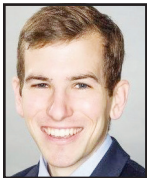


Closed primaries are unconstitutional



KEVIN
FRAZIER

OTHER VIEWS

As the dust of the election settles, it's easy for Oregonians to pat themselves on the back for a relatively high turnout and a fairly smooth process of receiving and tallying votes. But Oregon's democracy isn't just broken, it's unconstitutional.

The Equal Protection Clause of the 14th Amendment states that no state shall "deny to any person within its jurisdiction the equal protection of the laws" nor make or enforce "any law which shall abridge the privileges or immunities of citizens of the United States." Under Oregon's closed primary system, "free" voters — those untethered to a major party — are denied equal protection of the law by being separated and shut out from the party primary process.

Historically, the Equal Protection Clause has been used to strike down "separate but equal" facilities and processes created by laws that include classifications and categorizations of individuals. Where the classification involves a discrete and insular minority, the Supreme Court has required

the state to show that the questioned law is narrowly tailored to address a compelling state interest.

For instance, segregated schools were declared unconstitutional in *Brown v. Board of Education* based on the following logic: Race is an immutable characteristic, African Americans had been subjected to a history of subordination, and that subordination included being "fenced out" of political processes.

Based on that logic, the Supreme Court set a high threshold for the state to uphold its racist laws. Recognizing that public education lies at the "very foundation of good citizenship," the court declared the segregationist laws unconstitutional for exposing children to bad values, stigmatizing minority children, and inhibiting the ability of those children to reach their full potential. The court has likewise struck down laws that deny access to fundamental rights, like the right to travel, to all Americans.

Free voters have been denied a fundamental right and represent a discrete and insular minority that is being denied the right to fully participate, something that is also at the "very foundation of good citizenship." These voters are discrete in that they are very easily distinguishable from those that are tethered to a party.

These voters are insular in that their inde-

pendence makes their ability to collectively organize against the majority parties very difficult. As each election passes, it becomes clearer the state is subordinating these voters to a greater and greater extent. Consider that nearly one million Oregonians were denied the chance to participate in either party's primary in the 2020 election cycle; yet, those same voters paid taxes that made those primaries happen, and were then left to select between the primary winners in the general election.

Parties may argue that the state has a compelling interest in keeping primaries closed. Perhaps they'll claim that opening the primaries will result in cross-ideology voting that will undermine the will of the people. In other words, they spark fears that somehow enough voters from the other side will want to undermine the other party by voting for the less competitive candidate. The state is not responsible for advancing partisan goals. The state's obligation is banned from abridging "the privileges or immunities of citizens of the United States." Nothing in the Constitution requires states to use the tax dollars of free voters to help parties continue their control of our democracy.

The case law on the privileges or immunities that a state must refrain from limiting suggests that some rights represent "the very idea of a government republican in form." In

the 21st century, we have come to recognize that the opportunity for all to shape their government is such a right — a right that must transcend income inequality, partisanship, and social strife. Oregon must end its closed primary system and ensure all voters have an equal opportunity to express their voice in our democratic processes.

The 2020 election at the state level may have gone smoothly, but that's only from the perspective of those who had the ability to participate in each stage of the process. Oregonians need to make fixing their democracy a priority. Soon Oregon Open Primaries will formally launch its initiative effort to place a form of an open primary system on the ballot in 2022.

Receiving the requisite number of signatures, educating Oregonians about the need for this reform, and rallying an inclusive and expansive coalition to pass this effort will not be easy. So, despite the dust of the last election just beginning to settle, now is not the time for rest. Instead, it's a time to resolve to double down on engaging in our political system.

Kevin Frazier is currently pursuing a law degree at UC Berkeley. He previously worked for ECONorthwest as a senior research analyst. Though he resides in the Bay Area, Frazier calls Oregon home.

Remembering Pendleton Fire Chief Richard 'Dick' Hopper



JACK
REMILLARD

OTHER VIEWS

First met Pendleton Fire Chief Richard "Dick" Hopper, who passed away on Sunday, Nov. 8, when I became a volunteer firefighter for the department on Feb. 5, 1981.

Chief Hopper met with the volunteers that evening to explain to us that yes, the volunteer firefighters were an integral part of PFD, and I remember being impressed with his knowledge of his chosen career. I learned new words that night, like "apparatus" (nearly any piece of fire equipment, but mostly referred to an engine or ladder truck), and could tell he was the one in charge.

Chief Hopper was only 35 years old when he was hired as fire chief on Feb. 1, 1980, which is a fairly young age to take on the task he was assigned. There had only been two fire chiefs in Pendleton before Chief Hopper since 1932 — William "Blacky" Batchelor and Virgil "Butch" Boyd.

After I was hired in 1985, I soon learned that Chief Hopper was more of an administrator than a firefighter. Of course, he knew how

to manage a fire, but managing the department was his primary concern. His attempts at bringing the department into the "new world" were sometimes met with resistance from the troops, myself included. As my career advanced over the years, however, I could see where he had made sound decisions when it came to managing the department, personnel, budgets, LifeGuard (the first helicopter ambulance based out of a fire department in Oregon) and the career advancement opportunities available to all personnel.

Many of us took advantage of these opportunities and have advanced well during our careers.

For me, Chief Hopper was an inspiration. Without his "no excuses" attitude, his high expectations of all of us, or his "do you want this job or not" speech to me when I was struggling to find an emergency medical technician class (since the criteria for me being hired was that within a year of hire I had to pass the EMT 3 exam in order to keep my job), I would not have been able to say that I am a firefighter — something I am very proud of. Not to say I always agreed with him, which of course I didn't. But I always knew what he expected and always tried to accomplish it, albeit sometimes after a butt chewing, which was something I experienced a time or two. But that's another story.

If Chief Hopper had an issue with something that was performed incorrectly, to put it mildly, he would definitely get your attention. But he would never dwell on it. Once it was agreed you were in the wrong, he expected that issue to be corrected and wouldn't bring it up again as long as it was handled. He could make me feel pretty bad about a decision I had made. However, he had a way of making me understand that "that's not how that's done, and it won't be done that way again, will it?" No sir.

After I was promoted to assistant chief/fire marshal on April 1, 1998, I really felt under the gun. After a few nervous months for me, I could tell his trust in me was, again, an inspiration for me to do my best. I have always felt if Chief Hopper gave one of us a compliment, it was well earned. He didn't give them out for just doing the job.

As time rolled on, I came to realize his lack of current training on fire tactics and strategy could have put firefighters in a somewhat dangerous situation. I reluctantly pointed this out to him. He took it well, but I could tell he felt somewhat embarrassed. He rarely had shown up to a simple house fire or other minor alarm, as he expected his officers to perform the task without his intervention.

I could go on for some time, speaking of how Chief Hopper felt about the fire service

and what it meant to serve the residents of Pendleton. His civic pride showed very little to the public, but I saw things he would do, as a loyal city employee, that the public could never see. One thing that sticks in my mind is when he bought a new pickup about the same time I did. He bought his in Pendleton, while I shopped around the Northwest for the best deal. When we spoke about our buying pickups, he told me he felt it was only right to buy in Pendleton, since that is where he lived, worked and enjoyed the company of others.

He didn't want anything to do with wildland firefighting, because in his words, "Pendleton is paying my wages, that's where I need to be." Unlike in the last 20 years or so, where many chiefs, assistant chiefs, captains, lieutenants and firefighters spend much of the wildland fire season away from the communities that hired them.

I was saddened to hear of Chief Hopper's passing from his wife, Shirley. To me, he was the person who made my career what it was. If not for his trust, guidance, expectations and, yes, sometimes outdated mode of doing things, I don't know that I would have stayed in the fire service. I'm sure glad I did. Rest in peace, sir; to me, you'll always be the chief.

Jack Remillard is a retired assistant fire chief/fire marshal for the city of Pendleton.

Living in interesting times, indeed



BETTE
HUSTED

FROM HERE TO ANYWHERE

You've probably heard that ancient Chinese curse, "May you live in interesting times." If we didn't catch the irony initially, the events of 2020 have forced us to understand. This year seems to have gone on forever, and now we're living with both a raging pandemic and a president who resists a peaceful transfer of power to the president-elect.

Interesting times, indeed.

So you probably won't be surprised to learn, if you didn't already know, that the Chinese have no such expression. It's just another case of "someone said they did."

I read recently that Americans are split between those living in a world of fiction and those living in the world of reality. Some of the conspiracy theories I read about seem bizarre beyond belief, but there are people who do believe them and who are sure theirs is the real world.

Even the word "fiction" is complicated. It can mean "a belief or statement that is false, but that is often held to be true because it is expedient to do so" or "invention or fabrication as opposed to fact." But it can also mean literary fiction, which was the focus of my life as a teacher — stories created by imagination, whole worlds of people and events that become real in the writer's mind, and then, at least temporarily, for the reader.

If you've ever felt tears coming to your eyes as you watch a movie, you've had that experience. And we all know characters who live on in our minds. Huck Finn, Hamlet, Oliver Twist. Even Harry Potter.

When students asked me if fiction meant stories that weren't true, I may have confused them when I'd say no, good fiction is true — in the deepest sense. Our best stories help us experience the truth of other people's lives. I think of Toni Morrison's "Beloved," Leslie Marmon Silko's "Ceremony," Maxine Hong Kingston's "The Woman Warrior," Raymond Carver's stories, or Grace Paley's. James Baldwin's.

Or take the titles in my bookcase. "A Manual for Cleaning Women," by Lucia Berlin. Colson Whitehead's "The Underground Railroad" — that's waiting for me,

too. But it's been a hard week, so I'll probably turn to "This is Happiness," by the Irish writer Niall Williams, instead.

Research bears it out: Reading fiction makes you a better person.

My writing group likes to tease me about trying to change the world. If I could somehow change the world, everyone would love to read, fiction and poetry and nonfiction too, and plays. I suspect that in this world, no one would believe, even for a minute, that children kidnapped by NASA 20 years ago are being held in a colony on Mars.

Someone else who wants to change the world, or at least wants her students to "go off and change the world for the better," is Althea Huesties-Wolf. Since I met Althea when she was a student at Blue Mountain Community College, she has graduated twice from Eastern Oregon University, most recently with an MFA in nonfiction writing. She's been invited to read at The First Draft Writers' Series, and Fall/Winter issue of EOU's Mountaineer Magazine features her work as a CTUIR educator guiding students in a GED classroom.

According to the article, she asks her students to read multicultural fiction — "The Rabbit-Food Fence," "Under the Hawthorne Tree," "Lions of Little Rock" — but poetry too, and nonfiction. In fact, she made Jack Underwood's "Indian Givers: How the Indians of the Americas Transformed the World" a major part of the curriculum.

It's been a while since I read this book, but I remember being stunned by the world-changing effects of corn and potatoes, not to mention the pattern for democracy and contributions to medicine, agriculture, architecture, ecology. And more, the gifts ongoing.

On the playgrounds of my childhood, "Indian giver" meant someone who gave you somethin, and then wanted it back — the opposite of what indigenous cultures, who knew "the gift must always move," actually practiced. And what colonialists did practice, on a regular basis. All those broken treaties.

Irony again. We're getting better at recognizing it, aren't we?

Kudos to Althea and her students. And to you, survivor of these interesting times. Thanks for reading.

Bette Husted is a writer and a student of T'ai Chi and the natural world. She lives in Pendleton.

The importance of reading to kids



DR. SCOTT
SMITH

OTHER VIEWS

For generations, we have heard how important it is to read to children.

It provides adult time that the child (or children) so often crave. You model reading and share in the adventure or learn about the subject matter. There are so many benefits that impact children and they will apply them later in their classrooms at school and for life.

Taking the time to have your child sit and read with you has a big impact on their attention span. Learning to sit and listen is not a natural behavior. We are wired to move. Having your child sit and listen is teaching them and training them that there are times when you have to focus on information they might not be so interested in.

Start off slow. You have to remember the child wants control and the way this is accomplished is by getting you off task. You might have to start with two minutes of sitting and looking at a book. Then later in the day or the next day add a minute. Make each session longer and soon they will realize they are getting your time.

Later, when they start attending school, they have an easier time sitting and focusing on what is happening in the classroom. Again, this is not a natural thing to do but a taught behavior.

If the child is struggling with paying attention, having them draw or color while you read will defeat the purpose of reading to the child. You have changed the focus of learning and now are reading for your pleasure, not the child's skill-building.

When they draw or color as you read it appears that you are receiving the behavior you want. They are engaged, however, they are not engaged in learning to sit and listen to expand their ability to learn. The focus of reading to the child is to help the brain develop skills the child will need when they are older.

While reading with the child, it is important to interact with them. Talking about the pictures and what the characters are doing or are going to do helps keep their attention.

Preschoolers are not reading, but they can listen. Remember, listening is a learned skill. Talking about what is being read and discussing it builds understanding or comprehension. Listening understanding and comprehension will then transfer to reading understanding and comprehension when they are older and in school.

When children reach the intermediate grades, we see them often struggle with comprehension about what they have read. Quite often, they also struggle with language comprehension. We have to build the child's ability to comprehend what they have heard before they will be able to apply that skill to their own reading.

Often, many teachers feel they have to focus on reading comprehension when their students have not yet acquired the skills of language (listening) comprehension.

There is no question one of the best things you can do for a child is to read to them! If you wish to have a huge impact on a child's learning as they get older, it is key to build their endurance in listening, reading, and discussing. It may only start with less than five minutes. Once you let them draw or color, remember the learning skill has changed and you are teaching them that, "If you do not want to do what I want you to do, it is OK to draw or color."

Reading and discussing what is happening builds pathways in their brain that will later transfer to their own reading comprehension and to life. As you are out driving with your child and see a lake you can ask them questions like, "Do you think there are fish in that lake, like in our book?"

By doing this, you are taking reading to your child to a whole new level of inferring and prediction. Who knows, they might be the child who understands things uniquely and is able to make changes in our world we had never thought about. Keep reading and discussing with your children.

Dr. Scott Smith is a Umatilla County educator with 40-plus years of experience. He taught at McNary Heights Elementary School and then for Eastern Oregon University in their teacher education program at Blue Mountain Community College. He serves on the Decoding Dyslexia — OR board as their parent/teacher liaison.