

EDITORIAL

Baker's
generosity
impresses
as always

Though it's hardly surprising, the generosity that is a defining characteristic of Baker County residents continues to make our hearts swell as it enriches our communities during the Christmas season.

Recently the examples have abounded.

Compiling a complete list is a daunting task — indeed, an impossible one.

So many of the good works are done by people who refuse recognition, compelling evidence that selflessness and modesty are often twin traits.

Which isn't to say that those whose efforts are publicized actively seek the attention for selfish reasons. Well it is that residents can learn about some of the ways in which our friends, families and neighbors strive to exemplify the qualities that define this holiest of seasons, most particularly charity.

Among the campaigns that caught our attention:

- Students and staff at South Baker Intermediate and Brooklyn Primary schools had a coin drive competition that raised \$4,119.97 (Brooklyn had a slight edge) to buy toys for local children through a program sponsored by Lew Brothers Les Schwab Tires and CASA of Eastern Oregon.

(The latter is an organization whose volunteers help represent the interests of children in the court system.)

- Country Financial donated \$1,500 to the Baker City Police Department's K9 Drug Prevention Program, the money paying costs associated with Capa, the Department's drug-detecting dog.

- The Baker County Chamber of Commerce, along with the Baker City Kiwanis Club, is responding to more than 250 letters to Santa Claus written by local children.

- Volunteers sang Christmas carols to residents at two assisted living communities on Friday, Dec. 17.

- Angel trees have been available at multiple locations to ensure every child has something to exclaim about, with shining eyes, this Christmas.

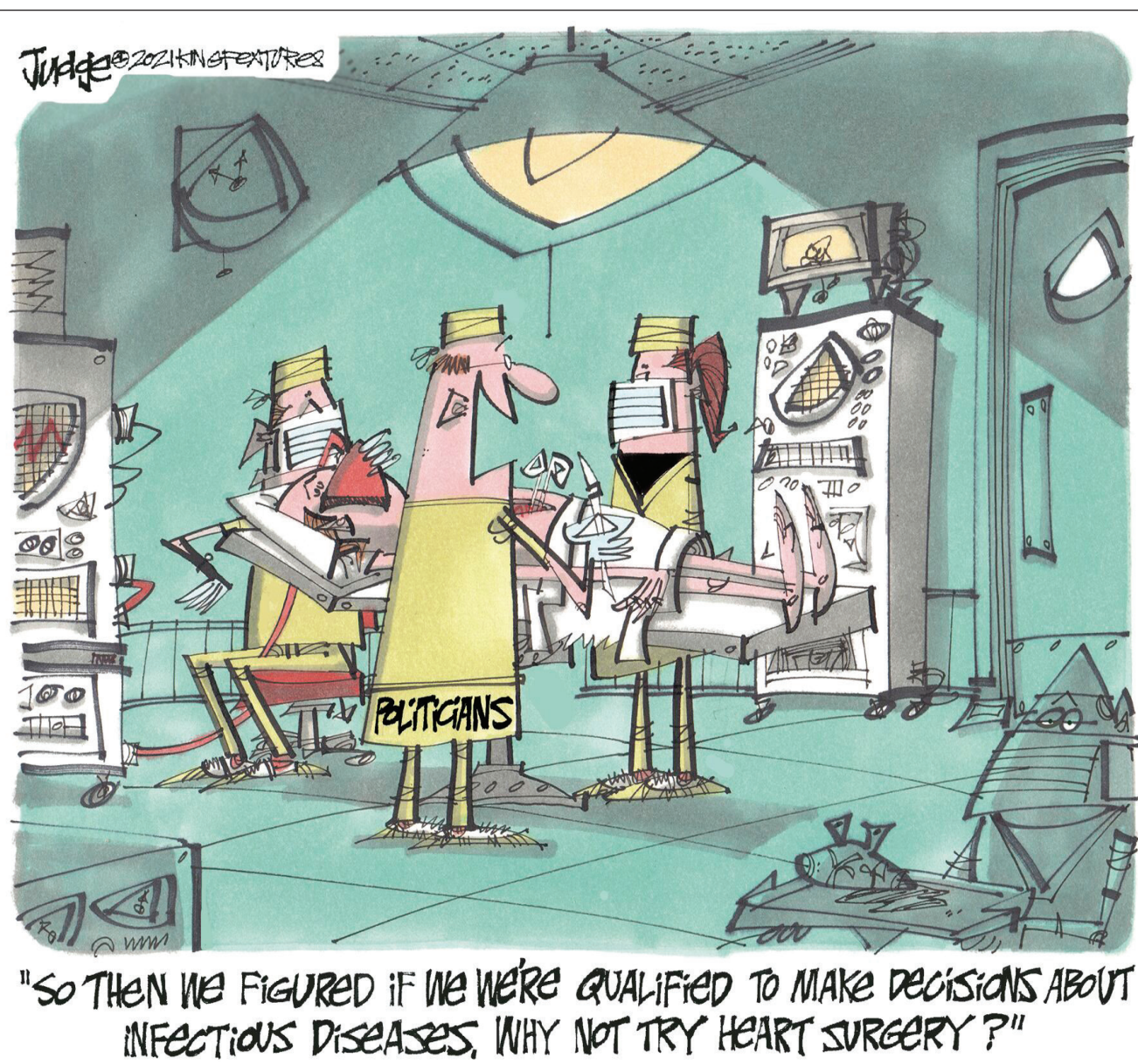
There are, to reiterate, many equally compelling examples across the county.

As we continue through the holiday season, with its sometimes hectic hours and other occasional annoyances, spare some time to remember how many wonderful things are happening.

Most of us probably will never experience, or even know about, many of these episodes.

But their value is in no way diminished by their anonymity.

— Jayson Jacoby, Baker City Herald editor

Race-baiting in the aftermath
of the Kyle Rittenhouse trial

By AMY SWEARER

The acquittal of Kyle Rittenhouse last month on charges related to his Aug. 25, 2020, shooting of three white men during a chaotic night of destructive civil unrest in Kenosha, Wisconsin, should have surprised no one who watched the trial with an open mind and a basic understanding of self-defense laws. Yet countless blue-check pundits on social media lost their collective minds in a race-baiting game of "What if Rittenhouse were black?"

The hot takes abounded. Some highly followed commentators went so far as to explicitly assert that no person of color could ever intentionally shoot someone and be acquitted on grounds of lawful self-defense.

The idea that self-defense is a legal justification largely for white Americans and that no jury would ever acquit defendants of color who claim they acted in self-defense is absurdly reductive.

It's also easily disprovable with a basic Google search.

Consider just some of the many non-white defendants acquitted of murder or attempted murder in recent years because of successful self-defense claims:

- Tony Bristol – A jury acquitted Bristol on all charges after he fatally shot one man and wounded another at a nightclub. The prosecution argued that Bristol intentionally armed himself with a gun just before the confrontation and shot the two unarmed men — one in the back — over a longstanding interpersonal dispute. Bristol argued that he shot in self-defense after the men threatened him, and that he reasonably believed they were armed and posed an imminent danger.

- Stephen Spencer – Spencer, a concealed carry permit holder, was acquitted by a mostly white jury who believed he fatally shot a white man in self-defense during a race-related dispute.

- Jaron Moore – Moore admitted to fatally shooting Reginald Frank following an argument at Frank's home, but claimed he acted in self-defense after Frank produced a gun. The jury acquitted Moore despite the prosecution's argument that Frank was unarmed and that Moore was the initial aggressor who "went to the victim's home to inject himself into an argument he didn't belong in."

- Jesus Lima – Prosecutors argued that the 18-year-old Lima was the initial aggressor who knowingly brought a gun to a confrontation outside of a liquor store in which he fatally shot another man, and that he had previously threatened one of the men involved in the confrontation. He was nonetheless acquitted after testifying that he was attacked by a group of five men and retreated for over 20 yards before drawing his gun.

Additional examples of exonerated defendants abound: Nehemiah Martin (April 2021), Kavante Wright (June 2021), Kenneth Ray Smith (October 2021) and Demarcus Glenn (October 2021) to name a few.

And this is to say nothing of the recent and readily researchable cases where defendants of color were charged with serious felonies, but had those charges dropped by prosecutors long before trial because the state believed it couldn't disprove a claim of self-defense — defendants like Ajay Alvarez (May 2021), Robert Chesser (September 2021) and Jawaun Thompson (June 2021).

If the talking heads of social media aren't aware of these cases, it's hardly surprising that they're unaware of the many cases where white defendants did not successfully "get away with murder" by "just claiming self-defense."

Ironically, just a week after the Rittenhouse verdict, a jury in Georgia convicted three white men of murder in the shooting death of Ahmaud Arbery,

a black man, discounting their claim of self-defense. This is far from the only recent example of white defendants unsuccessfully raising claims of self-defense, including against black victims:

- Anthony James Trifiletti – The 24-year-old Trifiletti was convicted of murder for fatally shooting a black man after a minor traffic accident. Trifiletti claimed he acted in self-defense and feared the man — who was ultimately unarmed — was reaching for a gun.

- Michael McKinney – A white Army veteran was sentenced to over a decade in prison for shooting and wounding a Black teenage girl when he fired into a vehicle encircled by political rally participants. The man initially claimed he "felt he was in danger" and was merely protecting himself.

- Michael Drejka – A jury convicted Drejka of manslaughter for fatally shooting Markeis McGlockton, a black man, during a confrontation over a disabled parking spot. Drejka claimed he acted in self-defense after an unarmed McGlockton shoved him to the ground and stepped toward him.

The American criminal justice system is imperfect. But simplistic, race-baiting narratives about self-defense claims distract from real problems and racial disparities.

A black Kyle Rittenhouse, tried under those same circumstances and with all relevant interactions equally caught on video, very likely raises a successful claim of self-defense — a justification entirely warranted under the law, based on the evidence.

In a sensible world, we would at least acknowledge this, and stop demagoguing successful self-defense claims based on the defendant's race.

Amy Swearer is a legal fellow in The Heritage Foundation's Meese Center for Legal and Judicial Studies.

Your views

We have the Constitution, so why
another local resolution?

I just read with interest an article in the Dec. 16 edition, Constitutional County. If we already enjoy the liberties afforded us by the Constitution, as stated by Mr. Jake Brown in this article, why do we need this resolution? As for our overly friendly commissioner from Lander County, Mr. Art Clark, I did a little research and found this. Lander County, Nevada, is shelling out \$2,500 for lifetime membership to a controversial, far-right law enforcement group, The Daily Beast has learned. For their

money, residents will get some lapel pins, a plaque, and a big party featuring an alleged participant in the Jan. 6 attack on the United States Capitol. I don't believe our county really wants to be a part of this, at least I don't. How about you commissioners?

This statement by Carrie Matthews also troubled me, "If we become a constitutional county now and pass further resolutions, we will be proactive instead of reactive by telling them not in our county, not on our watch, or you will see the inside of the sheriff's jail. Plain and simple," Matthews said.

What "further resolutions" might we expect? Actions like this are what is causing so much division across this country, and I for one am hopeful that we "Americans" are smart enough to unite this country, it seems our elected representatives are unable to do so. I would have preferred to present my case in person, but I would have worn my mask and certainly been escorted out, denying me my constitutional right of free speech, and right to assembly as was Mr. Dielman.

Don Worley
Baker City

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President Joe Biden: The White House, 1600 Pennsylvania Ave., Washington, D.C. 20500; 202-456-1111; to send comments, go to www.whitehouse.gov.

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