a pause on issuing new grow licenses to work through a monthslong backlog of applicants. The Legislature will likely consider steps to get a handle on oversupply in the 2019 session. The Pacific Northwest state also had to contend with a long-entrenched culture of illegal marijuana

cultivation along its border with California, where there are near-perfect outdoor growing conditions. That tradition of illicit marijuana has created a nightmare for law enforcement agencies in rural, heavily forested counties already stretched thin by budget cuts. The Oregon report, for example, noted nearly 15,000 pounds of marijuana with a street value of \$48 million has been seized heading to 37 other states. That doesn’t include illegal pot snagged at Portland International Airport. “I know a lot of the legal industry in Oregon has been asking for stepped-up enforcement to combat illegal operations, but there doesn’t appear in those conversations a clear owner of the law enforcement,” Whitney said. Although Colorado has been more successful in finding a balance between supply and demand, retail prices for bud, or marijuana flower, have plummeted in both states about 50 percent since 2015. That statistic could be deceiving, however, because most growers are now cultivating their crop for conversion into the increasingly popular oil extracts that wind up in everything from soaps to vape pens to edible gummies to salves. It takes 10 times more dried flower to make an oil extract and much of the dried flower is going to that market, Whitney said. “What the report demonstrates to us is that our licensed operators are operating responsibly,” said Mike Hartman, executive director of the Department of Revenue, which oversees marijuana regulation. “They’re not overproducing the amount of product they’re putting in the marketplace. They are operating to maximize product but also ... emphasizing public health and safety.” At Green Dot Labs in Boulder, CEO Alana Malone estimated the company grows about 1,600 of its allotted 1,800 plants that are used to produce cannabis oil products. As one of Colorado’s oldest companies focused on producing extracts from marijuana plants, Malone said decisions about how much to plant are based on expected demand — and consumers’ interest in the type of concentrate products that Green Dot Labs produces is growing.



AP Photo/David Zalubowski, File
A marijuana plant is shown as it is grown at the Colorado Harvest Company in Denver. A new report released Thursday by the state of Colorado suggests that the state's approach to overseeing marijuana for medical or adult use is working for customers and the industry.

DEBATE: McLeod-Skinner requests local media moderation

Continued from 1A

that was further reflected in the invitation she delivered to Walden’s office. “I truly appreciate your willingness to share a stage with me to discuss the priorities and concerns of the voters of our district,” she wrote. The Umatilla County debate, sponsored by the local chapter of the American Association of University Women, is slated for Aug. 31. Nichole van Eikeren,

McLeod-Skinner’s campaign director, said the debate dates and locations aren’t set in stone, but the Umatilla County debate would likely take place at Blue Mountain Community College in Pendleton. Van Eikeren said the dates were based on the invitations sent out by the debate sponsors, and they weren’t based around Walden’s schedule in the House of Representatives. A congressional recess runs through the end of August, and even if Walden

was unavailable, van Eikeren said McLeod-Skinner’s campaign was willing to reschedule the debate times. In her invitation, McLeod-Skinner requested that at least two of the debates be moderated by local media. She also wants at least one event held in a town hall style where voters could ask questions of the candidates. In the event that Walden does not attend the debates, van Eikeren said the AAUW showed

some interest in allowing McLeod-Skinner to hold an event where she speaks to voters by herself. Walden has cruised to victory in each of his campaigns since he was first elected to Congress in 1998, often taking more than 70 percent of the vote. Local election agencies will begin mailing out ballots to voters on Oct. 17. Election Day is Nov. 6.
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