

# Second Amendment: Ordinance may have shaky legal standing

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bear arms, firearm accessories, or ammunition," according to the Umatilla County voters' pamphlet. "County officials could still comply with firearms laws that relate to convicted felons, could still participate in the enforcement of firearm crimes, and could still take any actions necessary to comply with court orders."

Individuals who violate the ordinance would be subject to a \$2,000 fine, the measure states, and "corporations" would be subject to a \$4,000 fine. The measure includes exceptions for regulation of firearms for those convicted of felony crimes or the prosecution of crimes involving firearms, and allows for an individual's "voluntary" participation in firearm regulation.

If it were to pass, the Second Amendment Sanctuary Ordinance may subvert Oregon law and could face legal challenges.

A revised state statute, ORS 166.170, explicitly gives the Oregon Legislature sole authority to regulate firearms in the state and voids any "county, city or



Firearms line the wall of Smitty's Ace Outpost in Hermiston on Feb. 5, 2020. The store is one of several locations in Umatilla County where voters can sign a petition to declare Umatilla County a Second Amendment Sanctuary.

Ben Lonergan/East Oregonian, File

other municipal" ordinance that conflicts with that authority without the support of a state statute.

Sheriffs in other counties

where similar ordinances are up to the voters have weighed in, however, and expressed concern with the liabilities it may open their

offices up to.

Rowan said he's a supporter of the Second Amendment but didn't know how the ordinance

would impact his office's law enforcement, if at all, except for the understanding that regulations regarding felons possessing fire-

arms and policing crimes involving them would still be enforceable.

"We'll just have to see how it all plays out," Rowan said.

Umatilla County Counsel Doug Olsen didn't return multiple requests for comment on the ordinance.

Regardless of what voters decide on Measure 30-145, Umatilla County already approved an ordinance to protect the right to bear arms in 2018 with 65% of the vote.

The Second Amendment Preservation Ordinance, which would not be altered or removed by the passage of the sanctuary ordinance, currently restricts the county from using resources to enforce state or federal laws that infringe on the constitutional right to keep and bear arms, while simultaneously granting the sheriff the authority to rule on the constitutionality of those laws.

In 2008, the U.S. Supreme Court ruled in District of Columbia v. Heller that the Second Amendment right to bear arms was not unlimited and could be regulated.

## Football: 'That's just Beavers helping Beavers'

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football player to matriculate from Pendleton High School to Division I football, but football wasn't his favorite sport growing up.

Rosselle's first love was basketball, but he soon realized that football would give him more opportunities, especially when his performance at football camps at OSU and the University of Oregon garnered him attention from some big programs.

Rosselle, a defensive end, said he chose to attend Oregon State in 1997 because of Mike Riley, the head coach that would eventually win 93 games across two stints in Corvallis.

Seigler grew up a world away in Las Vegas, but he also came to OSU because of its head coach.

Riley had already decamped for the NFL by the time Seigler arrived on campus in 1999, but what sold Seigler, a linebacker, on Riley's successor Dennis Erickson was his run of success at the University of Miami.

In 1999, OSU had its first winning season in 29 years and by the next season, Rosselle and Seigler knew they were playing on a special team.

Both described the intense practices as an indicator that Oregon State was on the rise.

"The practices were at a level of competition that I never thought I would be a part of," Rosselle said. "It was the most competitive, aggressive team day-in and day-out that really challenged each other to be their best."

By the end of the season, OSU's fought its way to an 11-1 record, capped off with a Fiesta Bowl victory over Notre Dame.

The team would produce five All-Americans, including Seigler, and several future NFL standouts, including Chad Johnson, TJ



East Oregonian, File

In this Nov. 4, 2005, file photo, Pendleton's Joe Williams jumps on the back of defensive coach Kyle Rosselle after several PHS players threw Rosselle face-first in the mud late in the fourth quarter.

Houshmandzadeh and Nick Barnett.

If Division I college football had incorporated a playoff back in 2001, Rosselle was confident that Oregon State would have been crowned national champions.

Rosselle left OSU in 2001, while Seigler stayed on for a few more years, although the Beavers were never able to achieve the same level of success.

### The Pendleton connection

After graduating, Rosselle quickly knew that he wouldn't have a future in professional football.

"There's a separation between a high school and a collegiate athlete," he said. "And there's a bigger separation between college and the NFL."

Rosselle delved into K-12 education, returning to Pend-

leton in 2002 to become a teacher at Pendleton High School and help out as a coach for the football team.

Career advancement pulled him further west, first as an athletic director in The Dalles, then as an assistant principal for Hood River Valley High School, where he has worked since 2013.

Seigler would play three years in the NFL with the 49ers and Steelers, but once he hung up his cleats, his interests turned toward psychology.

While Seigler's interests were initially in providing therapy to athletes who suffer from head trauma, his interest in mental health treatment broadened as he returned to school to get his master's degree to become a therapist.

Having returned to Las Vegas, he was also looking for a change in scenery for

his wife and three kids.

Seigler had stayed in touch with his OSU teammates after college, and Rosselle was always singing Pendleton's praises.

When he and his wife decided to take a tour of the Northwest, Pendleton was included as a top.

Seigler's first experience with Pendleton was the 2018 Round-Up, and although the town is much different the other 51 weeks of the year, he was sold.

He moved his family and opened his practice, Enrich Therapy, on Southwest Frazer Avenue. Rosselle's family helped erect the sign for the business, which specializes in treating anxiety, depression and relational conflict between couples.

"That's just Beavers helping Beavers," he said.

Besides the fact that his commute into work only takes a few minutes, he loves the people and the way they come together as a community. He's now involved in "Healthy Body, Healthy Mind," an upcoming Pendleton initiative meant to boost students' mental health through a combination of physical education and social-emotional learning.

Seigler has tried to stay out of the spotlight since his playing days, a small photo of Reser Stadium the only indication of his OSU stardom that hangs in his counseling office.

Despite all the differing paths Seigler, Rosselle and his teammates have taken, Seigler said he still stays in contact with them all the time through a running group chat.

"It's a solid fraternity," he said.

## BMCC:

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in quality from running its own education program, citing a press release from the Oregon Education Association announcing the union's support for the community colleges.

In the press release, the educators' union states that successful program completion dropped by 50% and costs rose when the Oregon State Penitentiary moved its education program in-house from 2003-06.

"We really think it's a disaster for the state and its AICs," Hernberg said.

Vanderzee couldn't verify the statistic, but added that it only applied to one institution from 15 years ago.

Much has changed since then, Vanderzee wrote, including the use of inmates as tutors and educational software that can adapt to the inmates' needs.

As the year winds down, the department isn't backing down from its proposed reforms to its adult education program.

If community colleges wanted to keep their contracts, Peters wrote in her Sept. 30 letter, they would need to agree to a list of requirements determined by the DOC. The colleges could take it or leave it, but the requirement list wasn't meant to act as an opening offer for negotiations.

Instead of each college negotiating its own contract, each school would need to agree to a standardized contract that would pay out based on

each prison's capacity. Additionally, each school would also need to offer flexible class schedules and year-round education, disregarding school or term breaks.

Regardless of who leads the adult education programs, the DOC wants to continue contracting out vocational training.

Cam Preus, the executive director of the Oregon Community College Association and a former BMCC president, said her organization is acting as a "convener" for the community colleges that are affected by the state's decision, which also includes the community colleges in Portland, Salem, Bend, Ontario and Coos Bay.

Preus said the college presidents and their staff are currently formulating a response to Peters' letter, but have indicated that they need more time to study the proposed funding formula and look at how the new requirements would affect their institutions.

"We are committed to the success of adults in custody," she said.

In the meantime, the colleges and their labor unions are trying to rally support for their cause.

Hernberg said BMCC's faculty union has already put in calls into the governor's office and is organizing an effort to call legislators.

The college is trying to stave off another round of cuts after encountering a \$2.8 million shortfall earlier this year. BMCC closed the gap by eliminating two dozen positions, cutting half of them through layoffs.

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