

# O EAST OREGONIAN PINION

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## OUR VIEW

# Reminded of a larger tragedy

Through all the news and statistics, it can be easy to forget the personal toll the COVID-19 virus has had on people in our region and throughout the nation.

A good case in point is Dave Bender, who suffered at least two and maybe three bouts of the infection.

Bender, who owned RetroRaagz, an antique store in Stanfield, received his first positive test for COVID-19 in July 2020 and a second one in August 2021. Before that, he fell ill in December 2019 with an illness that mimicked all of the symptoms of the virus.

Catching the virus twice is rare, according to health officials, and a third infection is almost unheard of. Bender rented a storefront in Stanfield for his new antique business. He acquired an inventory and planned to open in late 2019. Yet the virus created a barrier to opening his new store. He would feel better and then get sick again.

He did open the store on request and he tried to find success with sidewalk sales. He used the internet as well but none of his measures brought in the cash he needed to stay afloat. He applied for the Small Business Assistance COVID-19 Disaster Relief loan and small grants.

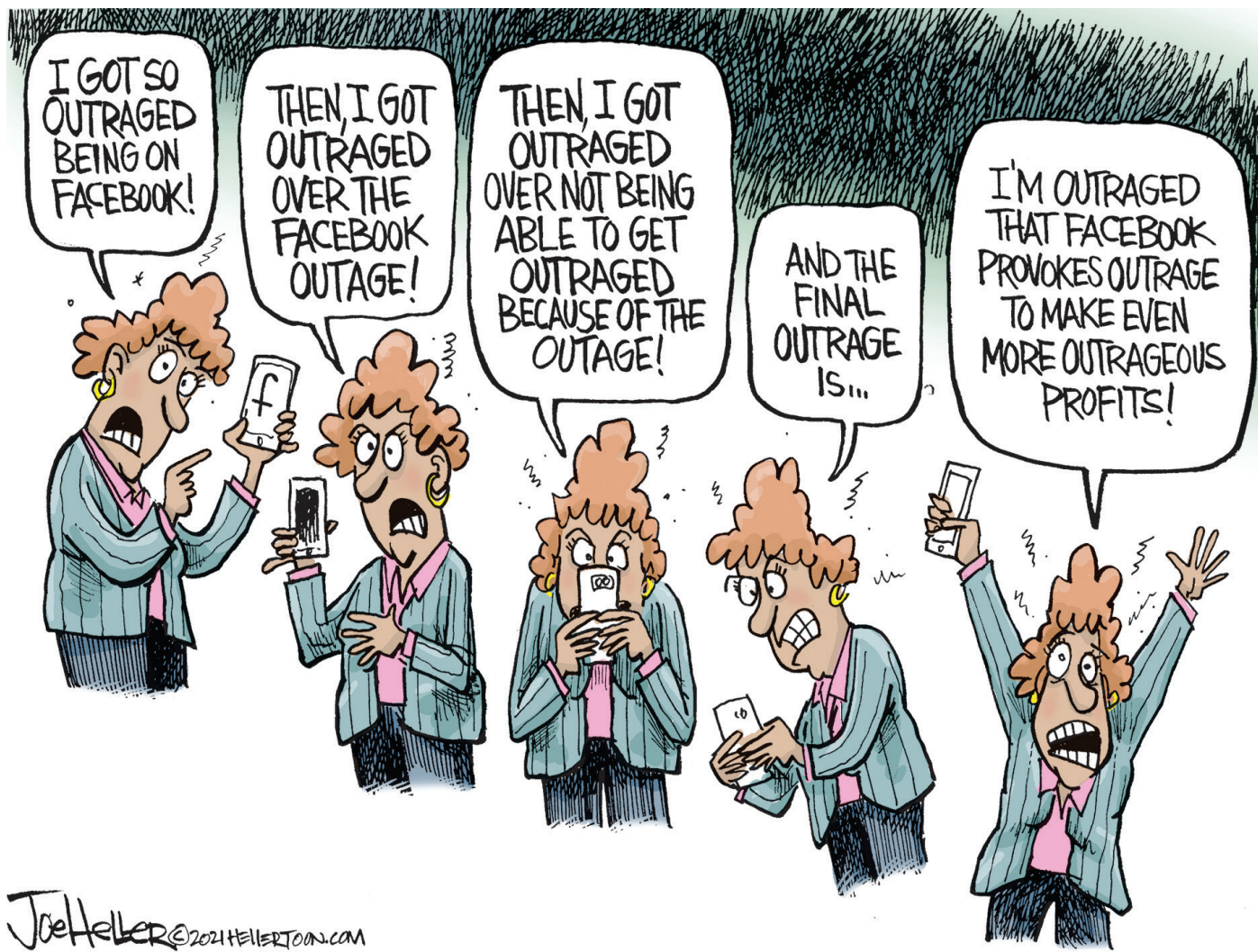
The federal money was denied and that left Bender in a tough situation. Now he is in the final stages of closing his shop for good.

It is no doubt a tale of woe but Bender's story also is one that helps shine a light on the deep impact the virus has on people. Thousands of people end up in the hospital because of the virus, but thousands more are affected in other ways like Bender. Some people become COVID-19 "long-haulers," those still suffered debilitating side effects from the virus months or years after they were first struck down by the infection.

The toll from the virus medically is usually well known. Daily reports of overflowing hospitals and deaths continue to dominate the news cycle, but there are thousands more people who face the after effects of the disease every day.

Bender's story is a good example of how a disease can touch a life in ways that are unforeseen yet impactful. We must not forget those who suffered — or are still suffering — from the impact of the virus yet may not be in a hospital. Before the final tally on this pandemic is written, there will surely be many more people who will be impacted in ways like Bender. That is very unfortunate.

We must not forget them.

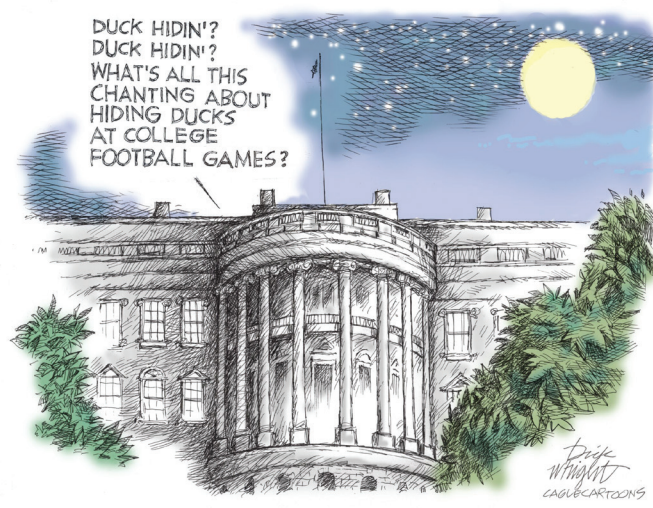


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DUCK HIDIN'?  
DUCK HIDIN'?  
WHAT'S ALL THIS  
CHANTING ABOUT  
HIDING DUCKS  
AT COLLEGE  
FOOTBALL GAMES?

## YOUR VIEWS

### Comparison between medical choice and drunk driving 'absurd'

There is a fundamental error with the assertion that "the right to infect" others is not a protected liberty.

A recent contributor astutely pointed out that drunk driving is prohibited because it poses a risk to other citizens and concluded that, in a similar way, refusing to wear a mask or vaccinate presents a threat to public health. While this argument may seem reasonable at first blush, it is based on the presupposition that an unmasked/unvaccinated person poses a real (as opposed to theoretical) risk to others.

Fortunately, an uninfected person poses zero risk of coronavirus transmission; only someone with an active COVID-19 infection poses a risk of spreading the virus to others. Of note, an August report from the U.S. Centers for Disease Control and Prevention showed nearly three-quarters of new COVID-19 cases arising from large gatherings in a Massachusetts town occurred in vaccinated people. The suggestion that unvaccinated people are a legitimate threat to public health is deeply concerning to anyone who values the rule of law.

Surprisingly, only 35 states have laws criminalizing HIV exposure (Oregon is not one of them). State laws relating to communicable diseases vary in strictness, but according to Harvard Law, "in order to establish a cause of action for a

negligent conduct, a plaintiff must establish that (1) the defendant owes him or her a duty; (2) there was a breach of that duty; (3) there is a causal connection between the defendant's conduct and the harm incurred to the plaintiff; and (4) damages to the plaintiff." Prosecutors may be able to charge assault and battery or criminal negligence, but only if the burden of proof is satisfied. As it turns out, the "right to infect others" may actually be protected if there is insufficient evidence.

An argument that equates a personal medical decision with running over pedestrians in a crosswalk is absurd and completely ignores the structure and function of the American justice system. We should not be accusing people of crimes just because we feel their actions threaten our current way of life. When we leave legal matters in the hands of the mob, we end up lynching people based not on evidence of a crime committed but on our own ignorance and bigotry.

The argument that unvaccinated people are selfishly (and criminally) putting others at risk makes an appeal to emotion, but it lacks legal and evidential support.

Rebecca Patton  
Enterprise

### Early cancer detection can help save lives

On Oct. 2, my younger brother told

me he has end stage cancer. We do not know how long he will live. New technology to improve cancer early detection and save lives is on our fingertips. Several companies are developing new blood tests to detect multiple cancers early that would complement existing early detection tests.

These tests could be life-changing, but only if people can access them. That's the message I shared with Sen. Ron Wyden and my members of Congress during a virtual event with the American Cancer Society Cancer Action Network. I asked them to support legislation to increase cancer screening and early detection in Medicare.

This bipartisan legislation would ensure that those on Medicare don't face unacceptable delays in accessing these new tests once they are FDA approved, which is important since Medicare already covers early detection tests for breast, colorectal and prostate cancers. People on Medicare must have access to new screening options.

Detecting cancer early could be the difference between life or death. I'm grateful that Reps. Earl Blumenauer and Kurt Schrader support these efforts, and I hope that Wyden will support this legislation too. It is time to discover cancer cures. It will be too late for my brother.

Please make it in time for our loved ones.

Karen Malcolm  
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