

TODAY

Today is Monday, Feb. 22, the 53rd day of 2021. There are 312 days left in the year.

Today's Highlight in History:

On Feb. 22, 1980, the "Miracle on Ice" took place in Lake Placid, New York, as the United States Olympic hockey team upset the Soviets, 4-3. (The U.S. team went on to win the gold medal.)

In 1732, the first president of the United States, George Washington, was born in Westmoreland County in the Virginia Colony.

In 1889, President Grover Cleveland signed an enabling act paving the way for the Dakotas, Montana and Washington to become states.

In 1959, the inaugural Daytona 500 race was held; although Johnny Beauchamp was initially declared the winner, the victory was later awarded to Lee Petty. In 1967, more than 25,000 U.S. and South Vietnamese troops launched Operation Junction City, aimed at smashing a Vietcong stronghold near the Cambodian border.

In 1984, David Vetter, a 12-year-old Texas boy who'd spent most of his life in a plastic bubble because he had no immunity to disease, died 15 days after being removed from the bubble for a bone-marrow transplant.

In 1987, pop artist Andy Warhol died at a New York City hospital at age 58.

In 1997, scientists in Scotland announced they had succeeded in cloning an adult mammal, producing a lamb named "Dolly."

In 2004, consumer advocate Ralph Nader announced he was running again for president, this time as an independent.

In 2005, Buckingham Palace said Queen Elizabeth II would not attend the civil marriage ceremony of her son Prince Charles and Camilla Parker Bowles — but that her absence should not be interpreted as a snub.

In 2010, Najibullah Zazi, accused of buying beauty supplies to make bombs for an attack on New York City subways, pleaded guilty to charges including conspiring to use weapons of mass destruction.

In 2017, the Trump administration lifted federal guidelines that said transgender students should be allowed to use public school bathrooms and locker rooms matching their chosen gender identity.

In 2019, a California couple pleaded guilty to torture and years of abuse that included shackling some of their 13 children to beds and starving them.

Ten years ago: A defiant Moamar Gadhafi vowed to fight to his "last drop of blood" and roared at supporters to strike back against Libyan protesters to defend his embattled regime. A magnitude-6.1 earthquake in Christchurch, New Zealand, killed 184 people. Somali pirates shot to death four Americans taken hostage on their yacht several hundred miles south of Oman. Former White House chief of staff Rahm Emanuel was elected mayor of Chicago.

Five years ago: President Barack Obama sent lawmakers an official \$1.9 billion request to combat the spread of the Zika virus in Latin America and the U.S. The City Council of Charlotte, North Carolina, voted 7-4 to pass a new law allowing transgender people to choose public bathrooms that corresponded to their gender identity.

One year ago: A dozen towns in northern Italy effectively went into lockdown after the deaths of two people infected with the coronavirus. South Korea reported an eight-fold jump in viral infections, with more than 400 cases mostly linked to a church and a hospital.

Today's Birthdays: Actor Paul Dooley is 93. Actor James Hong is 92. Actor John Ashton is 73. Actor Miou-Miou is 71. Actor Julie Walters is 71. Basketball Hall of Famer Julius Erving is 71. Actor Ellen Greene is 70. Former Sen. Bill Frist, R-Tenn., is 69. Former White House adviser David Axelrod is 66. Actor Kyle MacLachlan is 62. World Golf Hall of Famer Vijay Singh is 58. Actor-comedian Rachel Dratch is 55. Actor Paul Lieberstein is 54. Actor Jeri Ryan is 53. Actor Thomas Jane is 52. TV host Clinton Kelly is 52. Actor Tamara Mello is 51. Actor-singer Lea Salonga is 50. Actor Jose Solano is 50. International Tennis Hall of Famer Michael Chang is 49. Rock musician Scott Phillips is 48. Singer James Blunt is 47. Actor Drew Barrymore is 46. Actor Liza Huber is 46. Rock singer Tom Higgenson (Plain White T's) is 42. Rock musician Joe Hottinger (Halestorm) is 39. Actor Zach Roerig is 36. Actor Daniel E. Smith is 31.

—Associated Press

LOCAL, STATE & REGION

OREGON LEGISLATURE | HARASSMENT CASE

Judge clears way for House vote to expel Democratic lawmaker

BY LAUREN DAKE

Oregon Public Broadcasting

Oregon Rep. Diego Hernandez's attempt to stop the House of Representatives from voting on whether to expel him from the Legislature failed Saturday when a judge declined to intervene.

Earlier this month, a panel of lawmakers determined Hernandez harassed and created a hostile work environment for three women. The entire House could vote as soon as Tuesday on whether to expel the Portland Democrat.

Hernandez's lawsuit sought a temporary restraining order to stop the vote on expulsion and to prevent any other sanctions. But United States District Court Judge Ann Aiken made it clear the Oregon Legislature has been "entrusted with power over policing its own members," and she was leery of allowing the court to intervene.

In her opinion, issued Saturday afternoon, the judge noted Hernandez's contention was he would suffer "public condemnation, damaged reputation, and reduced financial expectations" if he was expelled without being provided "a meaningful opportunity to be heard."

"However, plaintiff has not plead any facts that his expulsion is certain or even likely to occur," Aiken wrote. "In order to forestall the possibility of this uncertain outcome, the Court would need to intrude on the prerogatives of the Oregon Legislature, ordering, as (Hernandez) requests, that the House of Representatives not even consider a resolution submitted by its own members."

It would take a two-thirds vote or 40 members of the House to expel Hernandez.

The third-term Democratic lawmaker, who represents East



Bryan M. Vance/OPB file

A judge will allow the Oregon House's vote to expel Rep. Diego Hernandez, D-Portland, to proceed.

Portland, would be the first person expelled from the Legislature, according to available state records. The vote would not happen, however, if Hernandez decided to resign first.

During the oral arguments held on Thursday, Hernandez's attorney, Kevin Lafky, argued the lawmaker has not had a meaningful chance to present his case. The House Conduct Committee, Lafky said, missed evidence that would have added context and nuance to Hernandez's case. When Hernandez tried to offer more evidence to bolster his case, his attorney pointed out, much of it was highly redacted.

"It would be like a jury saying, 'Well, judge, thanks for those exhibits. But I'm not going to consider them,'" Lafky told the judge.

Hernandez's lawsuit included several text messages with the women who were part of the investigation and extensive communication records that were not presented during legislative hearings examining his behavior.

Aiken, the judge, disagreed with Lafky's interpretation in her opinion, noting Hernandez

was able to participate and respond to the investigation, to the House Conduct Committee members. And, she noted, he will have a chance to speak to his colleagues on the House floor before they vote on whether to expel him.

House Speaker Tina Kotek, also a Portland Democrat, has already said the normal time constraints put on floor debates would be waived, giving anyone an opportunity to speak as long as they needed while discussing the vote.

During the oral arguments, the judge also pointed out the vote was initially planned for last Tuesday and Hernandez had not planned to attend or testify.

The Feb. 16 scheduled vote was canceled due to the weather, but Hernandez filed an excused absence on Feb. 12 citing he would not be present for the vote due to "physical and mental health reasons."

Marc Abrams, the attorney representing the Legislature, argued the lawmaker was "subjected to an extensive investigation and he was found to have committed most of the alleged acts." He also disagreed with

Lafky's assertion that Hernandez was denied due process.

Hernandez "has received abundant process; he merely dislikes the outcome," Abrams wrote in the reply to the lawsuit.

In her opinion, Aiken also writes Hernandez has claimed the actions against him are "based substantially on (his) race," and alleges "many Caucasian members ... have committed much more severe acts" than him but never faced expulsion.

But, she continued, Hernandez has failed to present any evidence that any action taken against him was based on his ethnicity.

Hernandez has also argued extensively throughout this process that the rule prohibiting workplace harassment in the Capitol is flawed.

"The Legislature has been subject to similar scandals in past years, and it may be, as (Hernandez) alleges, that some transgressors were able to resign or reach some other settlement prior to facing expulsion," Aiken wrote. "However, the public has interest in beginning to address these inequities at the highest levels of state government and ensuring that harassment is no longer tolerated or excused."

In addition to a restraining order, Hernandez's lawsuit seeks \$1 million in damages, plus attorney fees, noting the process of investigating allegations against him has inflicted "emotional distress in the form of anguish, embarrassment, loss of reputation, fear, worry, grief, anger, confusion, frustration, loss of sleep, and interference with usual life activities" for him.

That part of the lawsuit is expected to move forward, according to Lafky.

STATE BRIEFING

Coast Guard rescues 4 after fishing boat flips

The U.S. Coast Guard said Saturday it rescued all four people on board a fishing boat that capsized at the Tillamook Bay bar, but two were unresponsive when pulled from the water.

The Coast Guard said the fishing vessel capsized around 4:40 p.m. at the entrance to Tillamook Bay. Coast Guard personnel were staffing a watchtower and saw the boat capsize as it entered the bay and immediately sent a rescue crew from Garibaldi.

It took until 6 p.m. to rescue one of the four from the vessel. The Coast Guard said it sent all four to hospitals but didn't immediately provide information on their conditions.

2 earthquakes strike off Oregon Coast

Two earthquakes rumbled deep off the Oregon Coast on Saturday, registering magnitudes of 4.9 and 5.1, according to the U.S. Geological Survey.

The USGS categorizes earthquakes of that scale as light or moderate.

The quakes were approximately 170 miles west of Bandon and 6 miles deep. They struck in quick succession, beginning a little after 1:15 p.m.

The National Weather Service said there was no danger of a tsunami.

Earthquakes are common along the Pacific Rim. Geologists warn the Cascadia Subduction Zone off the Northwest coast will eventually trigger a major quake that will cause severe damage, even well inland.

Authorities urge residents to prepare for that eventual quake by storing food and water for emergencies and setting family meeting places for after a disaster.

—Bulletin wire reports

Idaho bill to outlaw demonstrating at private homes advances

BY KEITH RIDLER

Associated Press

BOISE, Idaho — A bill to make illegal demonstrating at a person's residence headed to the full House on Friday, after a series of demonstrations at the homes of officials and police officers spurred by frustration with restrictions on gatherings or mask-wearing mandates to slow infections and deaths because of the coronavirus pandemic.

The House Judiciary, Rules and Administration Committee voted 11-4 to approve the bill backers say is needed to prevent mobs from trying to intimidate and even terrorize families in their homes.

Backers say allowing the demonstrations will tear the social fabric by causing people to avoid public service or join police agencies.

"When we turn the volume up this high on political discourse, we crowd out anybody not willing to be equally as confrontational, angry, loud or violent," Republican Rep. Greg Chaney said. He is a co-sponsor of the legislation with Rep. Brooke Green, a Democrat from Boise.

In the last year, "a new play-book has been written, and several groups of individuals across the spectrum used it to terrify families in their homes," Green said.

The public hearing drew so many people wanting to testify that comments were taken Wednesday and Friday. After Wednesday's raucous hearing, torch- and pitchfork-wielding protesters gathered outside Chaney's house that evening.

Law enforcement agencies support the bill.

"There's a lot of turmoil over this last year, 2020 especially," Canyon County Sheriff Kieran Donahue said. "But that agi-

tation should not be taken to people's individual homes."

The American Civil Liberties Union of Idaho opposed the bill, saying it violated free speech rights and would be challenged in court if it became law. Chaney said the bill is modeled after an Arizona law that has been enforced for about 30 years.

Some who testified said they went to demonstrate at homes because they said their ability to protest at public meetings had been limited as government entities started holding meetings online to avoid spreading the virus.

"Why would I feel the need to go to their personal resi-

dences? It's because I'm not being heard," Del Chapel said. "That's why. I'm not being heard. And when I feel like I'm not being heard, I'm going to go someplace where I can be heard."

Many of those testifying against the bill used terms common among anti-government activist Ammon Bundy and his People's Rights network, contending in general the people were having their rights taken away. Bundy, who has picketed at people's homes and encouraged others to do so, is banned from the Statehouse following his two arrests in the

building in August during a special session called to deal with the pandemic.

His People's Rights network has grown significantly during the pandemic as precautions to avoid spreading the virus, such as mask-wearing or limits on public and private gatherings, have been put in place.

For a time, gatherings of 10 or more in private residences were also banned as coronavirus deaths soared in Idaho and hospitals feared rationing care.

"If you had left our houses alone, we would have left your houses alone as well," Jessica

Marcu, of Nampa, told lawmakers.

Many of those testifying on Wednesday veered from the topic of the legislation to make personal attacks on lawmakers, particularly Chaney, the system in general and members of the media. The committee room had a significant police presence both days.

Before the vote, lawmakers said they struggled to come to a decision on the bill. Republican Reps. Ron Nate and Julianne Young opposed the bill, saying they appreciated the idea but that it was too broad. Nate said it could prevent protests at a public site if there was a private home nearby.



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Taylor Towery and the team at The Bulletin have been knowledgeable, attentive to our needs and delivered successful print and digital campaigns. We will continue to use them as we grow our business and expand throughout Oregon and look to them for advertising guidance. Thank you for your continued professionalism and kindness.

Very Sincerely,

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