

OUR VIEW

Audio recordings and open courtrooms

Walk in a courtroom in Oregon and it’s generally illegal to turn on a recording device. The public can’t do it. Reporters can’t do it, either. That means write fast because there will be no listening back later to ensure the quotes are right. The rules in Oregon are clear. You can only electronically record with a judge’s permission. “Except with the express prior permission of the court, a person may not: (a) Electronically record any court proceeding...”

Is that an anachronism from the predigital age? We agree everyone waving around cellphones and videorecording would be distracting. What about just audio recordings though?

We bring it up in part because of a court case in North Carolina. A judge put a newspaper editor in jail after one of his reporters used an audio recorder to help him take notes during a trial. There is no question it was not allowed under North Carolina’s rules. So the reporter shouldn’t have done it.

The North Carolina case got attention because the judge held the editor in criminal contempt of court even though it was the reporter who did the recording. You can check out more about it here tinyurl.com/editorjailed if you have access to The Washington Post.

We are more interested in the general rule across most court systems barring audio recordings. Allowing such recordings could enable families, relatives and court watchers to have an easy way to go over what happened in court. It would make it easier for reporters, too. Of course, transcripts and/or recordings are available from the courts. That certainly is not as quick as carrying it home from court in your pocket.

Wells Ashby, Deschutes County Circuit Court’s presiding judge, gave us some good reasons the law in Oregon was written appropriately. He actually worked on the committee that updated Oregon’s Uniform Trial Court Rules in 2018.

Livestreamed proceedings have been used as a way to intimidate witnesses. People have shared recordings of proceedings with witnesses even after judges have ordered witnesses be excluded from the courtroom to prevent them from learning from what other witnesses say. And people have tried to intimidate witnesses just by showing a witness a recording device when a witness is testifying.

So yes. We like Oregon’s rules for those reasons. Those rules, though, make it doubly important that transcripts and recordings of proceedings are quickly provided to the public at minimal charge. And we would also hope that judges are accommodating with photographers and video recording when there is public interest and it will not be disruptive.

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Inflation’s running hot, leaving working families in the cold

By Erik Randolph

How can we help working families the most? Raising the minimum wage to \$15 an hour is a popular solution, but it’s a short-sighted one given the reality that inflation — the silent assassin of Americans’ livelihoods, particularly for the poor — is now running the hottest it has in decades.

The Consumer Price Index has increased 5.4% since last year, as announced on July 13 by the U.S. Bureau of Labor Statistics. The monthly rate was 0.6% in May but 0.9% in June. If this rate persists, our nation will experience double-digit inflation. A 0.9% monthly rate translates to an 11.4% annual rate, a level not seen since the 1970s.

Considering all the recent deficit spending by Congress and expansionary policies by the Federal Reserve, expect more of the same, or worse. In fact, according to a survey of economists in a recent issue of The Wall Street Journal, “Americans should brace themselves” because economists are waking up to the prospect of higher inflation, expecting “brisk price increases for a while.”

Economic history indicates deflation should be the norm. In fact, innovation spawns increased productivity that allows prices to fall, which should show up as deflation. We have the opposite: productivity gains with inflation. This outcome places the blame squarely on monetary and fiscal policy.

Who gets hurt the most? Those who can least afford dramatic price increases for staples like food and rent, and those whose income growth typically

lags others — the poor and low-income Americans.

Consider this: The most recent mid-year consumer expenditure report from the BLS found that consumers in the lowest income quintile spend 82.2% of their income on housing, transportation, food and health care, compared to 64.4% for the highest quintile.

A 5% inflation rate would cost those in the lowest quintile an additional \$1,156 for these items on their already tight budgets, averaging \$28,141. A 10% inflation rate would double those costs to \$2,312.

Worse, those in the lowest quintile are unable to save for their future, and inflation erodes the value of the little savings they do have. On average, those in the lowest quintile purchased only \$563 in personal insurance or toward their pensions, compared to \$19,736 in the highest quintile. This disparity guarantees the poor will be inadequately prepared for retirement or unforeseen loss or tragedy.

The impact of inflation was illustrated in a recent focus group session on working class families conducted by my organization, the Georgia Center for Opportunity. Our focus group consisted of working-class African-Americans who did not have a college degree and who were not employed in a managerial position or on track to achieve a management level position.

One of the women relayed her experience with financial stress up close. She was tempted to quit her job because the cost of daycare was so high. She said that either the minimum wage should be increased or the cost of living should

be lowered. That was an incredible observation.

What Jazmine referred to is all about promoting the purchasing power of all Americans. We know that raising the minimum wage has numerous negative impacts — from reducing employment among those groups that minimum-wage laws are designed to help to running mom-and-pop small businesses out of commission in favor of big corporations (think Amazon).

The better option is for Congress to renew our nation’s purchasing power policy and get its fiscal house in order. Instead of devising new ways to spend more money we don’t have, Congress and the Biden administration should guide the federal government to live within its means and ease restrictions on economic growth. We don’t need more fiscal stimulus to fuel more inflation.

Congress can start by reinstating the actively-looking-for-work rule for those receiving unemployment benefits. Our leaders can then put a halt on other benefits that create disincentives to work and benefit cliffs — such as pandemic-related food stamps — for a public health crisis that, for all practical purposes, is gone.

At the same time, we need more production and entrepreneurial risk-taking on the supply side. The sooner we respond in ways that focus on cost-of-living changes for people like Jazmine and promote the purchasing power of all Americans, the better.

Erik Randolph is director of research for the Georgia Center for Opportunity.

OTHER VIEWS

Cuban protests and the stakes for U.S.

Editorial from Tampa Bay Times:

The widespread protests in Cuba mark a new challenge to the communist regime and a major test to the Biden administration. Thousands took to the streets in cities across the island Sunday, mounting a rare public rebuke to the authoritarian government. As it looks to respond, the Biden administration should focus on alleviating the suffering of the Cuban people. It also needs to frame what’s possible with the next generation of Cuban leadership.

Sunday’s protests in Havana and dozens of other cities were the largest in decades, reflecting the depth of public resentment across the board. Long accustomed to rationing, Cubans are exhausted by acute shortages of food, medicine and electricity, rising prices and an explosion of coronavirus cases. The pandemic has all but shuttered Cuba’s tourist industry, a major part of an economy that contracted 11 percent last year. And Trump-era trade restrictions have reinforced the pain of the U.S. embargo, prompting Cubans to denounce the 62-year dictatorship in ways that seemed unthinkable only a few years ago.

President Miguel Diaz-Canel predictably blamed the United States, claiming the protests were led by U.S. sponsored “counter-revolutionaries,” and he urged his supporters to take up “combat” to reclaim the streets. The reality, of course, is far different. Cubans want to eat, they want the lights on, and they want the COVID vaccine. The advent of social media has enabled activists to easier organize protests. And as the first leader of the post-Castro era, Diaz-Canel lacks the mythology of the revolutionary movement. He has a firm grip of Cuba’s security apparatus without the populist appeal.

The protests come as the Biden administration is conducting a review of the Trump-era Cuba policy, which rolled back many reforms enacted under President Barack Obama, including placing new restrictions on U.S. travel to Cuba and remittances to the island. The administration should look to increase remittances, which are a financial lifeline for many Cubans. It should assist in providing Cuba with greater access to food, equipment and medicines. And Washington should continue to underscore how human rights and democratic reforms are key to ending

the U.S. embargo and normalizing relations between the two countries.

The demonstrations in Tampa, Miami and Orlando in support of the protests in Cuba reflect the role Florida can play in addressing this humanitarian crisis. In heavily-Hispanic West Tampa, hundreds of demonstrators have lined the streets this week in largely peaceful protests, calling attention to the unrest in Cuba and pressing state and local lawmakers for support.

This is no time for either country to use suffering Cubans as geopolitical pawns. The administration should pursue a careful strategy that addresses the need for everyday essentials and puts Cuba on the path to reforms. Havana is facing a home-grown crisis from its own history of human oppression. But the U.S., and Cuban-Americans in Florida especially, have no stake in having these conditions deteriorate any further. And the Cuban government should see these protests for what they are — demonstrations by ordinary Cubans flexing their muscles, who don’t need outside inspiration to say they’ve had enough.