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Judge orders TRCI to follow its own mask rules

By **CONRAD WILSON**
Oregon Public Broadcasting

UMATILLA — A federal magistrate judge this week found some Oregon prison staff at the Two Rivers Correctional Institution in Umatilla have not followed the prison's own pandemic-related mask rules. In a court order signed Monday, March 21, the judge required prison officials to follow their policies.

U.S. Magistrate Judge Stacie Beckerman largely ruled in favor

of Aaron Hanna, a prisoner at Two Rivers. Hanna asked the court in October to force prison officials and correctional officers at Two Rivers to comply with the Oregon Department of Corrections policy on masks.

Specifically, Hanna alleged prison leaders "acted with deliberate indifference to a substantial risk of serious harm in violation" of the Constitution's Eighth Amendment against cruel and unusual punishment "by failing consistently to comply with and enforce

ODOC's mask policy."

The ruling comes as Gov. Kate Brown lifted the statewide mask mandate for indoor public spaces beginning March 12, though masks requirements still apply to settings such as health care facilities.

Corrections officials also "acknowledge that a mask mandate continues to apply inside most areas of Oregon's correctional institutions," Beckerman wrote in her opinion.

The Department of Corrections

declined to comment on the ruling. In early March, DOC Deputy Director Heidi Steward noted in an agency-wide email that masks were still required in all prisons.

"Our goal is to move away from mask-wearing in our institutions as well, but our plan must be approved first, and it will be a phased-out approach," Steward wrote.

In her ruling, Beckerman requires corrections leaders and officials at Two Rivers to comply with their own mask policy, saying it's in the public's interest.

The Department of Corrections argues "that although their masking compliance may be imperfect, they have acted reasonably under the circumstances," Beckerman wrote. "Defendants set the bar too low."

Hanna largely represented himself from his initial filing last fall until a hearing on March 9, when attorney Juan Chavez helped him argue the case before Beckerman.

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Pulling up the stakes

Why some farmers are leaving the West Coast

By **SIERRA DAWN MCCLAIN**
Capital Press

Pressure was building: The cost of doing business was escalating, each year brought new regulations and groundwater supplies in Harney County were steeply declining, prompting agencies to move toward limits on well-drilling.

Shane and Crystal Otley, who raise cattle and hay near the town of Burns, said ranching in Oregon has become more and more difficult.

"The state is going in a direction where it's hard to do business here," said Shane Otley, 46.

This winter, the Otleys also were eyeing House Bill 4002, a proposal in the Oregon Legislature to end the agricultural overtime exemption. Shane Otley testified against the bill, estimating it would increase his business



Midge Smith/Contributed Photo

From left, Royce, Lydia and Tyrell Smith and their father Wayne Smith, pose in this undated photo. The family ranched in Riley, near Burns, and Seneca, south of John Day, until they moved to Nebraska in 2020. Farmers in recent years have been leaving the West Coast.

costs by 38%. The bill passed the House and Senate and awaits the governor's signature.

"It just adds another thorn in the bucket," said Otley.

Shane and Crystal have long considered moving to another state, but until recently, it's just been talk.

Now, the Otleys are selling their ranch.

The family received an offer and expect to close the deal April 15. Meanwhile, they've been visiting other states, looking for

the right place to start fresh.

Shane Otley said leaving won't be easy. He's a fourth-generation farmer with Oregon roots. But he said he wants to keep his business alive and give his daughters their best chance at pursuing farming somewhere with lower costs and tax burdens.

The Otleys aren't the only farmers leaving the West Coast. Farmers fed up with the regulatory climate in California, Oregon and Washington have for years threatened to move away. But is that

actually happening? Yes and no.

No, farm experts say there does not appear to be a mass exodus of farmers leaving the West Coast states. Calling it that would be hyperbole.

But yes, farmers are trickling out, and industry leaders say it's been happening more during the past few years.

There's no single reason. Farmers cite a constellation of motivations for moving: seeking less crowded places, political concerns, COVID protocols, estate taxes, regulations and associated costs, opportunities for expansion, "climate migrants" fleeing drought and farmers seeking more secure water supplies.

The common thread is that farmers are moving to places where they believe their businesses, and families, can better thrive.

Farm migration

According to U.S. Census Bureau data, between summers 2020 to 2021, 4.3 million U.S. residents moved from one state to another. California and Washington lost residents to net out-migration, while the South and Intermountain West grew in population.

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Merkley talks health care, Russia at town hall

By **ANTONIO SIERRA**
East Oregonian

UMATILLA COUNTY — COVID-19 may be transitioning to an endemic phase, but health care still was on the top of many Umatilla County residents' minds at a Monday, March 22, virtual town hall hosted by U.S. Sen. Jeff Merkley.

"I am sick and tired of COVID. I'm hoping we're at the end of the tunnel," he said. "We thought this a year ago and it turned out omicron was waiting for us."



Merkley

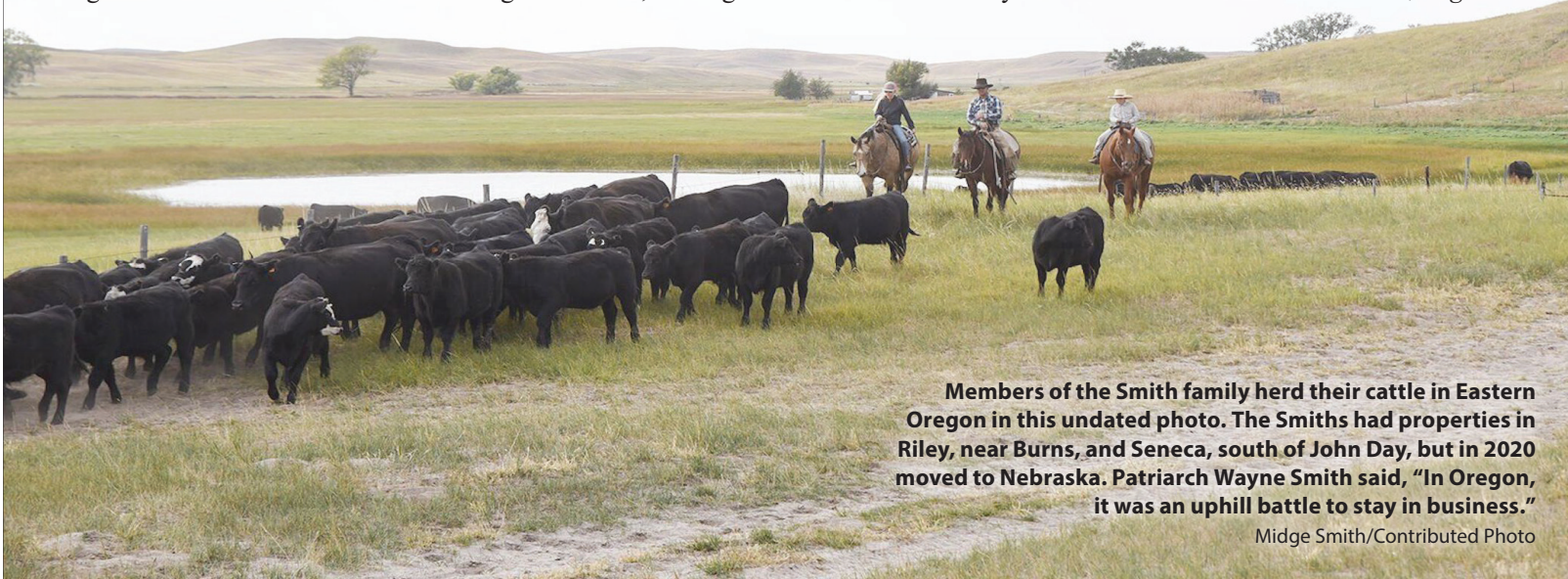
Good Shepherd Health Care System CEO Brian Sims said he was concerned rural hospitals wouldn't have the infrastructure to handle the next health crisis should it occur. Merkley said he was pushing legislation that would direct money toward preparation for further mutations of the virus.

"I feel like it's carrying an umbrella," he said. "(When you) carry an umbrella, it won't rain. I'm hoping if we prepare right, we won't get a dangerous new mutation."

In addition to housing and affordable child care, Cathy Putnam, a board member for Agape House, said there were plenty of county residents in need of mental health services but not many places to provide them.

Besides hiring more school counselors, Merkley said he would like to see a public education campaign about the negative effects of electronics, which he said were preventing youth from developing social skills.

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Members of the Smith family herd their cattle in Eastern Oregon in this undated photo. The Smiths had properties in Riley, near Burns, and Seneca, south of John Day, but in 2020 moved to Nebraska. Patriarch Wayne Smith said, "In Oregon, it was an uphill battle to stay in business."

Midge Smith/Contributed Photo

CTUIR sees parallels between their history and Ukraine

By **ANTONIO SIERRA**
East Oregonian

MISSION — In 1856, B.F. Shaw, a colonel with Washington Territory Volunteer Infantry, led his soldiers into the Grande Ronde Valley and murdered dozens of Cayuse who lived in a village near present-day Summerville.

In 2022, Russian President Vladimir Putin ordered the invasion of Ukraine, leading to the death of more than 900 civilians, as of Sunday, March 20, according to NPR.

Centuries and continents separate these two events, but for the leaders of the Confederated Tribes of the Umatilla Indian Reservation, the parallels are apparent.

On March 14, the CTUIR

announced its board of trustees approved a \$5,000 donation to Doctors Without Borders to aid in the burgeoning humanitarian crisis unfolding in Ukraine. But the announcement also included more pointed language condemning Putin and Russia for the invasion and the "ongoing genocide of the Ukrainian people" before drawing comparisons between the current war and its own history.

"Today, millions of Ukrainians are (being) forcibly removed, killed, or are fleeing their homelands. The Confederated Tribes of the Umatilla, Walla Walla, and Cayuse experienced similar assaults on our people, our land and our sovereign rights in the 1850's," the press release states. Our homelands were invaded and

many of our people killed during that time. The CTUIR ultimately ceded 6.4 million acres of our lands and resources to the United States in the Treaty of 1855, and some of these lands were illegally entered by non-Indian settlers prior to the ratification of the Treaty by the United States Congress in 1859."

In an interview, Bobbie Conner, a tribal historian and the director of the Tamastlikt Cultural Institute, said the treaty was supposed to protect the tribes from encroachment and violence from settlers, but that's not what happened in 1856.

That year, Shaw attacked the encampment killing approximately 60 people — men, women, children and elders — in the process. The infantry then proceeded to

destroy their homes and confiscate their horses. While contemporary accounts described it as a battle and lionized Shaw and his Army, Conner said "massacre" was the more appropriate term.

"These unprovoked attacks on peaceful, coexisting people are exactly in my mind a parallel of what is happening now," she said. "Only the armaments and the methods and the wholesale slaughter or annihilation of people is much more exponentially damaging."

Conner further explained how violence from Western settlers and the U.S. government inflicted against American Indians are often mislabeled "cultural conflicts." but were more about power and land.

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