

Opinion

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EDITORIAL

Brown's 'response' insults, patronizes

A group of county commissioners from across Oregon, including Mark Bennett of Baker County, along with the Association of Oregon Counties and Oregon Restaurant and Lodging Association posed a simple, straightforward proposition to Oregon Gov. Kate Brown regarding the stringent restrictions the governor has imposed on businesses in 15 counties, Baker among them.

This group received a written response to its April 27 letter.

Although to describe Brown's April 29 letter as a "response" is to indulge in a fair amount of charitable exaggeration.

The governor's letter reads more like a list of platitudes and questionable claims designed to mollify those who dare to question Brown's decision to, among other things, treat Multnomah County, with a population of more than 820,000, the same as Baker County and its 16,800 residents.

The commissioners' letter was prompted by Brown's decision to move those 15 counties to the extreme risk level for the spread of COVID-19 from April 30 through at least May 6. For counties at extreme risk, indoor dining is banned in restaurants and bars, and occupancy in theaters, gyms and fitness centers, along with museums and some other types of businesses, is curtailed so severely that many have no choice but to close temporarily.

The commissioners pointed out in their letter that, after more than a year of dealing with the pandemic, restaurants and bars have proved that they're capable of operating safely, and that county health officials should be allowed to determine the level of restrictions that are reasonable. "It is no coincidence," the letter reads, "Oregon has not seen one instance of a super spreader event tied to our hospitality industry."

Rather than directly address this point in her letter, the governor instead begins by touting Oregon as having "among the lowest COVID-19 case rates, hospitalizations, and deaths in the nation."

That's true. But it hardly counts as justification for banning indoor dining in 15 counties. If anything, the opposite is true, since indoor dining has been allowed during much of the pandemic in parts of the state.

Brown goes on, also accurately, to note that cases and hospitalizations have been surging in the state. She writes: "I was presented with data showing two paths Oregon could take: one in which we took no action, or one that required a temporary tightening of restrictions for certain counties but could save roughly 180 Oregonian lives ... Which path would you choose?"

Notwithstanding the latter sentence, with its gratuitous implication that these lowly county officials could hardly understand the level of responsibility the governor labors under, Brown fails to connect the "data" with the ban on indoor dining — which, after all, was a focus of the commissioners' letter. In a subsequent paragraph she refers to the

"scientific modeling that predicted increased deaths and hospitalizations if we didn't enter Extreme Risk," but again without offering a scintilla of evidence that banning indoor dining, among the many other restrictions imposed on counties at extreme risk, is a significant vector of the virus. Indeed, what we've heard from state and county officials, during the current and previous surges in infections, is that the biggest problems are private social gatherings, not restaurants and bars.

Is the "scientific modeling" the governor cited so sophisticated that it can determine, for instance, how many of those 180 lives will be spared because restaurants and bars in Baker County can't have indoor dining? Did the computers consider the possibility that people who ordered takeout meals gathered to eat their meals with other people in a setting that was more likely to spread the virus than inside a restaurant, where masks are required and the ventilation system is more effective than in a typical home?

Instead of details, the governor asks that we simply accept that it was a simple matter of imposing restrictions or allowing 180 people to die — that a matter as complex as the individual decisions of a couple million people in 15 counties can be distilled to two concrete, indisputable outcomes.

The governor notes that she worked with the legislature to "secure \$20 million in urgent relief funding for Oregon businesses impacted by Extreme Risk." That will be beneficial to some businesses, although the money is hardly likely to be a panacea for the thousands of businesses affected in 15 of Oregon's 36 counties.

But again, this misses the point of the commissioners' letter, which merely asks the governor to justify restrictions that fall so heavily on a specific business sector. It would be much wiser, not to mention fiscally responsible, to save that \$20 million for other needs rather than spending it to help businesses that needn't have been harmed in the first place.

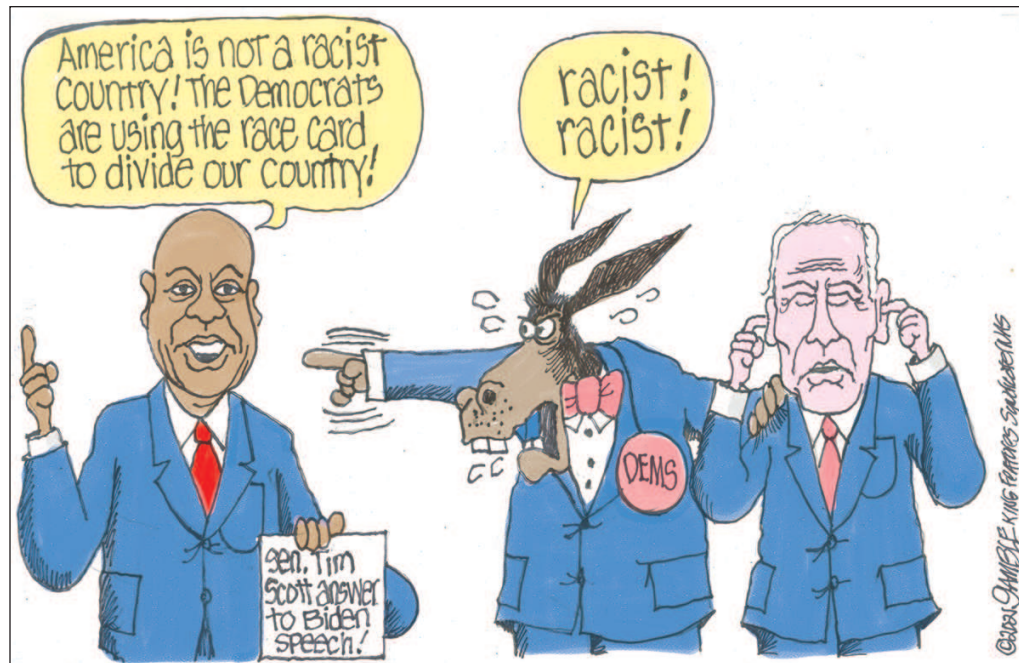
Of course no reasonable person expected the governor, upon reading the commissioners' letter — along with similar criticisms from other quarters about moving 15 counties to extreme risk — would immediately admit her mistake and reverse the decision.

But it's perfectly reasonable to expect the governor to answer an earnest question — what evidence shows that banning indoor dining will have a significant benefit in curbing the spread of COVID-19 — with something more concrete than cliché-larded references to Oregon as a "special place" and the "brighter days" to come.

Perhaps the most galling passage in Brown's letter is this: "As Governor, I chose to save lives ..."

The implication is that people who disagree with her decisions don't want to save lives. This is patronizing, insulting and patently absurd.

— Jayson Jacoby, Baker City Herald editor



Your views

City Council's cavalier attitude toward vaccination rates

Please extend my appreciation to Samantha O'Conner for the article she wrote about the April 27 Baker City Council meeting.

The article showed Beverly Calder's courage in insisting on addressing the Council's responsibility to set an example for dealing with this community's Corona crisis, especially vaccination hesitancy.

Except for Councilors Sells and Spriet, Mayor McQuisten and four other councilors are taking a very cavalier attitude toward the fact that many of our citizens are not getting vaccinated. The Council is thereby condoning citizens not doing what's necessary for our community to reach herd immunity. Such an attitude will lead to further spread of the virus and its variants and to unnecessary suffering and deaths.

Mayor McQuisten, rather than leading during this time of crisis, rather flippantly said it's not the Council's place to act as "nannies" for residents. How disgraceful!

Gary Dielman
Baker City

Local residents have the power to help businesses survive

If I hear one more person complaining about our poor local businesses and how they are suffering while these same individuals refuse to mask up, keep a safe distance or quit having parties that turn into super spreader events, I am going to lose it!

What is wrong with you people? Don't you understand that YOU have had the power all along to minimize this? YOU can help local businesses stay open. All you have to do is wear a mask, social distance, get vaccinated, and quit having those lovely little family

Buck Pilkenton
McEwen

OTHER VIEWS

Schools shouldn't police kids' online lives, usually

Editorial from The Los Angeles Times:

In a case that began with a teenager's Snapchat rant against her cheerleading squad, the Supreme Court on Wednesday considered whether and when a school can punish students for what they say online when they aren't in school. We hope that the court will say: very rarely.

In 2017 a student known in court filings as B.L. was upset when she failed to make the varsity cheerleading team at Mahanoy Area High School in Pennsylvania. While hanging out with a friend at a local store, she took a photo of herself and her friend raising their middle fingers and posted it on Snapchat. Accompanying the photo was this message: "F— school, F— softball, F— cheer, F— everything."

Snapchat is designed to delete messages once they're seen, but a screenshot of B.L.'s rant was shown to her cheerleading coaches. She was suspended from the junior varsity team. B.L. sued, alleging that the school had violated her free speech rights. She prevailed in the U.S. 3rd Circuit Court of Appeals in Philadelphia, which ruled that the school couldn't punish her for "off-campus speech."

In *Tinker v. Des Moines School District*, a landmark 1969 decision involving students who came to school wearing black armbands to protest the Vietnam War, the court declared that students in public schools don't leave their free speech rights at the "schoolhouse gate." But it also indicated that schools could punish students for speech at school that posed the threat of "substantial disruption of or material interference with school activities."

At Wednesday's argument the justices wrestled with the question of whether the advent of the internet had moved the schoolhouse gate — and the ability of schools to punish

gatherings for a while until this thing is under control. If you don't want to mask up and keep your distance, then stay home! You sound like a bunch of spoiled little brats demanding another candy bar.

Asking too much? Apparently, because too many of you are not bothering. If you don't want to participate in resolving this dreadful disease, then for God's sake, keep your mouths shut. You have no right to complain when you refuse to be part of the solution.

YOU are putting local businesses in the red. YOU are responsible for the spread of coronavirus.

Quit using Governor Brown as your scapegoat. She's trying to save lives across the state and you are not making it any easier. Guidelines have been established and there are several million of us that must cooperate now.

This is not about your rights.

This is about your choices.

Choose to be part of the solution and help our local businesses survive.

Cindy Birko
Baker City

A simple way to express attitudes about border change

Mr. Deschner has written a well-reasoned and entertaining letter concerning a proposed border change between Oregon and Idaho. However, the length of the letter may be intimidating to those people to whom he refers in his comment about Idaho's welcome sign alongside the freeway. A simple acronym is already in place as the state's name which proclaims the attitude projected by the border change idea and its supporters — I'm Disgruntled And Hate Oregon.

Buck Pilkenton
McEwen

some student speech — into cyberspace.

Justice Amy Coney Barrett observed that "nothing in *Tinker* suggests ... that it applies outside of the school environment." Nevertheless, Justice Stephen G. Breyer indicated that the court could find that schools have some authority over disruptive or dangerous speech outside the school. He added, however, that judges should remember that "it's outside the school, and that's primarily the domain of the parents."

We agree that there are rare instances in which a school properly can punish students for online utterances, such as threats of violence or incessant bullying that turn the classroom into a hostile learning environment.

But the court shouldn't erase the legal distinction between how students behave at school and how they act at home — even if they're logging on to the internet in their bedroom to complain that their teacher is a moron or that homework is an abomination. As B.L.'s attorney David Cole eloquently put it, students shouldn't have to "carry the schoolhouse on their backs in terms of speech rights everywhere they go."

Letters to the editor

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