

O EAST OREGONIAN PINION

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TUESDAY, SEPTEMBER 14, 2021

Founded October 16, 1875

A4

OUR VIEW

Voters need more input on redistricting

State lawmakers are poised to meet Sept. 20 to finalize plans to reframe the state's 90 legislative districts and six congressional districts, but the long-term ramifications are murky and how such a blueprint will help voters remains a mystery.

While legislators are scheduled to meet to find an agreement on the redistricting plan, there hasn't been much vetting by voters on the concept. Whenever a redistricting plan is floated by elected leaders, voters need to be wary. They also need to be informed about precisely what the new plan will mean.

That, as far as we can tell, hasn't happened.

Instead, lawmakers have plowed ahead with the plan and appear ready to use the COVID-19 pandemic to limit in-person testimony by voters. Instead, as with the last Legislative session, lawmakers will hold hearings on the matter virtually. House Speaker Tin Kotek and Senate President Peter Courtney — both Democrats — made that decision last month. Gov. Kate Brown has urged lawmakers to move fast on approving new political maps for the state. If lawmakers can't reach a compromise, then Democratic Secretary of State Shemia Fagan will be in control of framing the new legislative maps. After that a final panel of judge will be responsible for approving the final legislative map.

There are so many different elements to this entire saga that are wrong, it is hard to know where to start.

Redoing the legislative map is very serious business and deserves voter input. In fact, voter input is crucial. That's because lawmakers can potentially draw legislative maps in a way that helps either themselves or their party. That means an essential piece of Democracy is shortchanged, and then voters must live with it. For secluded areas of Oregon — such as its eastern section — an in-depth redrawing of the state's political representation map should be real cause for concern. Not concern over the overall concept — redrawing of political districts isn't uncommon — but how the process is being rolled out.

Until voters have a better idea of what, exactly, is going on and until they can testify in person, the brakes need to be pushed on this idea.

Far more voters input is needed and lawmakers — especially those who represent the eastern side of the state — need to get out and hold town hall meetings to explain this process.

Redistricting isn't some run-of-the-mill legislative piece of business. It has the capacity to impact voters right here at home and in ways that may not be in their best interests.



Dealing with potential sexual harassment



BLAINE CLOOTEN

ASK A LAWYER

Q: Our young adult daughter is living with us, and is working at a medical clinic. One of the physicians she works with has asked her out on several dates (she has made up excuses and declined), continuously compliments her appearance within earshot of other staff, and has touched her back and shoulders unnecessarily.

This is making her so uncomfortable that she wants to quit. She does not want to confront him. There is no human resources person at the clinic, and this physician is one of the owners. Would it make sense to get a lawyer involved?

A: Your description carries many hallmarks of sexual harassment. Depending on the number of employees in the clinic, she may only have state and not federal remedies.

However, she should be realistic that if she takes legal action against her employer, continuing employment may be impossible. If the employer fires her for starting legal action, that would be retaliation, which is also actionable, but she would still be out of a job. She should not quit before she finds a job because she may not qualify for unemployment benefits.

This is a very complex issue, and she should consult an employment law attorney prior to making any decisions. She might want to start a job search at the same time that she consults with an attorney.

I received assistance from other attorneys for this answer and I have further reading/information for anyone that is interested, please visit <https://bit.ly/3hbUwAx>.

Q: I live next to a city park, which is quiet and seldom used. Now there is talk of putting a dog park or a playground there. I think it will lower my quality of life, as well as my property value. Is there anything I can do?

A: Aside from hiring an attorney, there are two realistic paths: lobby city council to prevent installation or move.

An attorney can explain the other possible legal avenues you have available, such as nuisance. An actionable nuisance is an interference with an interest or right of one party, the plaintiff by action of another, the defendant, to which law attaches responsibility. To prove nuisance the plaintiff must prove the following elements: 1) substantial interference; 2) unreasonable interference; 3) culpable conduct; and 4) causation.

Aside from the statute, your legal remedies will largely be determined by local zoning/use laws and who is building the park, or in your case repurposing the park. There are also issues with dog parks regarding parking, clean up and maintenance, liability, dog fighting, and noise, all of which the local government will need to consider before building the park.

There are also statutorily defined nuisances, but those also carry defenses to nuisance claims, such as immunity, coming to the nuisance, exercise of a legal right and comparative fault.

I know your question by nature is somewhat limited. Your remedy is going to be fact specific. I often encourage folks to become active participants in local government processes. That said, my best recommendation is to talk to an attorney about your particular situation to fully understand your legal rights.

Q: How do I find an affordable attorney?

A: A simple enough question. Generally, it is easier for folks in more popu-

lated areas to find an affordable attorney than those in rural areas.

The truth of the matter is that attorneys in Eastern Oregon are retiring faster than they can be replaced and legal resources will continue to grow more scarce over time. Finding local representation for your problem is always best because a local attorney knows the judge assigned to your case and how he or she is likely to rule based on your facts.

When a local attorney is not available, you may be forced to search elsewhere. The Oregon State Bar's Lawyer Referral Service ("LRS") has programs to assist the public in finding the right lawyer. You are entitled to an initial consultation of up to 30 minutes for a maximum fee of \$35. Their number is: 503-684-3763.

Oregon lawyers created the Modest Means Program to help moderate-income Oregonians find affordable legal help. Eligibility for the program is based upon type of legal matter, applicant income and assets, and availability of participating lawyers. If you qualify for the program, the Modest Means lawyer will charge you a reduced rate for any additional legal work beyond the initial consultation.

The Modest Means Program is only available for family law, criminal defense, foreclosure, and landlord/tenant matters at the trial court level, 503-684-3763 is their number.

For additional answers to similar questions please visit the resources page of my website, oregonlegalfirm.com.

Blaine Clooten is an attorney at law, serving Umatilla County with a focus on family law, estate planning and personal injury cases. Questions answered do not create an attorney-client relationship. Facts and law may vary; please talk to an attorney for more information.

YOUR VIEWS

Nez Perce Tribe supports River Democracy Act

The Nez Perce connection to Northeast Oregon is strong, deep and timeless. The beauty and boundless resources of this part of the tribe's aboriginal homeland are just a few of the reasons the tribe is so committed to cultural and natural resource conservation in the area today.

Tribal members have engaged in fishing, hunting, gathering and pasturing in this region since time immemorial, and this area continues to play a major role in our culture and economy. For example, the Joseph Creek drainage is of particular religious and cultural significance because it contains archaeological sites, important hunting, fishing and gathering grounds, traditional cultural proper-

ties and ceremonial centers.

As a result, the tribe applauds and supports Sen. Ron Wyden's efforts to provide protections to these types of vital waterways through the River Democracy Act. The tribe was pleased to be able to make recommendations for the act, including numerous designations within the Joseph Canyon watershed because of its cultural and ecological significance for tribal members.

The act will also provide protection to valuable headwater streams that are critical for mitigating the effects of climate change, similar to the tribe's management efforts on the Precious Lands in Oregon where many of the rivers nominated by the tribe are located. Additionally, Wild and Scenic designations will assist with preserving critical habitat for important wild populations of summer steelhead and

conserving essential travel corridors used by culturally significant wildlife species.

In a broader context, the legislation balances national and local interests through co-development of river management plans by state, local and tribal entities working cooperatively with federal agencies. The legislation also has language addressing wildfire management issues within Wild and Scenic river corridors.

Wyden has demonstrated great vision in crafting a bill that includes recommendations from local residents in addressing obstacles facing many of the waterways that make Northeast Oregon unique. Without such leadership, these ecological treasures are in danger of withering away.

Samuel N. Penney
Chairman, Nez Perce Tribal Executive Committee

EDITORIALS

Unsigned editorials are the opinion of the East Oregonian editorial board. Other columns, letters and cartoons on this page express the opinions of the authors and not necessarily that of the East Oregonian.

LETTERS

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