

Lawmaker says sexual harassment culture hasn’t improved

SALEM (AP) — A culture of sexual harassment at the Oregon Capitol hasn’t improved more than a year after allegations surfaced involving the sexual harassment of two interns, a state senator says.

Oregon Public Broadcasting reports that Democratic Sen. Sara Gelser made the comment on Friday to a work group tasked with creating recommendations for rules governing harassment in the Oregon Legislature.

The Bureau of Labor and Industries previously identified two interns who reported being sexually harassed while working for former Republican Sen. Jeff Kruse of Roseburg. Kruse resigned following the allegations, which he denied.

Gelser came forward with the allegations against Kruse.

She said she has since dealt with retaliation from unspecified people and remains concerned for interns and legislative staffers who work in the Capitol building.

“If I had to go back in time, I probably wouldn’t (file a formal complaint) again,” Gelser told the Oregon State Capitol Workplace Harassment work group. “And that’s a real problem.”

She said that last month she received a letter at her home calling her a “liberal, Democrat hyp-



(AP Photo/Peter Dejong, File

In this Aug. 3, 2007, file photo, psilocybin mushrooms are seen in a grow room at the Procare farm in Hazerswoude, central Netherlands. Oregon’s attorney general has approved language for a ballot measure to make psychedelic mushrooms legal.

ocrite.” She said the letter contained the message: “Kruse wasn’t about the harassment was it? It was about the votes.”

She said the letter was sent anonymously, but she suspects it was from another senator.

The work group is expected to send final recommendations to the state Legislature in the next several weeks. It has another meeting scheduled for Dec. 17.

The group has come up with some draft proposals. One is to create an equity office with two people. One person would handle investigations, and the other would oversee training and provide a confidential process for making complaints.

Push for legalization of psychedelic mushrooms

PORTLAND (AP) — Oregon’s attorney general has approved language for a ballot measure to make psychedelic mushrooms legal.

Oregon Public Broadcasting reports that the measure would reduce criminal penalties for the manufacture, delivery and possession of psilocybin — the hallucinogen contained in psychedelic mushrooms.

The Oregon Psilocybin Society plans this month to start gathering the 140,000 signatures necessary to get the measure onto the ballot in 2020.

The number of signatures required is nearly equal to the population of Salem.

The federal government controlled use of mushrooms in the 1970s.

A spokeswoman for Oregon’s top prosecutor, Attorney General Ellen Rosenblum, tells OPB the agency doesn’t typically comment on ballot measures.

A similar effort to legalize in California failed recently.

Doctor drowns while surfing

NEWPORT (AP) — A 30-year-old doctor from Corvallis died while surfing near Devils Punch-bowl, about eight miles north of Newport.

KGW reports that police

received a 911 call that Toren Stearns was in the water and in distress at around 3:30 p.m. Saturday. The U.S. Coast Guard sent out a cutter boat and rescue helicopter. Stearns was brought to the beach by a rescue swimmer.

Stearns was taken by helicopter to a local hospital, where he was pronounced dead.

Stearns’ dog, which was left on the beach while he was surfing, was cared for by the Lincoln County Animal Shelter until Stearns’ family was notified.

Local pot ban petition may head to voters or court

RICHLAND, Wash. (AP) — The group trying to overturn a local ban on marijuana businesses in southeastern Washington state may take legal action after their voter petition was rejected.

The *Tri-City Herald* reports that the city clerk found there were enough valid signatures for a petition challenging Richland’s pot moratorium.

The effort led by Legalize Richland is tied to the Benton County Libertarian Party.

The petition means the city has 30 days to act before going to voters on the Feb. 12 ballot.

Richland is among a handful of cities that voted against the Washington state ballot initiative legalizing recreational marijuana in 2012, and subsequently enacted a local ban.

The Richland city attorney says this petition process falls outside of the laws governing state initiatives, protecting the power of city leaders in such decisions.

Wyden seeks aid for vineyards hit by wildfire smoke

SALEM (AP) — A U.S. senator from Oregon is asking the Senate to provide federal assistance to vineyards that suffered smoke exposure from wildfires.

Sen. Ron Wyden requested that any year-end funding bill include an extension of the Wildfires and Hurricanes Indemnity Program to provide compensation for wine-grape growers.

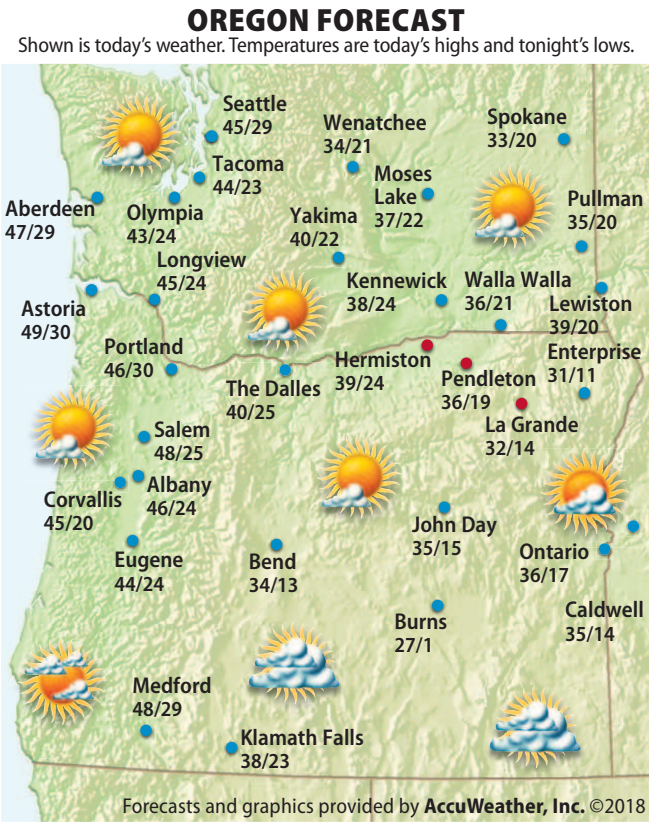
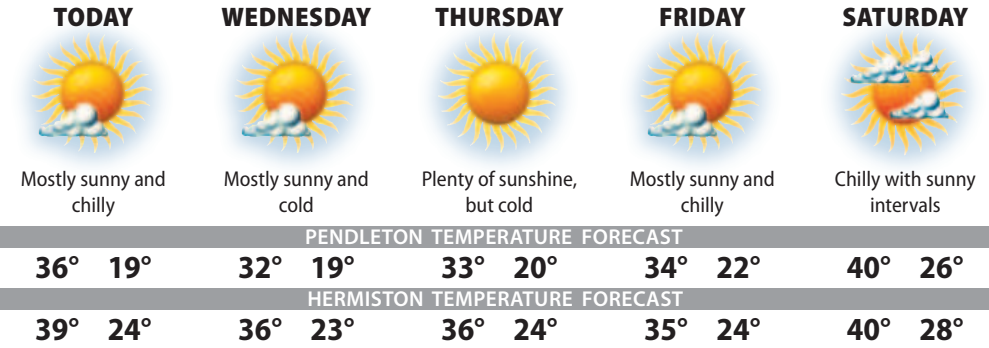
In a letter Friday to the Senate appropriations committee, Wyden also asked for \$5.25 million of new funding for research on the effects of smoke exposure to wine grapes. He noted that many purchasers told growers their smoke-tainted grapes are not acceptable for wine-making. That forced growers to leave their grapes on the vine or sell them for vastly reduced prices.

Some growers in southern Oregon were affected by cancellations.

Corrections

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Forecast for Pendleton Area

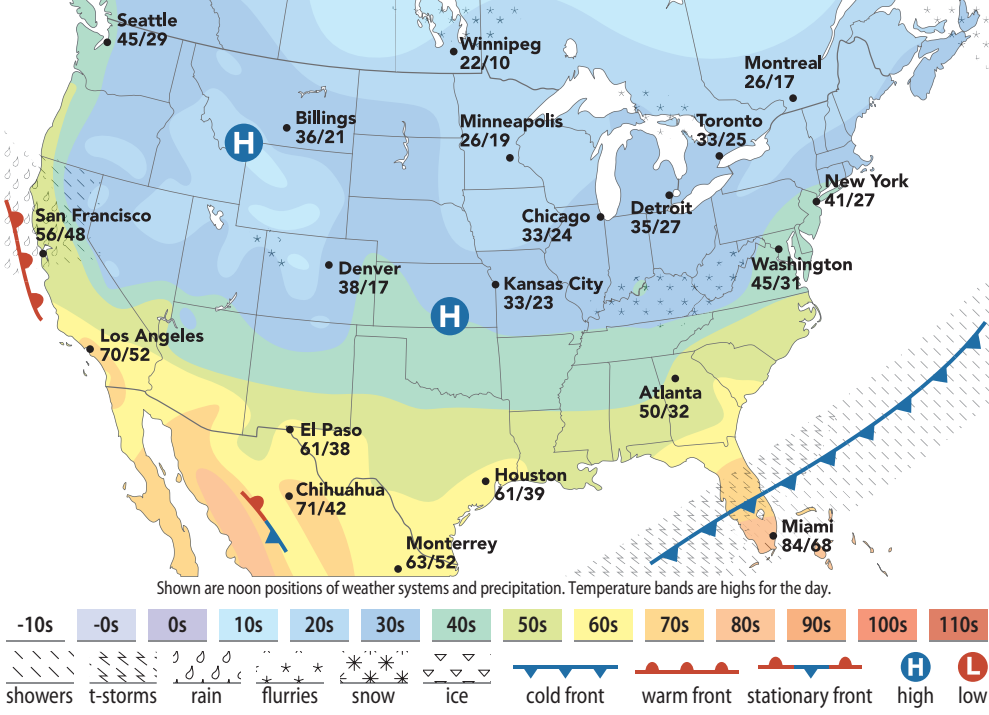


NATIONAL EXTREMES

Yesterday’s National Extremes: (for the 48 contiguous states)

High 91° in Hollywood, Fla. Low -18° in Bodie State Park, Calif.

NATIONAL WEATHER TODAY



State public records advocate finds litany of flaws in Oregon’s laws

By AUBREY WIEBER
Capital Bureau

Governments in Oregon unreasonably delay handing over public documents or charge too much for that access, and put records of elected officials sometimes nearly beyond reach of citizens, according to a new state report.

Those are the findings of Ginger McCall, Oregon’s public records advocate and included in a formal report issued last week by the state Public Records Advisory Council. Her observations are her own, though, based on her experiences in recent months with government officials, reporters and editors, and citizens who want public documents.

McCall found that Oregon’s public records laws are confusing to government and requesters. It allows government officials to delay or withhold records that should be public, and there is little punishment for agencies who violate the law. If citizens or others want to challenge a government’s decision to withhold public records, the recourse can be a costly court battle.

Since April, McCall has trained 1,300 government employees on Oregon’s public records laws. She has also been called on in 90 instances by reporters and editors for help getting government records.

The council’s report is meant to inform Gov. Kate Brown and the Legislature and promote reforms in the law.

McCall and the public records council received reports of government officials overusing their authority to keep records secret relating to criminal investigations, personnel matters, trade secrets, and internal communications.

Decisions to withhold records are based on employees’ reading of the law and they are sometimes poorly trained to do so, the

report said.

One example is waiving the cost of providing a record. Public agencies can provide records at free or reduced cost if the information serves the public interest. Some agencies often waive fees, while others have a policy against it, even if the information serves the public. McCall’s report flagged the city of Molalla’s policy not to waive fees.

Kelly Richardson, city recorder for Molalla, said the city charges the cost of gathering and copying records because it wouldn’t be fair for the community to have city employees doing the work for free.

“I have found if there is no monetary value attached to the request often times people will make a frivolous request and waste my time and I never hear from them again,” Richardson said via email.

McCall called the issues “systemic” and said they are caused by a range of challenges, from governments that can’t search databases to citizens making sweeping requests that can involve thousands of pages of material.

McCall said the law is ambiguous in many ways. According to her report, there are at least 550 exemptions in Oregon’s public records law.

The report noted that government agencies use exemptions to withhold information when there is no reason to do so. Government agencies are supposed to weigh benefits of keeping the information private against the interest of the public.

“Often public interest balancing tests are not applied consistently or correctly when withholding exempt documents from these categories and others, and the presumption of disclosure in the law is not honored,” McCall wrote.

McCall also found some jurisdictions, such as the cities of Portland and Salem and Marion County, charge

a flat fee to provide specific records. The law allows them to charge only the actual cost of providing the documents.

Those agencies say they have assessed the average actual cost of each type of record and charge that amount.

“Charging all requesters based on an ‘average’ cost of processing public records requests removes incentives for requesters to submit narrowed requests and is unfair to a requester who submits a properly narrowed request,” McCall said in her report.

McCall said she doesn’t know how many jurisdictions do this, but she is hearing about it more frequently.

McCall also found delays to be prevalent. Public agencies generally have 15 business days to disclose public records. Agencies can take longer if it’s not practical to disclose the records within that time frame.

That provision “is unnecessary and entirely undercuts the requirements,” McCall found.

The result, McCall found, “can make it difficult for victims to obtain insurance payments, limit the damage of identity theft, pursue civil litigation, take precautions to protect their personal safety, or vindicate their rights in a variety of other venues.”

Another provision in Oregon’s record law provides the only way to legally challenge an elected official’s decision to keep documents confidential is to sue in state court.

“Most requesters simply do not have the resources to vindicate their rights in court,” McCall wrote in the report. “This creates a lack of accountability around the decisions of elected officials as any disputes about the disclosure of public records in their possession can only be settled in court, which is an often prohibitively costly and time-consuming undertaking for most requestors.”

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