

Opinion

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GUEST EDITORIAL

Disturbing trend on public records

Editorial from The (Bend) Bulletin:

No one requesting public records should risk being slapped with an expensive lawsuit. But in Oregon, it's happening all too often.

There's a growing pattern of lawsuits that could dissuade the public from asking for basic information about their government. Whatever else they accomplish, these suits threaten to drown critics in legal paperwork and lawyer bills. Which might, in fact, be the point.

Consider the case of Charles Longjaw, a convicted killer who was released from state supervision, and then killed a homeless man in Portland in 2017. The Malheur Enterprise requested records to explain why the state released Longjaw. Attorney General Ellen Rosenblum ordered the state's security review board to release the records. But instead of complying with the order, the review board sued the newspaper, which had to scramble to raise \$20,000 to defend itself. Fortunately, Gov. Kate Brown intervened in that case and told the state to knock it off.

Also in 2017, reporter Beth Slovic and parent Kim Sordyl wanted to better understand disciplinary procedures in the Portland Public Schools. They filed public records requests seeking the names of all district employees on paid administrative leave and the length of the leave. When the Multnomah County District Attorney ordered the district to release the records, the district turned around and sued Slovic and Sordyl. The targets of this lawsuit eventually won.

Last month, The Bulletin asked the Department of Environmental Quality to release records so the public can better understand the state's Clean Fuels Program. It is designed to lower the "carbon intensity" of road fuels.

One way for fuel producers and importers to lower the carbon intensity of their products is to blend in lower-carbon fuels such as ethanol. Fuel producers also can buy credits from producers of green fuels and entities such as transit districts. Oregon consumers end up footing the bill.

So where does the money go? Who benefits? Have oil companies concocted a way to scoop up big additional profits?

Oregonians can't really know. The state releases aggregate sales data monthly on a website. But there are no details. Who is doing the buying and selling? What are the prices?

The Bulletin requested those details. The DEQ denied the request. The Bulletin appealed to the Oregon Department of Justice, which ordered their release.

Chevron U.S.A. quickly filed a lawsuit to block the release of the records, naming the DEQ, DOJ and The Bulletin's editor, Erik Lukens, and requesting attorneys' fees. Having to fight such a lawsuit could be lengthy and very expensive.

Such lawsuits serve as a warning to anyone who might want to request government records, thus undermining the state's public records laws. When they reconvene in January, lawmakers should ask whether they're happy with a system that increasingly provides transparency only to the well-heeled and powerful.

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Let's get rid of gun-free zones

"This doesn't happen anywhere else on the planet," California Gov.-elect Gavin Newsom said. "We stand alone in the world in the number of mass shootings," said U.S. Rep. Carolyn Maloney, D-N.Y. These were typical comments after a shooter killed 12 people in Borderline Bar & Grill in Thousand Oaks, California.

People have been acting for a long time like the United States is the world's hotbed of mass public shootings. After a 2015 mass shooting during his administration, President Barack Obama said: "The one thing we do know is that we have a pattern now of mass shootings in this country that has no parallel anywhere else in the world."

This belief is constantly used to push for more gun control. If we can only get rid of guns in the United States, we will get rid of these mass public shootings and be more like the rest of the world, gun-control supporters preach.

But America doesn't lead the world in mass public shootings. We're not even close. Just last month, a school shooting in Crimea, Russia, killed 20 people and wounded 65 others. But Americans usually don't hear about such events.

The Crime Prevention Research Center, of which I am president, recently finished updating a list of mass public shootings worldwide. These shootings must kill four or more people in a public place. Following the FBI definition, the shootings we list are carried out simply with the intention of killing. We exclude gang fights because they tend to be motivated by battles for drug turf. Killings that arise from other crimes are also excluded.

Then there are politically motivated attacks, either by or against governments. Some shootings occur in the course of guerrilla wars for sovereignty. These attacks do not meet our definition. This meant excluding a lot of very deadly

JOHN LOTTE JR.

shootings such as those in the Russian-Chechen conflict. The Russian Beslan School siege of Sept. 1, 2004, killed 385 people and wounded 783. In a three-day siege of the Dubrovka Theater in Moscow in 2002, 130 were killed and more than 450 were wounded.

Over the course of 18 years, from 1998 to 2015, our list contains 2,354 attacks and at least 4,880 shooters outside the United States and 53 attacks and 57 shooters in this country. By our count, the U.S. makes up 1.49 percent of the killings worldwide, 2.20 percent of the attacks, and less than 1.15 percent of the mass public shooters. All these are much less than America's 4.6 percent share of the world population.

Of the 97 countries where we identified mass public shootings, the U.S. ranks 64th per capita in its rate of attacks and 65th in fatalities. Major European countries, such as Norway, Finland, France, Switzerland and Russia, all have at least 25 percent higher per capita murder rates from mass public shootings.

While Americans are rightly concerned by the increased frequency and severity of mass public shootings, the rest of the world is experiencing much larger increases in per capita rates of attack. The frequency of foreign mass public shootings since 1998 has increased 291 percent faster than in the U.S.

The media bias on this is overwhelming. Even after President Donald Trump again raised the danger of gun-free zones, the news media still refuse to mention this fact in its reporting of mass shootings. The attack earlier this month at Borderline Bar & Grill occurred in a gun-free zone. Unlike in 39 states, concealed

handgun permit holders in California are banned from carrying permitted concealed handguns into bars. The mass shooting Monday (Nov. 19) at Chicago's Mercy Hospital & Medical Center was at a place where law-abiding citizens were banned from having guns.

Most gunmen are smart enough to know that they can kill more people if they attack places where victims can't defend themselves. That's one reason why 98 percent of mass public shootings since 1950 have occurred in places where citizens are banned from having guns.

The national media tend to ignore case after case of mass public shootings being stopped by armed private citizens. Just a couple of days before the synagogue shooting in Pittsburgh, a concealed handgun permit holder stopped an alleged killer who was shooting blacks at a grocery store in Louisville, Kentucky.

National media outlets such as ABC and NBC covered the attack, noting that the alleged gunman told another white man that: "Whites don't kill whites." It sounded as if the gunman was merely reassuring a bystander that he had nothing to worry about. But reporters left out the crucial first part of the quote. The killer said: "Don't shoot me. I won't shoot you. Whites don't shoot whites." The other white person was pointing a permitted concealed handgun at the killer.

It is understandable that the media don't cover most mass public shootings in other countries. But as much as it might not fit the media's narrative, the U.S. is a relatively safe place from these shooting attacks. Still, we need to let people protect themselves and each other. We need to get rid of gun-free zones.

John R. Lott Jr. is president of the Crime Prevention Research Center and the author most recently of "The War on Guns."

Your views

Barking dogs disrupt peaceful Sumpter

I love dogs. I love all animals. I do not like, however, the sound of a barking dog breaking the silence of Sumpter.

I want to believe that the owners of

these barking dogs are unaware, that they do not stand idly by whilst their dog barks and barks all day long.

Ergo, I request that dog owners please pay attention to their dogs. If you are unsure of what your dog does when you

are not in attendance, ask a neighbor — ask me.

Sumpter is such a peaceful town when your dog is not barking.

Diane Miller
Sumpter

Letters to the editor

- We welcome letters on any issue of public interest. Customer complaints about specific businesses will not be printed.
- The Baker City Herald will not knowingly print false or misleading claims. However, we cannot verify the accuracy of all statements in letters to the editor.

- Letters are limited to 350 words; longer letters will be edited for length. Writers are limited to one letter every 15 days.
- The writer must sign the letter and include an address and phone number (for verification only). Letters that do not include this information cannot be published.

- Letters will be edited for brevity, grammar, taste and legal reasons.

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