

O EAST OREGONIAN PINION

ANDREW CUTLER
Publisher/Editor

KATHRYN B. BROWN
Owner

ERICK PETERSON
Hermiston Editor/Senior Reporter

TUESDAY, OCTOBER 12, 2021

Founded October 16, 1875

A4

OUR VIEW

Broadband project a huge win

It was a small story, a few hundred words, but the tale of the Ukiah School District receiving broadband is one of those feel-good accounts that sometimes can be hard to come by.

The district will get \$7 million to provide fiber connectivity with Pendleton. That's big news for Ukiah School District patrons because the area is one of the most isolated in Oregon.

Most of the cash will come from a federal grant with the rest offered up by the state.

The project is a huge win no matter how one looks at it but the best thing about it is the way tax dollars were put to use in a way that is both prudent and impactful.

That's often not the case. In terms of government waste of tax dollars, the U.S. would be a case that is hard to beat.

Every year tax dollars are shed for projects that have little long-term value and, while they may help out a few, often don't have the return on investment that most taxpayers would consider equitable.

The Ukiah broadband project is essentially an investment in infrastructure and it is long overdue.

In fact, the state needs to do more investment in rural areas in broadband. Broadband almost instantly pushes a secluded area into the modern era and the payoff — in terms of education — is huge.

There always is a lot of talk about investing in education in Oregon and the state does — arguably — a moderately successful job of it. But more money is needed for smaller, remote districts like Ukiah.

A fiber optic project will help Ukiah students with their education and that will pay off in the long-term for taxpayers.

As taxpayers, we all want to expect our hard-earned dollars are used wisely and to the benefit of the greater whole. When they are not, when tax dollars are wasted, it leaves a bitter after taste and creates a sense that the stewards of our money are not focused on what really matters.

We share in the celebration of the Ukiah School District for the fiber connectivity investment, and we hope to see more of it for other districts in the future.

The more we invest in our rural infrastructure — including schools — the bigger dividend it will pay down the road. That means we will be able to look back and see that, at least for once, our money was used to help the entire community, not just a privileged few.



Is a COVID-19 lawsuit for pain, suffering a possibility?



BLAINE CLOOTEN
ASK A LAWYER

Q: I am thinking of suing my employer and am wondering if this is a good idea. I am a waitress in a nice restaurant. The owner has been unwilling to make anyone wear a mask, and really discourages us from wearing one while working.

She had a mild case of COVID-19 back in February (before I could get a vaccine), and I'm pretty sure I caught it from her. I had a much more severe case and missed two weeks of work. My energy level and sense of smell and taste still aren't back to normal six months later, and I am having frequent dizzy spells. Is a lawsuit for pain and suffering a possibility?

A: One of the most important things to be able to prove in any civil lawsuit is causation. You need to be able to prove that your current injury was caused by the defendant. My main concern in your hypothetical case is causation, and meeting that burden of proof.

You work in a customer facing environment, where the restaurant isn't requiring customers to wear masks. Even if your boss had COVID-19 and spread it to you, it's going to be hard to prove it actually came from your boss as opposed to catching it some other way.

The other issue is that you live in the world. There are so many possible vectors for exposure. I do not think this cause of action would survive at the motion for summary judgment phase.

As we move forward, I think that's going to be a problem with any "I got

COVID-19 at (work) (the concert) (the church) (the rodeo)" type cases. You still have to prove causation. I have to be cautious when answering these, because I don't want to say, "no way, no how," but it's certainly an uphill battle.

Q: My neighbor's dog killed my three backyard chickens, and I'm wondering if I can make him reimburse me. He was apologetic but did not offer to pay to replace them. Part of the problem is that my chickens are not technically allowed in the neighborhood where I live, and he has been cool about it. So I would feel bad taking any legal action, plus that might compromise my ability to have chickens in the future. What's the best thing to do in this case?

A: You've identified the issue. Just because you have a cause of action, doesn't mean it's necessarily a good idea to file a case. It sounds like your chicken operation was flying under the radar with no push back from neighbors. I cannot tell you to violate the law, but I imagine that filing a lawsuit almost would certainly eliminate any future chances of doing the same thing.

I believe you could file a small claims suit. There are several steps required before filing, including making a good faith effort to resolve the case outside of court. Please read the full instructions here: www.courts.oregon.gov/forms/Pages/small-claims.aspx.

Reading your question, it's hard to tell if you're more upset at the loss of your chickens or the actual cost of replacement. I have to imagine part of the reason you're asking the question is that you grew close with your backyard companions over time. You also mentioned your neighbor was apologetic.

I believe the neighborly thing to do

would be to have a conversation. Let them know that you plan to replace the chickens, but want to avoid potential future loss because 1) they cost money to replace; and 2) you grow attached to the animals over time. This will be a final opportunity for the neighbor to offer to pay for the cost of replacement, and perhaps beef up fencing on his side to prevent future incidents.

Q: Any advice on how to deal with a neighbor harassing you with the police won't do anything? It's verbal and property harassment.

A: These are the times when I really need more information to give constructive feedback. My guess is that when contacted, the police advise you, "This is a civil matter," meaning, it hasn't risen to a criminal level based on their investigation. I'd really need more details about what is being said, what is going on and how the neighbors are harassing your property.

As you've figured out, you can continue to call the police when issues arise but finding a long-term solution sounds like your goal. I'm going to recommend you talk to an attorney and here's why: Depending on your answers to some questions, your remedy will change. I don't believe it would be prudent to discuss potential remedies without more information.

You can call local attorneys, or you can contact the Oregon State Bar Referral Service for a reference: 503-684-3763.

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

'Infrastructure' spending: It's your money, your debt

"Obscene" best describes what is going on in Washington, D.C., right now.

Only 10% of the \$1.5 trillion infrastructure bill is earmarked for infrastructure. The rest is being spent to feather the beds of a progressive Congress.

On the table is an additional \$3.5 trillion reconciliation bill. A reconciliation bill can be used for three things.

1. Increasing/decreasing taxes (revenue).
 2. Increasing/decreasing spending.
 3. Raising the debt ceiling.
- That's \$5 trillion in new spending that must be paid for with increased taxes and raising the debt ceiling. Obscene.

September polling shows that 71% of all voters consider our national debt an emergency, and this includes most independents (70%) and Democrats (63%). Suspending this country's debt ceiling isn't going to be used to pay America's bills; it is being used to finance the far left's \$3.5 trillion reconciliation bill.

Remember, government does not have

money: It's your money and your debt.

Grant R. Darrow

Cove

GOP is succeeding where bin Laden failed

While I appreciate the many compelling national and local stories about the impact of the 9/11 attacks, the somber truth of this anniversary has been largely left out of the coverage: Osama bin Laden won.

The attacks on 9/11 were merely the detonating charge that got us to blow up our own country and violate what remained of its nobler values — to embrace torture, end due process for certain groups, establish a surveillance state, mire ourselves in bloody and expensive Sisyphian efforts at regime change abroad, refuse to recognize and address the ongoing climate apocalypse and embrace ventilators over masks in the current pandemic.

Now, one of our major political parties is in thrall to an aspiring autocrat and working feverishly to cripple and nullify voting. What bin Laden could not achieve — the end of America as a free, prosperous and democratic nation — the GOP is pursuing with an untrammelled passion. It has been

a grim trajectory from the flaming towers to our own self-immolation.

Stephen Ducat

Joseph

We don't owe unvaccinated workers employment

So many articles of late have covered the opinions of the unvaccinated in relation to the requirement that health care workers and state employees get vaccinated.

As one of the millions of Oregonians who have gotten vaccinated, I would like to express my opinion that those who have voluntarily chosen to continue to be agents of illness and death should not be in contact with the public, or, especially our children, no matter their past service as public employees. Their disregard for the health and safety of our community members is disqualifying.

If these public servants are truly public servants, they will do what is right for the health and safety of the rest of us and get their vaccinations. If not, we do not owe them employment.

Heather Stout

Bend

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

The East Oregonian welcomes original letters of 400 words or less on public issues and public policies for publication in the newspaper and on our website. The newspaper reserves the right to withhold letters that address concerns about individual services and products or letters that infringe on the rights of private citizens. Letters must be signed by the author and include the city of residence and a daytime phone number. The phone number will not be published. Unsigned letters will not be published.

SEND LETTERS TO:

editor@eastoregonian.com,
or via mail to Andrew Cutler,
211 S.E. Byers Ave., Pendleton, OR 97801