

OUR VIEW

Brown's
lack of
openness

If Gov. Kate Brown is truly committed to government transparency, why is her government so brazenly designed for delay?

The Oregonian laid out the case recently. Brown signed a new law in 2017, putting the first real deadline into the state's public records laws. Basically, government bodies have 15 days to turn over documents or they must cite a legal reason why they do not.

Brown's office relies on exceptions to the law, sometimes taking months to comply with requests. Those exceptions were put into the law to help out small towns or smaller school districts who may not have sufficient staff.

Of course, any office is going to be deluged with work from time to time. Her office says it received a number of high volume requests in the last few months, including over the resignation of the state's public records advocate and the Republican Senate walkout. But providing public information is one of the core responsibilities of her office. Brown should be expected to provide staff to meet the responsibility in a timely way, if she is honestly committed to transparency.

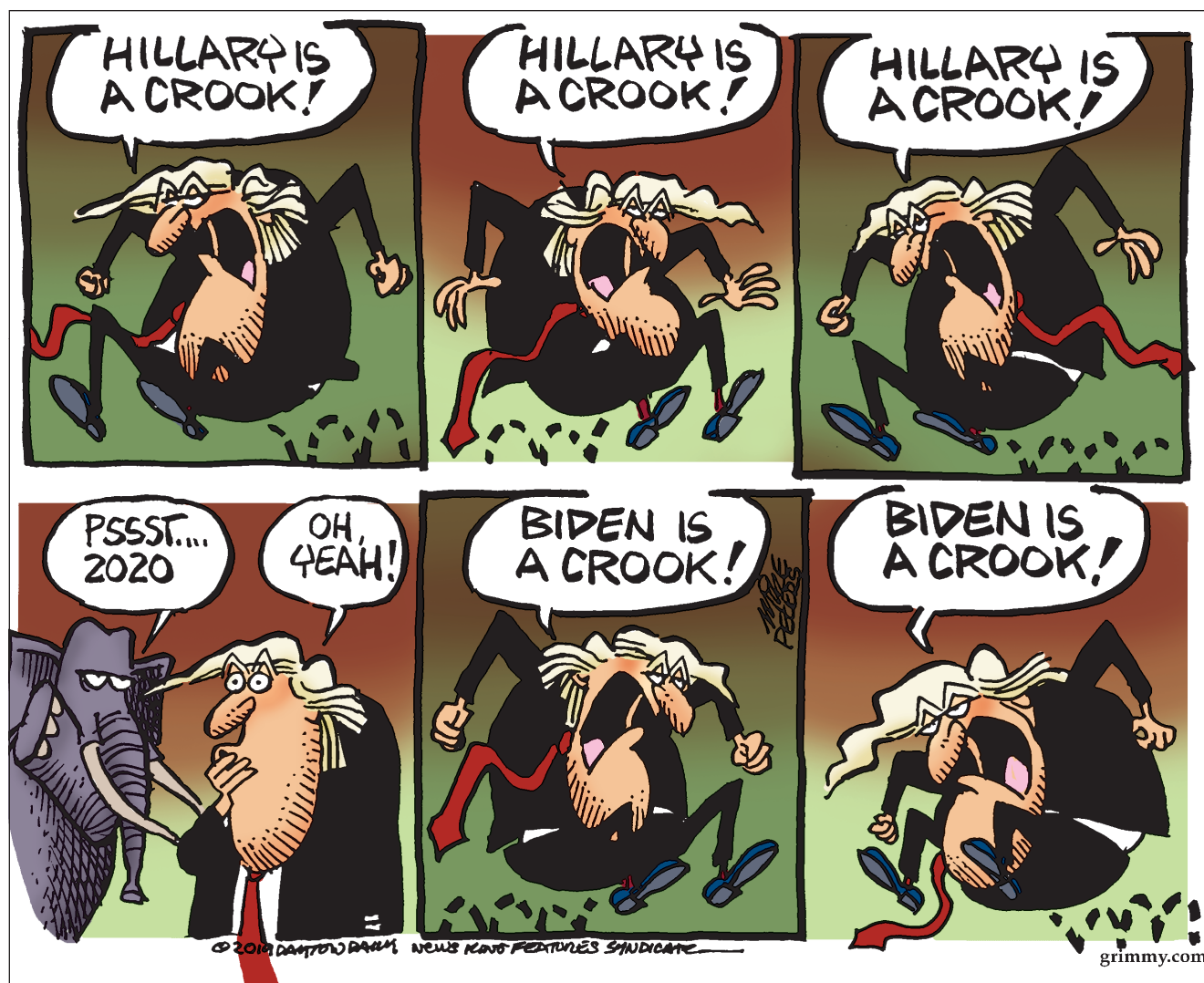
There are public agencies that make every effort to comply swiftly with the law. For instance, the editorial page staff routinely asks the city of Bend for public records. Some are more intricate requests, such as emails or text messages. There have been exceptions, but, in general, we get the records back within days.

Last year the editorial page had its own experience of a public records request getting the Brown treatment. A state audit found that the Department of Human Services had been "slow, indecisive, and inadequate" in fixing recurring problems in the foster care system. It wasn't a secret. The state had been paying out millions in settlements for failing to protect children in its care.

DHS vowed to address the issues. We asked DHS for an update a few months later. DHS prepared a memo to answer our questions. It switched into delay mode. That was, in part, because Brown's office wanted it to hold off releasing anything and roll it into a media campaign, according to internal emails we obtained later. Brown's office was more interested in how the message would be received than in providing the public with timely information about how the state treats some of its most vulnerable children.

The recent resignation of the state's public records advocate was just another symptom of a broader lack of commitment from Brown to government transparency.

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OTHER VIEWS

Trump's treason talk is misguided

Editorial from The Albany
Democrat-Herald:

President Donald Trump never has been noted for his understatement or, for that matter, for his precise use of the language.

Still, he should be more careful about how he uses the "T" word ("treason," in this case), and his frequent use of the word to lambaste Democrats and other perceived opponents suggests that either Trump doesn't know how treason is specifically defined in the Constitution or doesn't care.

As The Associated Press noted in a news story this week, treason is narrowly defined in the Constitution. And, regardless of what you might think about the impeachment probe now underway in the House, there can be (or there should be) no reason to think that it rises to the level of treason.

The Constitution says that "Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them

Aid and Comfort."

That's it. In other words, as the AP explained, treason occurs only ("only" is an important word here) when a U.S. citizen (or a noncitizen on U.S. territory) wages war against the country or provides material support to a declared enemy of the United States.

The limitation means that the executive branch can bring treason charges only in very limited cases. So, for example, when the U.S. pressed charges against Ethel and Julius Rosenberg, accusing them of giving atomic secrets to the Soviet Union during the Cold War, they were charged with espionage, not treason.

Trump is fond of accusing his political opponents as treasonous. Most recently, after Democratic Rep. Adam Schiff, the head of the House Intelligence Committee, issued his summary of the president's controversial phone call with the president of Ukraine, Trump tweeted this: "Arrest for Treason?"

Shockingly, Schiff was not immedi-

ately hauled out of his office by U.S. marshals. That's because he hadn't committed treason.

This wasn't anywhere near the first time that Trump had labeled a political opponent as being treasonous. You might recall his response to the anonymous op-ed piece published last September by The New York Times. The piece, which supposedly was written by a senior official in the administration, outlined how the official and others were "working diligently from within to frustrate parts of (Trump's) agenda and his worst inclinations."

Our response at the time was that the official, who remains unidentified, probably needed to resign from the administration and go public.

Trump's response was different: "TREASON?" he tweeted on the same day the Times published the piece.

At least he put a question mark after the tweet. If the president is actually asking the question, though, we can answer it: No. It's not treason. End of story.

Letters to the editor

• 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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Honoring the selflessness of those who search

I never met Andy Dennis but I wish I had even once shared a wilderness campfire with him. I think we could have swapped stories for the better part of an evening, sharing the pleasant duty of getting up now and again to toss another chunk on the blaze, until it was down to a glowing bed of embers and the night chill was coming on.

Andy loved the mountains, an affinity I share.

He died in the Wallows on a day that I imagine was, perhaps until the fatal moment, much like many other days he had spent in the high country.

He gulped lungfuls of the sharp, pristine air.

He gazed across the Eagle Cap Wilderness Area's expanse of ridges and forests and canyons, the peaks dusted with early autumn snow and the tamaracks brightening to that unique green that precedes their transition to the orange and yellow so coveted by photographers.

From what his niece, Candy Sturm, told me, Andy probably was, as the cliché goes, doing what he loved right until the end, trekking through a wildly beautiful land and hoping to come across a fine buck.

This makes his death no less a



JAYSON
JACOBY

tragedy, of course.

Andy was 60. However appropriate the setting might have been, given his feelings about the mountains, that seems to me far too young to rhapsodize about a person's life ending "just as he would have wanted."

Surely he could have had many more years, many more crystalline fall days, to wander among the Wallows and to relish their wonders.

I'm 49, and if I'm still tramping around the Eagle Cap Wilderness a dozen years hence — nay, two dozen, three dozen — I'll be a happier man, with a richer life, for having had the chance.

As I've pondered Andy's last hunting trip and what befell him I initially thought that the story resonated with me in part because I could imagine my boots following his path.

But that's not the truth, not really.

I have hiked alone in the moun-

tains many times, to be sure.

And although I suppose I can conceive, in a theoretical sense, of falling to my death, as Andy apparently did, I don't believe I'm any more capable than most people are of truly believing that their own demise will come about in such a specific way.

I find it much easier, however, to envision myself getting into trouble in the mountains, albeit the sort of predicament that is not immediately deadly or even, at least initially, especially dangerous.

This is not a particularly difficult thing to do, of course.

The wilderness, however peaceful it might appear in photographs, is a hard place. It is moreover an alien place, as ignorant of human emotion as a grizzly bear which knows only that its stomach is empty or that something is threatening its cubs.

The trees don't care if their ubiquity has confounded your sense of direction and left you wandering aimlessly.

The rocks are utterly unaffected if you step wrong and snap your fibula.

I know these things implicitly. And I think about them sometimes

when I venture into the mountains. I suspect Andy, who by every account I've heard was intimately familiar with wild country, must have done so too. It is a natural inclination, and a profoundly human one.

We know the risks and we accept them because to choose otherwise would be to deny ourselves a great and unique pleasure.

But even as I lament what happened to Andy, I ponder the response to his family's call when he failed to return to his home in Haines on Sept. 28 as he planned to do.

And this pulls my heart in the opposition direction.

The week-long campaign to find Andy, to end his family's ordeal for good or for ill, was one of the more extensive searches undertaken in Baker County in decades.

I'm thinking here not of raw statistics — of how many people gathered in the woods or of how many miles they hiked.

I imagine instead the empty chairs at dozens of dinner tables. And the children who fell asleep without having been tucked in by mom or by dad. And the spouses who waited, and worried, as clouds

cloaked the Wallows.

I think of how many people tossed aside their regular lives temporarily with the sole goal of reuniting a man with those who love him. And when I ponder this I feel that special sort of joy — the sort that makes your throat feel hot and somehow heavy as you are reminded anew of the selflessness to which we aspire, and of which we are capable.

And I realize that if I ever get turned around in a storm when the swirling snow renders a familiar landscape unrecognizable, or my boot slides off a slab of slippery limestone and sends me sprawling, that people will come for me. They will put themselves in peril on my behalf and they will keep at it, despite blistered heels and frigid fingers, until they have brought me home.

Whether the story ends with tears of rejoicing or of anguish cannot, of course, be told in advance.

But it is a great comfort to know that these people are there, to know that they would do for me what they did for Andy.

Jayson Jacoby is editor of the Baker City Herald.