

OUR VIEW

## Eastern board getting out into the region

Eastern Oregon University got it right when it made the decision to hold its annual retreat of the board of trustees in Boardman.

The retreat, which kicked off this week at the SAGE Center Gallery, will showcase meetings with local and regional business leaders and area stakeholders. Those meetings are aimed outlining the university's role in business, industry and education.

The retreat is part of a more in-depth agenda to stage fact-finding tours across the region.

There is a lot of good to say about this effort by the university. The university really should be — and is — a jewel in the crown for Eastern Oregon.

It is the only four-year university on this side of the state. That, alone, makes the university unique and places it in an optimum position to help make a huge difference in the lives of many of us.

The decision to hold the retreat outside of its home in La Grande shows the leaders at the university believe in collecting input from everywhere. That sends the message of inclusiveness and reasoned, methodical planning.

Yet while there is plenty to praise about the university's decision, those of us who live in this great area also have a responsibility to interact with the board members and make their retreat a success. The trustees can't read minds and they are offering area stakeholders and officials a great opportunity to give feedback.

The university clearly understands that it serves a wide area and to know the challenges and triumphs our area faces, they must get out into the hinterlands and listen.

That may seem like a common-sense approach — and it is — but it isn't as common as some might believe.

There is no doubt that a kind of mission-creep can develop with institutions like the university regarding the region it serves. It can seemingly be easy to stay focused on the campus and ignore the region or forget the diverse elements of our rural townships and counties.

Thankfully, that hasn't happened with the leadership at the university. The retreat shows that its leaders desire to gather as much information as they can and to listen to as many diverse opinions as possible on the way to creating a first-class learning opportunity for all.

That should be excellent news to every voter in the region.



## Dealing with false accusations



BLAINE CLOOTEN

ASK AN ATTORNEY

**Question:** My neighbor keeps calling the police and making false accusations. Now she says she is going to file a restraining order against me. My fear is that if the RO is upheld, I might have to go to jail. Please help.

**Answer:** This question comes up in so many different flavors that it's worth taking a dive into false accusations. Before we begin the analysis, I'll cut to the chase: You need to speak with an attorney.

This question breaks down into two parts: I) false accusations; and II) the fundamentals of a restraining order.

I. False accusations break down into two larger categories: criminal and civil. Let's analyze each. The type of false accusations will dictate your response.

**A. Criminal context**

Generally, false accusations in the criminal context include an allegation of a criminal offense. This alleged offense may have even been reported to the police. Frequently, criminal allegations will be closely tied to restraining orders.

This is a fairly simple analysis. If another person has made a false accusation against you in a criminal case, you need to talk with or hire an attorney.

The right to remain silent is a right that applies equally to a person who is guilty, not guilty or somewhere in between. Your answers could have far-reaching impacts; well beyond the current investigation.

**B. Civil context**

This could be through a pending civil case, a former significant other or a person smearing your good name online.

At a very basic level I believe that a person needs to decide whether they are going to fight back or let the allegations

blow over. There are pros and cons to either decision and, generally speaking, a person should have a larger plan in place to win the war.

Regardless of your choice in response, I'll provide my basic guidelines for dealing with false accusations.

If the allegations are indeed false, the truth is on your side. Don't stoop to their level and make false accusations back against the other person.

False accusations are deeply troubling. They can cause you to feel alone. They can cause a myriad of negative emotions.

Do not be alone with your accuser in the future. Make sure you follow recording laws but have a recorder or bring a witness.

Do not give the accuser additional ammunition.

If you've hired an attorney, only speak through the attorney. Don't try to go around the attorney and speak to the person who has made false accusations against you. It will only lead to more issues.

If you don't have an attorney, all communications need to be in writing. You should also carefully decide before sending any communications.

II. Fundamentals of a restraining order  
There are four requirements to qualify for a restraining order: age, relationship, abuse and ongoing danger.

A. Age: Generally speaking, everyone needs to be 18 or older, but they are available to minors in certain situations.

B. Relationship: You and the accuser must have a qualifying relationship. Your accuser must be:

- Your current or former spouse or registered domestic partner.
- Or someone you live with in a sexually intimate relationship (or used to).
- Or someone you have a sexually intimate relationship with (or did within the past two years).
- Or related to you by blood, marriage, or adoption.

• Or the parent of your child  
C. Incident of abuse in the last 180 days. In this case you caused:

- Physical injury to the accuser.
- Or tried to physically injure the accuser.
- Or you made the accuser afraid that you were about to physically injure them.
- Or you made the accuser have sexual relations against their wishes by using force or threats of force.

D. Ongoing danger: You must be an imminent threat to the physical safety of the accuser.

As you can see, the use of a restraining order is generally reserved for people who were previously in a relationship with the other person or who have a familial relationship. In general, a civil restraining order will only result in jail time if you violate a provision of the restraining order and are convicted of contempt.

This being said, any time a person has threatened or filed a restraining order against you, it's recommended that you consult with an attorney before making a decision on how to proceed.

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*Blaine Clooten is an attorney 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; talk to an attorney for more information.*

YOUR VIEWS

### Sticks and stones (and guns) can break my bones

In response to Mike Tehran's reply to Dr. Andrew Clark's proposition to limit magazine capacity as a means to help gun control (East Oregonian, July 30, 2022), with all due respect, I believe Mr. Mehren is dancing around the real issue, i.e., the increasing propensity of shooting deaths en masse in the United States, precisely because of the amount of ammunition that can be fired from any particular type of gun.

Limited capacity obviously means less ability to take a school child's life. Five deaths, while tragic, is preferable to the 60 that died in Las Vegas at a country concert a few years back. Remember that one? From a hotel window, the murderer gunned down dozens of strangers with semi-automatic weapons

that had large magazine capacity.

What Dr. Clark is proposing is not only a reasonable step in fighting the violent gun virus that has infected American society (largely the white male population at that), but one that seeks to begin to curb the ability to bring mass death down on helpless civilians from the deranged.

Mr. Mehren attempts to skirt the actual concern by suggesting his Second Amendment right is equated with his right to free speech. Nothing could be further from the truth as the mantra from childhood plainly states: "Sticks and stones (and guns) can break my bones but names (free speech) will never hurt me." You can say anything about me you want, but just don't fire your gun at me; the difference in effect is startling. Further, he states that "Laws restricting guns or accessories doesn't

prevent murder or crime because criminals obtain guns in many ways that aren't legal."

In fact, most mass shootings are carried out by no one who has a criminal record but an underdeveloped ability to manage their emotions. Road rage, gun rage, whatever you want to call it: My girlfriend dumped me, I hate Jews, my USPS boss pissed me off for the last time, etc. In closing, I state again — my constitutional right to live will always trump your presumed "right" to take my life away at the drop of a hat. Weapons such as knives, bats and chains have far less chance of taking out multiple lives at once. Just ask those Black folks in that church in Charlestown who cannot answer for themselves unfortunately because they're dead.

**Matt Henry Pendleton**

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