

O EAST OREGONIAN PINION

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OUR VIEW

Tip of the Hat, kick in the pants

A tip of the hat to Sen. Bill Hansell, R-Athena, for bringing a package of four wildfire bills to address problems and oversights in his expansive district.

While the term “wildfire” may conjure up images of vast forests ablaze, the Substation Fire in the sparse ranges of Wasco, Sherman and Gilliam counties last summer was for a time the largest in the country. Thousands of acres of wheat were destroyed and a firefighter trying to head off the fire was killed.

The bills as a group give farmers assurance they won’t be held liable for incidental property damage while fighting fires, move 400,000 acres of no-man’s land into the state fire marshal’s jurisdiction and give firefighters more support and flexibility when fighting rangeland fires.

The Legislative session begins Monday and will likely roll all the way into fire season. We saw firsthand how destructive and deadly these range fires can be, and hope this important legislation passes.

We’ll be watching Senate bills 290,

291, 292 and 311 closely.

A kick in the pants to the raft of proposed bills seeking to limit public access to public records.

In a summary released by the Office of the Oregon Public Records Advocate, there are 43 bills related to public records and 33 add exemptions, restrictions and prohibitions to current law.

The most egregious is Senate Bill 609, sponsored by Sen. Betsy Johnson, D-Scappoose, which adds a requirement that any requester of a public record must state how they intend to use it. Frankly, that’s not the concern of a public agency when asked to release a document that already belongs to the public.

The other exemptions pertain to a wide variety of disclosures, from email addresses to complaints to bid proposals. As a whole, they add to the Swiss cheese nature of Oregon’s public records law.

There are some helpful bills, for journalists and non-journalists alike. Two bills sponsored by Secretary of State Dennis Richardson aim to make



EO Media Group/George Plaven
A vacant house was burned down to its foundation in the 2018 Substation Fire on Gordon Ridge in Wasco County.

spending by state agencies more transparent and prohibit public business from being done on private e-mail.

Another pair by Rep. Karin Power, D-Milwaukie, cut the cost of record request fees in half for members of the media and add potential penalties for public agencies that respond with “undue delay” to requests.

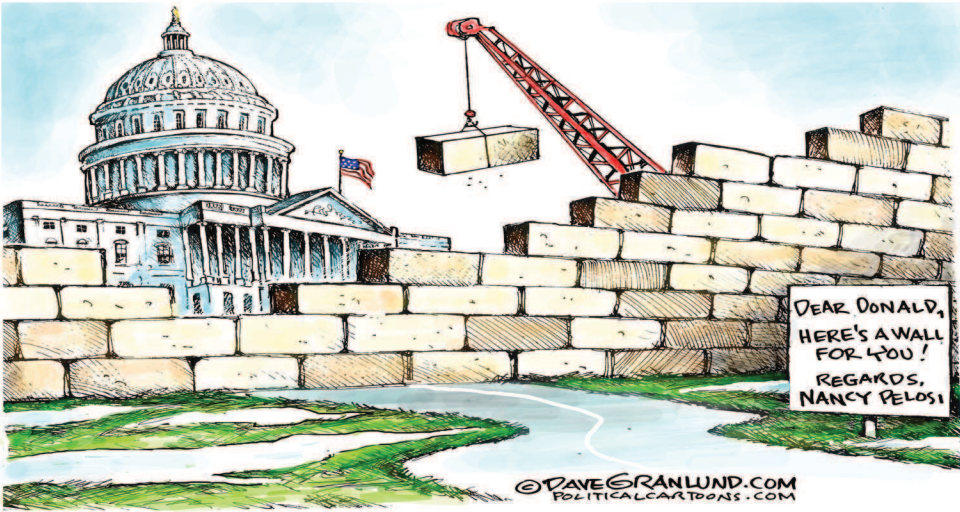
Any steps to limit access to the public’s records must be viewed with a highly critical eye, while giving the public more power to obtain their records should be championed.

A tip of the hat to the community effort to get funding for the Umatilla County Jail.

As Rep. Greg Smith, R-Heppner, pointed out, it’s not just a Pendleton issue, or even just a Umatilla County issue. The jail is used to house inmates from neighboring Morrow and nearby Wallowa counties, and as it’s currently designed there’s not enough room for intake or to properly deal with people in mental health crisis.

Legislators, county leaders, the sheriff and other community groups are putting their collective voice together to make a pitch for the \$1.6 million needed for the upgrade.

We’ve added our voice to that effort in the past, and are glad to do it again.



OTHER VIEWS

U.S. needs a truly independent AG

The Washington Post

“In the current environment, the American people have to know that there are places in the government where the rule of law, not politics, holds sway,” William P. Barr said on Tuesday. “The Department of Justice must be such a place.”

That was an important and reassuring message from President Trump’s nominee to be attorney general, who spent the day answering questions from the Senate Judiciary Committee. Mr. Barr, who served as attorney general once before, under president George H.W. Bush in the early 1990s, is a conservative Republican with views that not every American will embrace. But he came across as highly qualified and committed to the traditions, procedures and mores of the Justice Department.

Mr. Barr expressed confidence in special counsel Robert S. Mueller III, pledged to ensure the Russia probe would not be undermined without good cause and said he would seek to release as much information as possible about Mr. Mueller’s findings. He also promised to prioritize securing U.S. elections.

Much of the hearing centered on a memo Mr. Barr sent last June to Justice Department officials, in which he argued that Mr. Trump’s firing of FBI Director James B. Comey should not be construed as obstruction of justice. Mr. Barr’s expansive view of presidential deference is concerning, but in his testimony he limited the extent of that deference. He insisted that the president would be guilty of obstruction if he coerced someone to change testimony, suborned perjury or tampered with evidence. Mr. Barr

said he would not stand by and watch the president fire a prosecutor in order to end a legitimate investigation. Presidential tampering in the administration of justice on behalf of personal interests would be “a breach of his constitutional duties” and “an abuse of power,” he said.

At times, Mr. Barr seemed slightly out-of-time. He admitted ignorance of recent changes in electronic surveillance law. He defended his get-tough-on-crime past promoting stiff sentences in the early 1990s, and in the process appeared to claim that racial disparities in the justice system are less of a problem than many experts believe. But he said Congress was right to reassess harsh sentencing laws last year in the First Step Act, which he promised to faithfully apply.

Similarly, he sympathized with former attorney general Jeff Sessions’ permissive attitude toward overseeing local police departments. He nevertheless insisted that the Justice Department still has a role in policing “pattern or practice” problems among local authorities. He should keep that in mind as he reviews the justice system’s record on racial equity.

Mr. Barr decried the confusing and unsettled state of marijuana policy in the United States, but he pledged no crackdown on those who have followed looser state laws and the Obama administration’s policy of noninterference. He repeatedly insisted that more barriers are needed on the southern border, but that is hardly surprising from a Trump nominee.

“I can be truly independent,” Mr. Barr declared Tuesday. The Senate should quickly confirm him and hold him to that pledge.

OTHER VIEWS

The rudderless West

In August 1990, George H.W. Bush met Margaret Thatcher in Aspen right after Saddam Hussein’s invasion of Kuwait. The pair resolved not to allow Iraq’s “naked aggression” to stand, and it did not. This was how the West was supposed to work — and how, sometimes, it did.

Today the U.S. and Great Britain scarcely govern themselves, never mind shape world order. Theresa May, who as prime minister resembles Thatcher in no respect other than gender and party, just suffered the worst parliamentary defeat in nearly a century over her Brexit deal. Donald Trump, who as president resembles Bush in no respect other than gender and party, presides over a shuttered government, a revolving-door administration, a furiously divided nation, and a mistrusted and mocked superpower.

The West is now rudderless. To be rudderless puts you at the mercy of elements. The elemental forces of politics today are tribalism, populism, authoritarianism and the sewage pipes of social media. Each contradicts the West’s foundational commitments to universalism, representation, unalienable rights, and an epistemology built on fact and reason, not clicks and feelings. We are drifting, in the absence of mind and will, toward a moment of civilizational self-negation.

When did the drift begin? Probably in 1989, when Francis Fukuyama published his landmark essay “The End of History?” and a decade of democratic complacency took hold. Why worry about the health and fate of liberal democracy when its triumph was inevitable and irreversible? Why teach the benefits of free markets and immigration — or the dangers of socialism and nativism — when history had already rendered a verdict?

And why do the tedious work of preserving the foundations of free government when it is so much more interesting to reinvent it?

Complacency breeds heedlessness. Liberals were heedless when they wrote off moral character as an essential trait of a good presidency. Conservatives (like me)

were heedless when we became more concerned about the state of democracy in Iraq than in Iowa. Liberals were heedless when they embraced identity politics without ever thinking it could also be used against them. Conservatives (again, like me) were heedless when we downplayed the significance of the populism and scaremongering infecting the movement via talk radio and Fox News.

The heedlessness occurred on the other side of the Atlantic, too. European integration is a blessing; integration without genuine democratic accountability and consent isn’t. Similarly, immigration is a blessing; immigration without assimilation is a curse. Two generations of European leaders allowed the former without requiring the latter, and then airily dismissed public discontent as politically insignificant and morally illegitimate. Now they are living with the consequences.

What about the United States? Among many conservatives I know, the view of Trump is that chaotic management, clownish behavior and ideological apostasies are irritants, not calamities, and prices worth paying for deregulation, tax cuts, and conservative courts.

Really? These same conservatives spent the past 30 years preaching the importance of judgment, good character, and respect for institutions in the person of the president. They were right. What will they say when they find these attributes missing in the person of a president whose policy preferences and political affiliation they don’t share?

The West is not adrift in placid waters. With limited resources but ruthless methods, Vladimir Putin has gone about undermining democracy from Kiev to Kansas. With equally ruthless means and far greater resources, Xi Jinping has raised the banner of efficient authoritarianism as the preferred model of 21st century governance.

What does the West have to say in its own defense? Who does it have to say it? And who will fix the rigging and reset the rudder in time for the next squall?

Bret Stephens is a columnist for the New York Times.



BRET STEPHENS
COMMENT

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