Opinion

BAKER CITY Herald
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Baker City, Oregon

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EDITORIAL

Positive milestone during the pandemic

At long last — 15 months long — it's over.

Not the pandemic, to be sure.

The virus remains a threat, and particularly to those who are not vaccinated.

But some of the more harmful economic effects will go away this week when Oregon Gov. Kate Brown ends statewide restrictions, including limits on capacities in restaurants and bars, as well as for a variety of events.

Brown said on Friday, June 25 that she would cancel the restrictions either Wednesday, June 30, or when at least 70% of Oregonians 18 and older are partially or fully vaccinated. Based on vaccination rates, it appears June 30 will arrive first.

We can rejoice in the relief at no longer having to monitor the Oregon Health Authority's dashboards and worry that a handful of new cases will move Baker County into a higher risk level, with more stringent limits that hurt businesses.

"County risk level" is a term which, we can only hope, will be banished hereafter.

But even as we move into a summer that looks much more like a typical season in Baker County than 2020's version — a full slate of Fourth of July events at Haines, Miners Jubilee and the bull and bronc riding competitions, the East-West Shrine All-Star Football Game all scheduled — we would do well to recognize that COVID-19 is hardly eradicated.

Just last week the county had 19 new cases over two days — the most in a two-day stretch in two months. That capped a more modest increase in cases that started in early June (on a positive note, there were just five new cases in five days, June 23-27). Nancy Staten, director of the Baker County Health Department, said some people who were infected recently are sick enough that they are being treated in a hospital.

Staten also noted that none of the 19 people whose cases were counted on June 21 or 22 was vaccinated.

Most of us are at relatively low risk of contracting the virus. But people who are vaccinated are vastly better protected than those who aren't.

Vaccination is of course a personal choice, as it should be.

But with Baker County's vaccination rate well below the state average — just seven of Oregon's 35 other counties had a lower rate as of Friday, June 25 — the risk remains that friends, relatives and neighbors could become ill, perhaps severely so.

It's exciting to ponder all the events still to come this summer.

Better still that we get through the season with Baker County's COVID-19 death toll, which has been at 15 since May 21, staying right where it is.

— Jayson Jacoby, Baker City Herald editor

Letters to the editor

- We welcome letters on any issue of public interest. Customer complaints about specific businesses will not be printed.
- The writer must sign the letter and include an address and phone number (for verification only)

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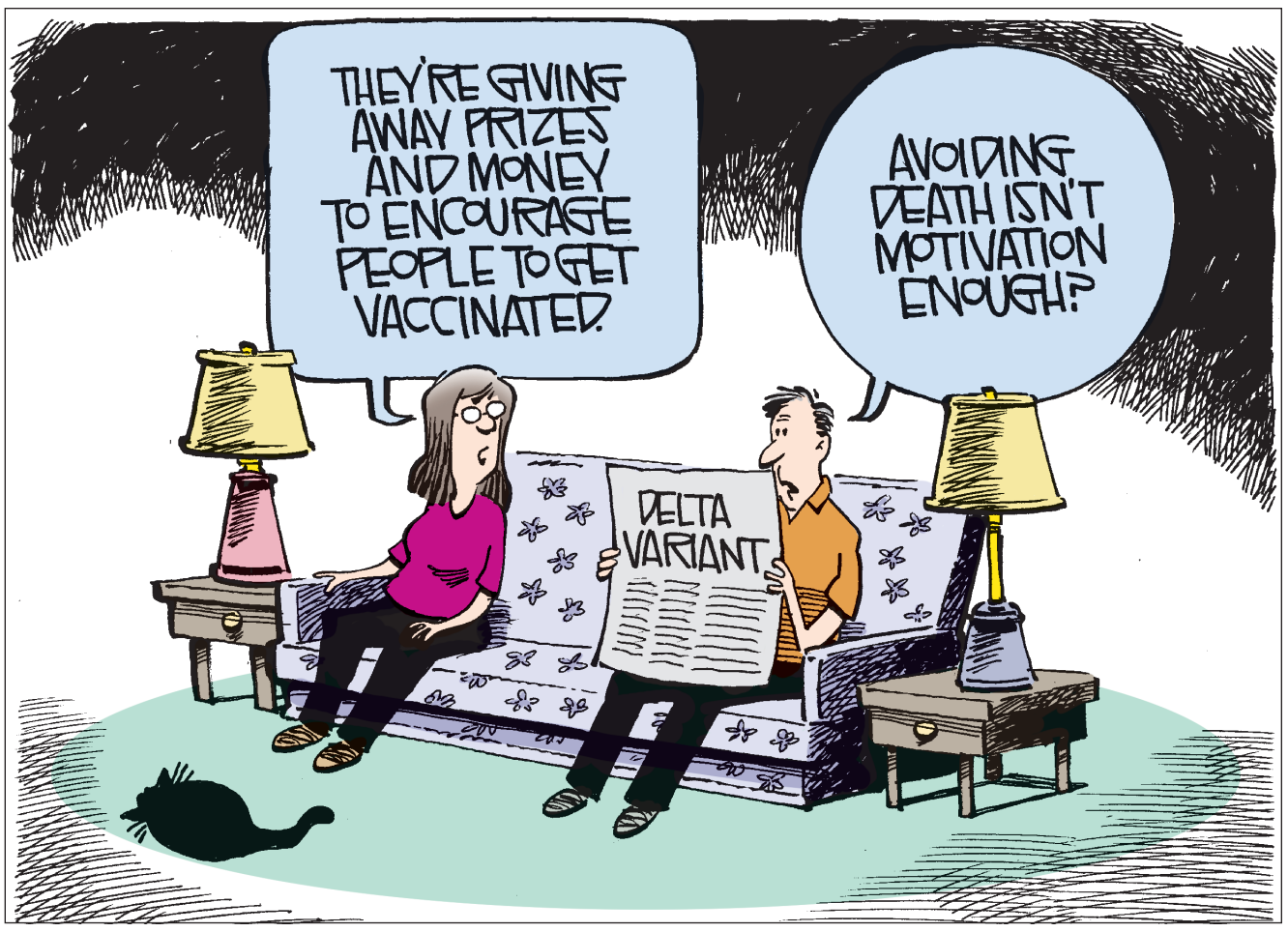

Your views

City manager shouldn't have endorsed Juneteenth event

It was with interest that I opened the email copy of the latest Baker City Newsletter sent out by our young city manager. Over the years I had grown used to receiving that weekly update and its connection with the business of our city's operation. I believe every resident should sign up to receive the newsletter as it affords an overview and understanding of operational activities by our employees.

The latest issue, sent out June 17, contained one prominently placed item which generated a mixed response — and not a favorable one. Manager Cannon has fired a shot across our bows, creating deep concern for his perspective on life in the rural West. He proudly announced (complete with typo) that City operations would be closed the 18th in observance of "Juneteenth," a fabricated holiday passed by our demented federal government. I will not at this time go into the fallacy of the concept. I will say I strenuously object to the reported "Black National Anthem" and the display of the "Pan-African Flag."

As all Americans know, the pledge of allegiance contains these words, "... One Nation under God, with liberty and justice for all." Reflect on this — "One Nation." There is no acknowledged subset, just as there is no other flag representing this, the most remarkable nation of modern times and perhaps ever.

As far as the "Juneteenth" flag and attendant ceremony, that is about as significant in America as the French Bastille Day (which is to say not at all). I suggest the folderol surrounding the black event be accorded the respect it deserves, that being limited to private, personal expression. Let it be something similar to when I fly the "Rampant Lion" flag. That is my personal oddity, not requiring genuflecting or observance by the disinterested. Perhaps we can just smile and nod when the topic is raised, then go on about our business.

"Juneteenth" does not deserve observation as a national holiday, accorded as much or more ceremony than that allowed for the 4th of July.

It was suggested that City Manager Cannon jumped on this opportunity to give himself and the city employees an extra paid day off. He reacted to Biden's signing with all the enthusiasm of a teenager being offered a free phone. It was as though he wanted to be the first one to shove this so-called "holiday" down our Eastern Oregon throats. I find myself choking on it.

How about the rest of the community? Do you find this easy to swallow?

Rick Rienks
Baker City

OTHER VIEWS

Supreme Court right on free speech

Editorial from Los Angeles Times:

Sometimes the Supreme Court protects constitutional rights best when it doesn't establish what lawyers call a bright-line rule applicable to every possible future situation. That was the case Wednesday when the court ruled in favor of a high school cheerleader who had been disciplined for a vulgar outburst on social media and a California man who was arrested after a police officer entered his garage without a warrant.

In Mahanoy Area School District v. B.L., the justices ruled 8-1 that a Pennsylvania school district violated the free speech rights of Brandi Levy when it suspended her from her school's junior varsity cheerleading team. The school acted after Levy, disappointed that she hadn't made the varsity squad, took a photo of herself and a friend raising their middle fingers and posted it on Snapchat. She also used a vulgarity to denounce the school, the cheerleading team and "everything."

In agreeing with the U.S. 3rd Circuit Court of Appeals that the school violated Levy's First Amendment rights, the court essentially reaffirmed the position it took in a landmark 1969 case that students at public schools have free speech rights so long as their speech doesn't create the risk of a "substantial disruption of or material interference with school activities."

The 1969 case, Tinker v. Des Moines School District, involved students wearing black armbands to protest the Vietnam War. Levy's speech obviously was more personal than political. But, writing for the court, Justice Stephen G. Breyer properly said that it constituted "criticism of the rules of a community of which B.L. forms a part" and thus deserved protection.

Yet, even as it agreed with the appeals court that Levy's rights were violated, the court rejected the lower court's sweeping conclusion that schools couldn't punish off-campus speech. Breyer rightly suggested that there were circumstances in which a school might regulate off-campus speech, such as "severe bullying or harassment targeting particular individuals."

He warned, however, that "courts must be more skeptical of a school's efforts to regulate off-campus speech, for doing so may mean the student cannot engage in that kind of speech at all." That makes sense. Even in the internet age, conduct by students off campus should generally be the responsibility of parents, not school officials.

In another decision handed down Wednesday, Lange v. California, the court refused to establish a categorical rule that police who are pursuing someone they have probable cause to arrest for committing a minor offense can always enter the suspect's home without a warrant.

In 2016, California Highway Patrol Officer Aaron Weikert noticed that Arthur Lange was playing loud music and honking his car's horn. Weikert followed Lange home and, as Lange was preparing to turn into his driveway, the officer said he turned on his car's flashing red lights, a signal that a motorist should stop. Lange pulled into his garage anyway and Weikert entered the garage after him, where the officer said he noticed signs that Lange was intoxicated.

Lange sought to suppress the evidence obtained by Weikert because the officer had entered Lange's residence without a warrant. But the California Court of Appeal took the position that the officer didn't need a warrant and endorsed the idea that, under an exception for emergencies called exigent circumstances, a warrant isn't required when there is probable cause that a person being pursued had committed even a misdemeanor offense. (The Supreme Court has recognized an exception from the warrant requirement in cases in which police were pursuing suspected felons.)

Writing for a seven-justice majority, Justice Elena Kagan rejected any such blanket exception for misdemeanors. Instead, she said, the court's Fourth Amendment precedents called for a case-by-case consideration of whether a warrantless search involved exigent circumstances. She went on to invoke the principle from the common law that "a man's house is his castle."

As in the case of the cheerleader, the court in this case declined to establish a rigid rule. But police are on notice that they must think carefully before entering a home without a warrant, just as school administrators now know that they aren't overseers of everything their students say online. The court has spoken clearly and powerfully, even if it hasn't addressed every possible contingency.

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