

County in Washington considers mandates for COVID

SEATTLE (AP) — COVID-19 levels remain high this summer in Washington's most populous county — which includes Seattle.

Increasingly involving the highly transmissible omicron BA.5 variant and BA.4, cases are higher than the peak of last year's delta wave, according to Dr. Jeff Duchin, health officer for Public Health — Seattle & King County.

And those case numbers are an undercount because many people are using rapid at-home tests, which are rarely included in official numbers, KUOW reported.

Duchin said Thursday, July 14 that hospitalizations in King County have increased three-fold since April. Duchin said as a result there are active discussions about mandates.

"We are actively considering if, and when, additional mandates may be needed. And I'm really encouraging everyone now, to please, let's make sure we've done all we can on a voluntary basis before we have to go there," Duchin said during a press briefing.

He said mandates have their place when short-term immediate improvement is needed.

In Los Angeles County, county health Director Barbara Ferrer said Thursday that residents face a return to a broad indoor mask mandate on July 29 if current trends in hospital admissions continue.

"But over the long-term we really do need people to understand that we need both our business community, our leadership in the community, and our community members to take the steps that they need to take to protect themselves and one another," Duchin said.

Staying current with vaccinations and boost-

ers, improving indoor air quality and ventilation, and wearing high quality masks can help reduce risks.

Duchin said with the potential for lasting symptoms, known as long COVID, it's worth preventing even mild infections.

More than 86% of people five and older have completed their initial vaccine series in King County. However, just over half have gotten a booster. Earlier this week the White House response team urgently called on everyone 50 and older to get a booster if they haven't yet in 2022.

Murder conviction overturned after Black jurors excluded

PORTLAND (AP) — The Oregon Court of Appeals has overturned the 2018 murder conviction of a Portland man after finding that prosecutors dismissed two men from the jury pool because they were Black.

The jury, which had no Black members, found Darian L. McWoods, a Black man, guilty of murder by abuse in the death of his 15-month-old daughter, Kamaya Flores, in Multnomah County Circuit Court, The Oregonian/OregonLive reported.

In the ruling released Wednesday, July 13, Presiding Judge Josephine Mooney found that Multnomah County Senior Deputy District Attorney Amanda Nadell offered race-neutral reasons to strike both prospective jurors, but those arguments were only a "pretext."

Mooney wrote that the state did not seek to strike similarly situated jurors who were not Black.

"Racial discrimination in the selection of jurors is harmful," Mooney wrote.

McWoods' defense attorney Josephine Townsend challenged both dismissals under the "Batson" rule, referring to a 1986 U.S. Supreme Court decision prohibiting the exclusion of prospective jurors based on their race.

In a statement, Multnomah County District Attorney's Office spokesperson Elisabeth Shepard said the Court of Appeals opinion would be used "to further educate and inform our role in the administration of justice."

"We are committed to the ongoing pursuit of a safer, more equitable system," she said.

Unless the Oregon Department of Justice appeals the overturned conviction to the state Supreme Court, the case will return to Circuit Court, where it could be retried or dismissed.

McWood, who maintained his innocence throughout the trial, is serving a life sentence with the possibility of parole after 25 years. Prosecutors accused him of killing his daughter by a methadone overdose, saying he was a drug user who sometimes mixed his drugs into kid-friendly drinks such as Capri Sun.

Townsend suggested the drugs could have been left in a shared bedroom by another family member.

"I know that my client is really looking forward to a retrial, and I'm really hoping that we get the right results," she said.

He remains in custody at the Eastern Oregon Correctional Institute in Pendleton.

Penalty cut for Oregon bakers who refused to serve lesbian couple

PORTLAND (AP) — The state of Oregon has slashed the financial penalties it assigned a baker who refused to bake a wedding cake for a lesbian couple almost 10 years ago.

In compliance with a state appeals court ruling earlier this year, State Labor Commissioner Val Hoyle said Tuesday, July 12 that the Bureau of Labor and Industries is ordering Aaron Klein to pay \$30,000 damages instead of a \$135,000 fine issued in 2015, Oregon Public Broadcasting reported.

Laurel and Rachel Bowman-Cryer filed a complaint against Sweet Cakes by Melissa owners Melissa and Aaron Klein in 2013, saying the bakery refused to bake them a wedding cake.

The Oregon Court of Appeals twice upheld a ruling by the state civil rights division that found that an Oregon bakery illegally discriminated against the couple.

The court in January found the Oregon Bureau of Labor and Industries did not exhibit religious neutrality in issuing the fine and returned the case to the civil rights division to reassess it.

The damages were scrapped in 2018, when the U.S. Supreme Court ruled in favor of a Colorado baker who had also been fined for refusing service to a same-sex couple on religious grounds. Justices there found Colorado's penalty had shown bias against the baker's religion.

They ordered the Oregon Court of Appeals to take a fresh look at the Sweet Cakes case.

Applying the new standards set by the Supreme Court, Oregon appellate judges found reason to believe the steep penalty demonstrated bias. While the court found the state had a right to penalize Klein for illegal discrimination, it also concluded that the agency had "at least subtly" strayed from its legal requirement

to be neutral in regard to his religion.

As a result, the Oregon Court of Appeals directed the bureau, now led by Hoyle, to take another look at the penalty.

"Per the direction of the Court of Appeals, we have recalibrated the damages awarded to complainants to fall squarely within the range of such awards in previous BOLI public accommodations cases, given the record established in this case," Hoyle said in a statement Tuesday.

This award is based on the violation of law, the record in the proceeding, and is consistent with BOLI case history."

Hoyle's order only awarded damages based on the decision to refuse service. It awards Rachel Bowman-Cryer \$20,000 and her wife, Laurel Bowman-Cryer, \$10,000 "for emotional, mental, and physical suffering resulting from the denial of service."

The Kleins have left Oregon, and business records indicate they have reopened their business in Montana.

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Oregon's next governor will have a major say in abortion rights

BY LAUREN DAKE

Oregon Public Broadcasting
SALEM — Across the country, the U.S. Supreme Court's decision to overturn the constitutional right to an abortion has reshaped contests for governor, raising the stakes for a role that could serve as the last line of defense in protecting a pregnant person's right to choose.

But in Oregon, after *Roe v. Wade* was overturned, advocates and politicians hailed the state as a sanctuary for those seeking access to an abortion. Oregon has some of the strongest protections in the country and politicians promised it would continue to be a safe haven for those who come from more restrictive states.

Those on the front line of the battle to retain access to abortion warn, however, that Oregon is not immune to the political shifts that caused the downfall of *Roe v. Wade*.

"There is absolutely a sense of complacency in our state that the fact that abortion is legal and it will remain legal," said Grayson Dempsey, who has worked in the reproductive rights arena for years. "It would be silly to think five hours to the east they are passing laws to imprison abortion doctors and passing bans at six weeks, and we're totally fine because we have this state line."

This November is expected to be a red wave year across the country, and Oregon's next governor could have a consequential influence on the future of abortion care in the state. Of the three major candidates, two favor unrestricted access to abortion. One, the Republican, called Oregon's current abortion laws "among the most extreme in the country."

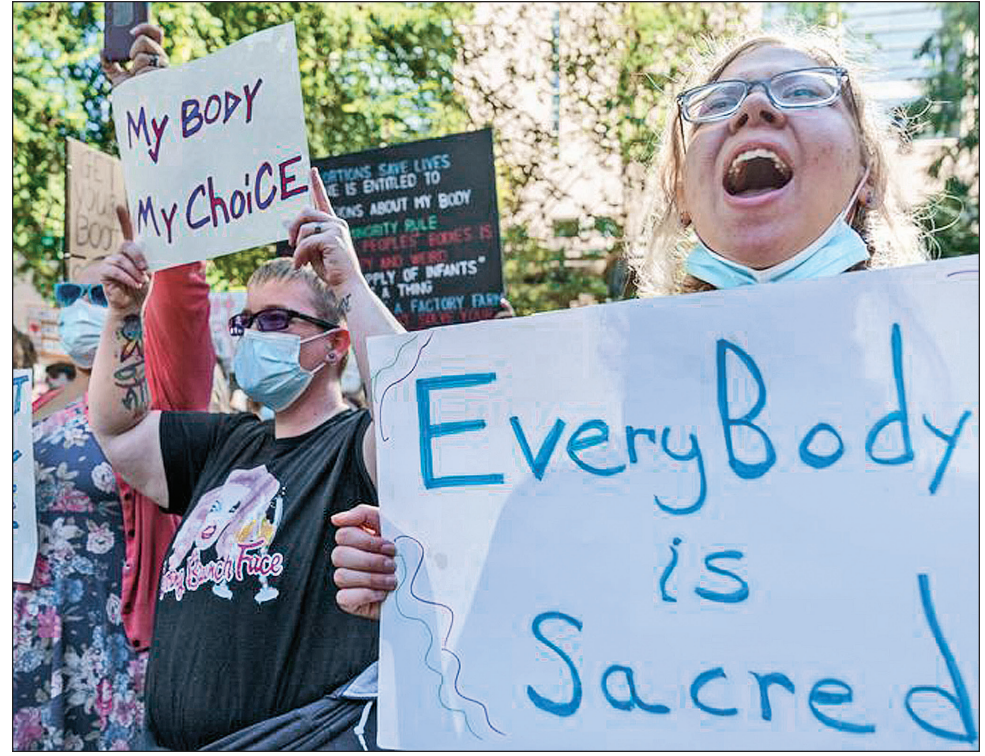
Depending on which woman wins the job, future conversations about abortion rights — and other privacy-related issues — could look very different in the state.

Abortion, and related questions

It's not simply a matter of whether a candidate is for or against access to abortion services.

The next governor will be instrumental in determining how much state money is invested in reproductive health care. The governor holds the power to both propose and veto budgets, which in Oregon have often carved out money for reproductive rights. Gov. Kate Brown, who cannot run again due to term limits, has also been supportive of using taxpayer dollars, part of a \$15 million health equity fund, to help people from other states get an abortion in Oregon.

Former state Sen. Betsy Johnson, who is running as an unaffiliated candidate,



Kristyna Wentz-Graff/Oregon Public Broadcasting, File

Chloe Latuvnik, 13, of Kenosha, Wisconsin, right, chants with her mothers, Joy and Marianne Latuvnik-Morin, left and center, as they attend a rally in downtown Portland to protest the U.S. Supreme Court overturning of *Roe v. Wade*, Friday, June 24, 2022.

has a long record of supporting abortion access. Still, she does not support using Oregon tax dollars to help people from other states access an abortion.

"Oregon tax dollars should be spent on Oregonians," said Johnson, a former chair of the legislative budget-writing committee.

The Republican candidate for governor, former House Minority Leader Christine Drazan, said she opposes using state money to help people access an abortion, no matter if it's a resident of Oregon or another state.

Former House Speaker Tina Kotek, the Democratic contender, said she supports continuing the current policy of using Oregon state funds to help people from more restrictive states access an abortion here. Kotek said Oregon has long been a leader in the reproductive rights arena and she would further that legacy.

The governor also sets the tone on topics such as abortion.

After justices officially struck down *Roe v. Wade*, Gov. Brown announced she was creating a "West Coast offense" with the governors of Washington and California. The idea: to make the Democrat-controlled West Coast a safe haven for people in other states seeking an abortion.

Brown has also made it clear, as some other states move to criminalize abortions, that she will not direct state law enforcement to help extradite any individual who comes to Oregon to receive an abortion.

In 2017, Oregon lawmakers codified the right to access an abortion into state law. Like any law, it could be

undone, changed or chipped away at by adding barriers that limit access.

Christel Allen, executive director with ProChoice Oregon, said advocates are always working behind the scenes to stop efforts to restrict access.

"I think folks might not recognize the amount of vigilance that organizations and advocates have been working on for the past 45 years," Allen said. "We have a dozen abortion bans introduced every (legislative) session."

Most never receive a legislative hearing. "That's because we have (Democratic) majorities, and it's been a moment since we have had a Republican or anti-choice governor," Allen said.

More fights to come

When Lois Anderson, executive director of Oregon Right to Life, heard the U.S. Supreme Court ruling, her reaction was one of joy, she told OPB's "Think Out Loud." Anderson said her group is working on a bill for the 2023 legislative session to ban abortions later in pregnancy.

And, she noted, "There is no right to abortion in the constitution."

On this point, too, the three candidates could chart vastly different paths. Both Kotek and Johnson said they support the idea of enshrining the right to access an abortion in the state constitution.

OPB asked Drazan whether she would support a constitutional effort to enshrine the right to abortion and other civil rights. She declined to answer and instead offered a statement from her spokesperson: "Our cam-

paign is focused on addressing high gas prices, homelessness, crime, and our failing schools. Christine has never shied away from her pro-life values and her affirmation of marriage equality is well established."

Drazan's statement makes sense politically. For Republicans, it's politically smarter to focus on the array of other pressing issues on which Democrats might seem more vulnerable to voters: the economy, a spike in gas prices, public safety and crime.

But for Democrats, it's advantageous to argue civil liberties are on the ballot and to mobilize voters who fear more rights being rolled back.

John Horvick, with the polling firm DHM Research, said surveys generally show abortion rights continue to rank lower on the scale of importance to voters than some of the economic issues. After a major news event, such as the SCOTUS decision, there is some fluctuation in voter concerns, but it's often fleeting, Horvick said.

After justices officially struck down *Roe v. Wade*, Oregon politicians tweeted and sent out press releases. There were large, but limited, public protests. Someone hurled a Molotov cocktail at the Oregon Right to Life building.

But overall, the debate over personal freedom in the hotly contested governor's race has remained relatively muted.

With about four months to go before the election, however, that could change. Despite what stance they take, both sides agree the Supreme Court ruling was just one step in an ongoing battle.

With summer here, there is lots of traveling. Be safe & have fun!



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