

Opinion

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OUR VIEW

Records reveal misuse

There couldn't be a clearer case about both the value and flaws in Oregon's public records law than the current one in Douglas County.

The Oregonian, having spent about \$2,000 to obtain records of how the county spent some \$43,000 in federal Secure Rural Schools Act funds, reported this week on what it found. The newspaper has since been billed another \$693.77 to have a county official spend 13 hours reviewing it so the county could answer questions about records the newspaper received.

The newspaper found plenty. Some of the \$43,000 went to pay a \$75 fee to Sunriver Resort to allow County Commissioner Tim Freeman to keep a dog in his room. Another \$205 went to the Brix Chill, a Roseburg cocktail lounge and restaurant. The receipt was not itemized, as county policy requires, making it impossible to tell if he had purchased alcohol as part of the meal. County policy forbids the purchase of alcohol with public funds. Freeman also flew first class to Washington, D.C., in 2019 because he was invited on short notice to hear a speech by President Donald Trump. Federal funds paid for part of the upgrade from the standard coach seat that Oregon officials usually use. A county spokeswoman said no coach seats were available for the flight.

If private businesses want to spend their money that way, it's one thing, but for public officials from a poor county in rural Oregon to do so, it's unconscionable.

We don't know what voters in Douglas County will do about the situation, but one thing is clear. Had it not been for this state's public records law and The Oregonian's willingness to spend nearly \$3,000 getting information that's supposedly available to the public, voters may never have found out about the commission's free-spending ways.

That brings up a problem with the current law. It allows a requester — in this case, The Oregonian — to appeal proposed fees to the local district attorney, Richard Wesenberg. Wesenberg refused to reduce or cancel the fees, arguing that the newspaper's parent company could well afford them. That's despite the law, which says reducing fees is what should be done if making the record public benefits the general public. It's hard to see how spending of government funds doesn't qualify as information that meets that test.

Lawmakers may not have time to change the law so that getting records is both fast and relatively inexpensive in the coming 30-day session. If not, it should be put at the top of the 2021 to-do list. The law does not require means testing to determine if fees should be waived, and public interest, not a requester's financial statement, should be the standard by which the request is judged.

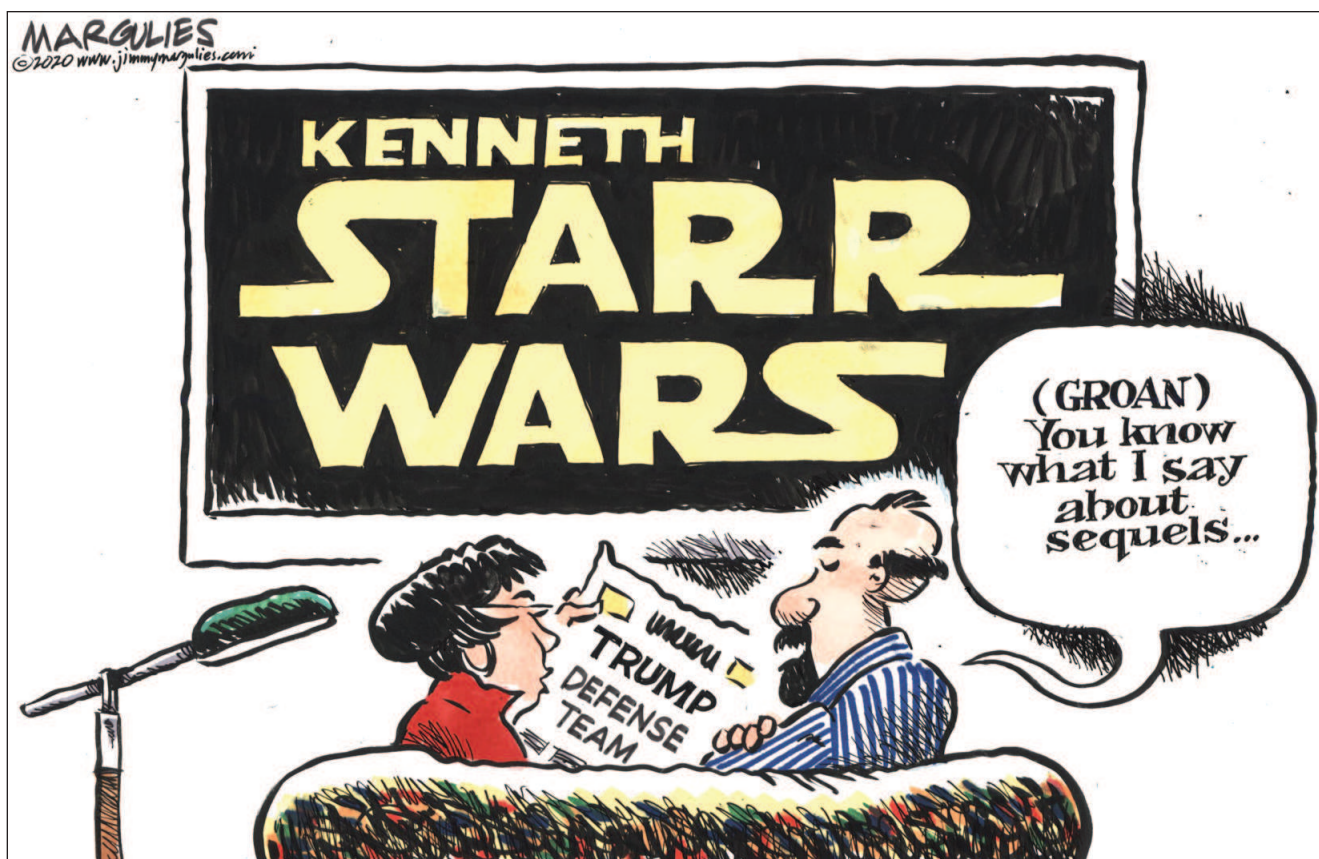
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Mail: To the Editor, Baker City Herald, P.O. Box 807, Baker City, OR 97814

Email: news@bakercityherald.com



Impeachment trial looks farcical

It was impossible to watch the opening of Donald Trump's impeachment trial in the Senate last week without feeling a sense of patriotism.

Regardless of where you stand on the issue, the ceremonial ritual was impressive. The pomp and circumstance was deliberate and anticipatory, every movement perfectly choreographed and steeped in tradition.

The House impeachment managers' march to the Senate chamber, the swearing in of the chief justice of the Supreme Court, the senators' oath to render "impartial justice" and then signing off on a promise to abide by their vow were designed to illustrate the magnitude of the moment.

The procession route laid out in 1868 during President Andrew Johnson's impeachment gave gravitas to what the nation was about to endure. It remains a solemn rite that demands the full attention of every American.

Perhaps until now, some of us have not thought of it that way. Perhaps we have never taken a moment away from our anger to consider the momentous act of removing a duly elected president from office. Maybe we have never really thought about why it has only happened three times in the history of our country.

Each time America has been in this place — with Johnson, Bill Clinton in 1998 and now with Trump — politics increasingly has gotten in the way of duty. Every time a president has been brought before the Senate on charges of abusing his power, it has sliced away at our unity. But never, until now, has it ripped us apart.

The Founding Fathers, in their intuitive wisdom, knew that impeachment

DAHLEEN GLANTON

would be divisive. But they wrote it into the Constitution anyway, because a democracy has no place for a king, a dictator or a president who believes he or she is above the law.

They knew the seductiveness of power. And in their genius, they tried their best to shield us from anyone who might try to use the presidency to promote his self-interests over those of the American people. They understood how greed, recklessness and incompetence at the helm could destroy America. So in the Constitution, they made an exception to the balance of power among the three branches of government.

In the area of impeachment, the Founding Fathers gave Congress jurisdiction over the executive branch, allowing it to remove a president with the leader of the third branch — the chief justice of the Supreme Court — as the overseer.

What the Founding Fathers could not have envisioned more than 230 years in the future was an America with Trump as president. While barbaric kings ruled by succession, they could not have foreseen that voters would choose to be led by someone so ruthless.

Of course, the founders knew there would be fights over political ideology. The greatest one — over slavery — would prompt the 13th Amendment to the Constitution nearly eight decades later. But the founders likely could not have fathomed an impeachment where truth, honor and patriotism would be

so easily usurped by lies, antipathy and blind partisan loyalty.

It is not that these characteristics were entirely unexpected in power-hungry politicians. What the authors of our Constitution could not have anticipated, though, is how easily the American people would accept such aberrant behavior, much less encourage it.

The Senate majority leader set the tone before the trial began.

"I'm not an impartial juror," Mitch McConnell told reporters last month. "This is a political process. There is not anything judicial about it. Impeachment is a political decision."

Other Republicans echoed his words. Sen. Lindsay Graham called for an "end to this crap as quickly as possible."

Sen. Ted Cruz promised that his colleagues would "reach a verdict, and the verdict is going to be acquittal. The verdict is going to be not guilty."

Sen. Rand Paul said, "The verdict has already been decided ... I don't think any Republicans are going to vote for impeachment."

Despite the grandiosity of the ceremony, if we take these senators at their word, the Senate trial is a farce. The opening ritual was nothing more than an illusion. There will be no attempt to get to the truth. Impartial justice will not be on the table.

If it is left solely up to them, the hard work by our Founding Fathers to establish a sound and lasting protocol for removing a wayward president will have been in vain.

Dahleen Glanton is a columnist for the Chicago Tribune.

OTHER VIEWS

New trade deal a good one for U.S.

Editorial from The New York Daily News:

It'll soon be official. The U.S.-Mexico-Canada Agreement is replacing the North American Free Trade Agreement, which took effect way back in 1994. This is a very good thing for which President Trump, congressional Republicans and Democrats can claim collective credit.

The representatives and senators who refused to take yes for an answer — we're looking at you, Alexandria Ocasio-Cortez, Bernie Sanders and (yes, even) Chuck Schumer — make mockery of the claim that they can see anything clearly in the age of Trump.

The USMCA was so-so in its initial Trumpian incarnation; thanks to a slew of improvements made in negotiations between Democrats and the administration, it got far better.

In a potentially precedent-setting measure, the deal allows the imposition of fines and tariffs against products produced in facilities where workers are denied basic collective-bargaining rights. When repeat violations are established, the flow of those goods can be stopped at the border.

NAFTA included a dispute resolution process that elevated investors' interests over national needs, incentivizing outsourcing; USMCA nixes it, reanimating enforcement mechanisms that had become virtually nonexistent under the prior regime.

Those measures are why the AFL-CIO, which has staunchly opposed NAFTA and every major trade deal since, backed this one.

Under the original version of the USMCA, pharmaceutical companies

got at least 10 years of market exclusivity for many drugs without generic competition across the trade zone; the final version weakens those obstacles to driving down prescription drug prices.

There's more. Goods mostly produced outside North America, which were previously able to qualify for the trade pact's most favored treatment; no more. So too can environmentalists take heart with a change to NAFTA's requirement that countries export natural resources, which wound up disincentivizing efforts to conserve energy.

Sanders, Ocasio-Cortez and Schumer rooted their opposition in the deal's failure to prioritize, or even mention, climate change. They fell for the classic political mistake of letting the perfect be the enemy of the good.

CONTACT YOUR PUBLIC OFFICIALS

President Donald Trump: The White House, 1600 Pennsylvania Ave., Washington, D.C. 20500; 202-456-1414; fax 202-456-2461; to send comments, go to www.whitehouse.gov/contact.

U.S. Sen. Jeff Merkley: D.C. office: 313 Hart Senate Office Building, U.S. Senate, Washington, D.C., 20510; 202-224-3753; fax 202-228-3997. Portland office: One World Trade Center, 121 S.W. Salmon St. Suite 1250, Portland, OR 97204; 503-326-

3386; fax 503-326-2900. Pendleton office: 310 S.E. Second St. Suite 105, Pendleton 97801; 541-278-1129; merkley.senate.gov.

U.S. Sen. Ron Wyden: D.C. office: 221 Dirksen Senate Office Building, Washington, D.C., 20510; 202-224-5244; fax 202-228-2717. La Grande office: 105 Fir St., No. 210, La Grande, OR 97850; 541-962-7691; fax, 541-963-0885; wyden.senate.gov.

U.S. Rep. Greg Walden (2nd District): D.C. office: 2182 Rayburn Office Building,

Washington, D.C., 20515, 202-225-6730; fax 202-225-5774. La Grande office: 1211 Washington Ave., La Grande, OR 97850; 541-624-2400, fax, 541-624-2402; walden.house.gov.

Oregon Gov. Kate Brown: 254 State Capitol, Salem, OR 97310; 503-378-3111; www.governor.oregon.gov.

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