

# Gov. Kate Brown says public schools must reopen

By Gillian Flaccus  
Associated Press

PORTLAND — Oregon Gov. Kate Brown said Friday she is issuing an executive order mandating that all K-12 public schools provide universal access to in-person learning by the month's end for students up to fifth grade and by mid-April for older students.

The state's coronavirus case numbers have fallen significantly and Oregon put teachers ahead of older residents in the line for the COVID-19 vaccine — a decision that angered many people age 65 and up. As teachers get vaccinated, Brown has been under tremendous pressure from parents and local elected

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officials in many counties to reopen schools.

Many teachers' unions nationally have balked at returning to in-person learning, putting them at odds with Democratic governors like Brown in some states. In neighboring Washington state Gov. Jay Inslee has implored educators to return to the classroom, but most students

there are in on-line classes and the Seattle teachers' union is defying a district plan to return special education students to schools.

Under the Oregon order, students in K-5 must have an in-person learning option by March 29. Students in grades six through 12 must have one by April 19.

Students who prefer to remain in

online class will also have the option.

“The science is very, very clear: with proper safety measures in place, there is a low risk of COVID-19 transmission in school. Oregon parents can be confident about sending their children back to a classroom learning environment,” Brown said in a statement, after visiting a Portland school.

Brown has previously said about 20% of Oregon public school students were back to in-person learning.

Rylee Ahnen, spokesman for the Oregon Education Association, said in a statement teachers support returning to the classroom if it can be done safely. “We urge all our local

school districts to continue to work in good faith with local educators,” Ahnen said.

The union represents 44,000 K-12 teachers across Oregon.

Most students in Oregon have been learning online for the better part of a year. Some school districts have returned to part-time in-person learning, mostly at the elementary level.

Brown said all but six counties in the state currently meet or exceed the advisory metrics for a return to in-person, hybrid learning for all grade levels. Five of the counties that do not yet meet the guidelines for all grade levels do make the cut-off for a return to elementary school.

## ARRESTS

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Caoile is accused of six crimes: first-degree criminal mischief, unauthorized use of a motor vehicle and second-degree arson, all Class C felonies; tampering with physical evidence and unlawful possession of a cannabinoid extract, both Class A misdemeanors; and second-degree criminal trespassing, a Class C misdemeanor.

Judge Hill ordered Caoile held in lieu of \$61,500 bail, to be released upon posting 10% (\$6,150).

DeRoche was charged with four crimes: unauthorized use of a vehicle, a Class C felony; and the Class A misdemeanors of possession of a burglary tool or theft device (two counts) and tampering with physical evidence.

Hill ordered DeRoche held in lieu of \$25,000 bail, to be released upon posting 10% (\$2,500).

Michael Spaulding, chief deputy district attorney for Baker County, said Friday that the case is still under review and will be presented to a grand jury next week for consideration of other charges.

Caoile and DeRoche are scheduled to return to court at 1 p.m. Thursday, March 11, for a probable cause preliminary hearing, court records state. Caoile is represented by Robert Moon, and DeRoche is represented by Robert Whitnah, two Baker City attorneys who were appointed by the court to represent the defendants.

The investigation began on Feb. 21 near North Powder when a trooper stopped a 1991 Ford box truck for traf-

fic violations, Capt. Timothy R. Fox, OSP spokesman in Salem, stated in a Thursday email to the Herald.

Caoile was one of the occupants of the truck.

During the stop, an OSP trooper developed probable cause to search the vehicle, Fox stated.

The officer found marijuana and a small amount of methamphetamine, Fox said.

A silver Cadillac Escalade, which the trooper determined was traveling with the truck, also pulled off the highway during the stop.

Fox said the Cadillac, which DeRoche was traveling in, was released from the scene and the two occupants of the truck were transported by officers to the Baker OSP office for follow-up interviews. The truck was towed to the OSP compound, which is east of Interstate 84 near the Campbell Street interchange, to be held pending receipt of a search warrant.

The suspects claimed they owned items in the back of the box truck, which included fine jewelry, construction equipment, high-end bags and checks not belonging to the suspects, Fox stated.

After interviewing the suspects, police released them, and the truck was secured behind a locked gate on the OSP property for the night.

The lot is secured by a 6-foot chain-link fence topped by about a foot of barbed wire.

As employees arrived for work the next day, Feb. 22, they saw that the lot had been entered and that the box truck was gone. The vehicle had been driven at a high rate of speed through

the locked gate, causing damages of more than \$1,000 to the fence and gate, according to court records.

That morning at 5:50 a.m., Baker City Police and the Baker City Fire Department were called to a vehicle fire at Atwood Road and Campbell Street, about half a mile north of the OSP office, according to court records.

Zach Downing, OSP arson detective, also was called to the scene, and stated that he had probable cause to believe that an accelerant had been used to set the box truck on fire.

That same day, Feb. 22, police contacted the Yakima Police Department regarding the people interviewed the previous day after the traffic stop, and the two vehicles involved, the truck and the Escalade, Fox said. The Yakima agency said that “they have had a series of stolen property issues related to a silver Escalade,” according to Fox.

OSP troopers served a search warrant on the box truck on Feb. 23. The officers found 1.5 pounds of marijuana, 104 grams of methamphetamine and 288 grams of suspected fentanyl during the search. The truck also contained two stolen Stihl concrete saws, burglary tools and three forged checks, Fox stated.

Caoile and DeRoche, meanwhile, returned to the Baker City OSP office at about 10:15 a.m. on March 3.

Fox said the couple had expected to claim property they believe they were entitled to, but instead they were arrested in a joint operation by OSP and Baker City Police.

## SURVEY

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The 24-question survey is completely anonymous and asks those completing it their opinions about topics such as overall satisfaction with the Baker City Police Department, whether they believe the crime level has gone up, down or stayed the same during their time in the community and whether they believe 24-hour police coverage is needed within the city limits.

Police Chief Ray Duman said the department took the idea from New Directions Northwest, which recently conducted a community survey of its own.

“We hope to get a better idea of what the community is thinking,” Duman said.

Those thoughts will help the department as it approaches the budgeting process and begins to set department funding priorities for the future.

“Baker City Police Department is asking the community to participate in a survey so we can identify community concerns, allocate resources in a more efficient manner and create a safer community for all,” Duman stated in a press release.

The survey link will be posted on the Baker City Police Department's Facebook page and in the weekly newsletter from City Manager Jonathan Cannon.



## RISK LEVEL

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To qualify for that level, the county needs to meet two criteria:

- fewer than 30 new cases over the two-week measuring period
- a positive test rate below 5% for the two-week measuring period

State officials set risk levels for each of Oregon's 36 counties every two weeks. The next period starts March 12, and the risk levels will be based on COVID-19 case totals and positivity rates from Feb. 21 through March 6.

For that period, Baker County had 42 new cases through March 4. That would move the county from the lowest to the moderate risk level starting March 12.

County Commissioner Mark Bennett said he has lobbied state officials — without success — to not count the 15 cases at Settler's Park memory care community in Baker City, as residents there generally don't move around the community.

Bennett pointed out that the state doesn't count cases among inmates at Powder River Correctional Facility in Baker City, in determining the county's risk level, because inmates are confined.

According to the OHA's most recent weekly report, which has data through Feb. 28, Baker County has two active COVID-19 outbreaks, the one at Settler's Park, which includes one death, and an outbreak at Behlen Mfg. Co. that includes 13 cases.

Three other outbreaks at care facilities have been resolved. Those were at Meadowbrook Place (27 cases, two deaths),

Ashley Manor-Lund Lane (four cases), and Memory Lane Homes (three cases).

If the county's two-week total is between 45 and 59, it would move into the high-risk category.

Differences in restrictions between the lowest and moderate categories include:

### Restaurants and bars

- Lowest risk: Indoor dining up to 50% of capacity; up to eight diners per table; midnight closing time
- Moderate risk: Indoor dining up to 50% of capacity or 100 total people, including staff, whichever is fewer; up to six diners per table; 11 p.m. closing time

### Gyms, fitness centers, indoor pools, indoor school sports

- Lowest risk: Maximum of 50% of capacity
- Moderate risk: Maximum of 50% of capacity or 100 people, whichever is fewer

### Theaters, museums, other indoor entertainment

- Lowest risk: Maximum of 50% of capacity; midnight closing time
- Moderate risk: Maximum of 50% of capacity or 100 people, whichever is fewer; 11 p.m. closing time

### Churches, funeral homes and mortuaries

- Lowest risk: Indoors, up to 75% of capacity; outdoors up to 300 people
- Moderate risk: Indoors, up to 50% of capacity or 150 people, whichever is fewer; outdoors up to 250 people

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