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REGION, A3

EAST OREGONIAN

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Governor: Fourth wave of COVID-19 hits Oregon

State's reported cases are averaging 392 per day

By GARY A. WARNER
Oregon Capital Bureau

SALEM — COVID-19 infections are on the rise again in Oregon, a fourth wave of increasing cases since the pandemic began. "This virus is at our doorstep — our numbers are rising and we are back on alert," said Gov. Kate Brown at a Friday, April 2,



Allen



Sidelinger

ONLINE

More information on the COVID-19 situation in Oregon and how to find vaccinations can be found at getvaccinated.oregon.gov.

press conference.

A steep drop in infections since Jan. 1 had shown signs of bottoming out in recent weeks, but the most current data shows COVID-19 is again on the rise.

The April numbers are showing

that the most pessimistic forecasts last month are coming true.

"The virus appears to be rebounding," said Dr. Dean Sidelinger, Oregon Health Authority's top infectious disease expert. "COVID-19 is a resilient enemy."

OHA reports cases are averaging 392 per day, while hospitalizations are up and the percentage of tests that come back positive is 3.7%. That is still below the 5% level above which OHA has said growth of the virus becomes exponential.

The rise comes despite the arrival of three vaccines that can inoculate people from the virus. But only 18% of Oregonians are currently completely vaccinated, slightly higher than the national average.

OHA had hoped to have at least

one shot of vaccine given to every Oregonian over age 16 who wanted one by late May. Due to vaccine delivery issues, OHA is now looking at early June to reach the goal.

The state is getting an average of about 30,000 new shots of vaccine into arms of people per day, though mostly the Moderna and Pfizer vaccines that require two shots spaced out over about a month.

OHA had been hoping for a surge of new one-shot Johnson & Johnson vaccines. But the company

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CAPECO makes a new 'Promise'

Nonprofit debuts new homeless shelter, transitional housing project

By ANTONIO SIERRA
East Oregonian

PENDLETON — The soft opening for the motel formerly known as The Whiskey Inn began on a sidewalk on Southeast Second Street.

About a half-dozen of Pendleton's unhoused residents gathered Thursday, April 1, across the street in front of the Episcopal Church of the Redeemer, where Paula Hall, the chief executive officer of the Community Action Program of East Central Oregon, explained why the new homeless shelter and transitional housing project had been renamed the Promise Inn.

"We are making a promise to the homeless population and a promise to the community that we are going to keep this as an asset," she said.

Among the assembly was Bob Beltran, who said he has been living on the streets on and off since he moved to Pendleton in 2008.

Beltran said he usually works as a restaurant cook or waiter as a way to make a living, but the COVID-19 pandemic made finding a job difficult as most restaurants shut down or curtailed their services.

Beltran was hopeful about what the Promise Inn could do for him.

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EO SPOTLIGHT

'DELIBERATE INDIFFERENCE'

State judge rules TRCI failed to provide adequate care in inmate case

By BRYCE DOLE
East Oregonian

UMATILLA — A state judge last week ruled that staff at Two Rivers Correctional Institution in Umatilla demonstrated "deliberate indifference" after failing to adequately care for an inmate's serious medical conditions for months and ordered the state to immediately take action, according to court filings reviewed by the *East Oregonian*.

Multnomah County Circuit Court Judge Gregory F. Silver issued his findings and orders in a letter after inmate Richard Flores sued the prison through Umatilla County Circuit Court. Flores was sentenced to TRCI in November 2019 on two counts of the unlawful use of a weapon and one count of possessing a firearm as a convicted felon, according to the Oregon Department of Corrections website.

Silver concluded "(TRCI's) failure to provide reasonable care for (Flores') serious medical conditions went beyond mere negligence." He ruled TRCI "has demonstrated, and is continuing to demonstrate, a deliberate indifference" to Flores' medical conditions, which include hypertension, asthma and other breathing problems and hepatic dysfunction.

The judge's ruling said the prison failed to provide adequate care even as the inmate "likely contracted COVID-19 in the spring of 2020."

Flores, however, was not tested because a



Ben Lonergan/East Oregonian

A sign stands at the entrance of Two Rivers Correctional Institution in Umatilla as the sun rises on Friday, April 2, 2021.

nurse told him that "he could not have COVID because there was phlegm in his cough," the records show. A doctor, testifying on behalf of Flores, confirmed for the court that the nurse's statement "was known to be incorrect at the time it was made and is incorrect now."

The judge's ruling said "(Flores) used to run three or so miles but has been unable to since he likely contracted COVID."

Ruled indifference

Flores filed claims stating the care he received was so poor that it violated his constitutional rights. His case ultimately prevailed under the Eighth Amendment, which prohibits cruel and unusual punishment, showing that the state's treatment reflected indifference.

Silver ordered the state to immediately provide Flores with adequate care, refer him to medical experts and waive co-pays for his

medical treatment and testing. The order also stated prison staff "are prohibited from retaliating against (Flores) for reporting symptoms and/or seeking redress from this court."

"This is another one of our cases with medical claims where it's just irrefutable, once you get it up on its feet, that they were not providing a constitutional level of care," said Tara Herivel, Flores' attorney, who is based out of Portland.

Two Rivers Correctional Institution was represented by Nathan K. Riemersma, the Salem-based assistant attorney general for the Department of Justice.

Officials at TRCI and the Oregon Department of Corrections declined to comment for this story.

Court documents show that three witnesses

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The fences at Two Rivers Correctional Institution are silhouetted against the rising sun on Friday, April 2, 2021.

Ben Lonergan/East Oregonian

COVID-19 NUMBERS IN UMATILLA COUNTY

TOTALS FOR WEEK ENDING 4/1/2021



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