

Lawsuit

Continued from A1

Arnold, who lives on a small ranch between Burns and Crane in rural Harney County, has worked for the past 15 years for the Oregon Department of Transportation, doing maintenance work.

He said he’s a dues-paying member of both the National Rifle Association and Gun Owners of America, described himself as a gun enthusiast and decided he’d like to get involved.

The son of Arnold’s neighbor is one of the lawyers representing the plaintiffs, Canby lawyer Tyler Smith, a past vice-chair of the Oregon Republican Party who started a law firm with associates who describe themselves as “Rural Business Attorneys” on the firm’s website.

Smith is currently working to defend Yamhill County’s Second Amendment Sanctuary Ordinance in court. He has defended Sweetcakes by Melissa, the Oregon bakery accused of illegally discriminating against a same-sex couple by refusing to sell them a wedding cake in 2013.

In May 2020, Smith joined with James Buchal, a former chair of the Multnomah County Republican Party, in a suit to represent a group called “Open Our Oregon” that challenged Gov. Kate Brown’s executive orders shutting down businesses during the coronavirus pandemic. He recently drew controversy in Newberg when the conservative-majority on the Newberg School Board hired him as a “supplemental” lawyer to defend their decision to ban Pride and Black Lives Matter symbols in district schools. He also has challenged coronavirus vaccine mandates in court.

Smith, when contacted, referred a reporter to his court filings.

According to the suit, Arnold and Asmussen both have concealed handgun licenses. They want to continue to buy guns without having to pay for a permit “to exercise their constitutional right,” Smith wrote in the suit.

Arnold said he “picks” a gun every day for personal defense. He said he typically carries a Glock 19 with either a 13-round or a 15-round magazine. He said he takes it to and from work but doesn’t take it into work or any job site.

“It seems like every time I turn around, I’m having to defend my rights,” Arnold said. “The best way was to do it in a court of law.”

Arnold contends that the measure will make “every pistol I own obsolete.” He points to language in the measure that says large-capacity magazines that are restricted include ones “that can be readily

restored, changed or converted to accept more than 10 rounds of ammunition.”

Its proponents counter that the measure does not make guns that can accommodate a magazine larger than 10 rounds “obsolete.” While it limits the size of the gun’s magazine to holding 10 rounds, a handgun that can now hold a 15- or 13-round magazine can also just as easily hold a 10-round magazine, they said. An owner also can use a 15-round magazine that has been permanently plugged so that it holds no more than 10 rounds, drafters of the measure said.

Under the measure, magazines that hold more than 10 rounds also can still be used for target shooting, in shooting competitions or for recreational purposes, such as hunting, as long as it meets other state laws. Those who already own larger-capacity magazines also can maintain them on their own properties.

But Arnold said those exceptions don’t work for him.

“I can’t pack them for personal protection anywhere outside of my home,” he said. “You should be as armed as any criminal that’s going to come after you.”

Assistant Attorney General Brian Simmonds Marshall, who is defending the measure in court, has argued that it is extraordinarily rare for a person, when using guns in self-defense, to fire more than 10 rounds. He submitted to the court a study by economic consultant Lucy P. Allen, who analyzed the NRA’s Armed Citizen database of shootings from January 2011 through May 2017. Allen found that armed defenders fired 2.2 rounds on average.

The measure’s ban on the sale of large-capacity magazines is intended to

reduce mass shootings. Proponents argue that high-capacity magazines allow a shooter to kill large numbers of people quickly by firing many rounds before stopping or pausing to reload, limiting victims’ chances of escape.

They say the time a shooter takes to reload his weapon can be critical to allow victims to get away and police or others to intervene.

Both Arnold and Asmussen were surprised they won the temporary restraining order, and that the state Supreme Court didn’t immediately intervene to try to put it on hold.

They’re not sure what will happen Tuesday as Harney County Circuit Judge Robert S. Raschio hears their motion for a preliminary injunction to keep the law from taking effect until the full merits of the suit are heard.

If Measure 114 does become state law one day, Arnold said he’ll follow it. In fact, he recently bought a new gun — a revolver that holds six rounds — in case the magazine restriction takes effect. Raschio serves as judge for both Harney and Grant county circuit courts. He ran as a nonpartisan in 2020 for the judge’s seat.

An August 2020 Oregon Public Broadcasting story on his election said he had donated to Democrats, including the governor and former House majority leader Jennifer Williamson.

He previously worked as a criminal defense lawyer and was a past president and board member of the Oregon Criminal Defense Lawyers Association.

He’s a Clackamas High School graduate, who got his undergraduate degree at Portland State University and his law degree at University of Oregon.

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Election

Continued from A1

A second-term member who had been Oregon’s only Republican representative has a chance to pick up a chairman’s gavel as two top Democrats slide into the minority party status. Two Democratic newcomers from Oregon are at the bottom of seniority and with the party out of power.

Oregon senators retain political pull

Democrats came out of the 2022 elections with a 51-49 majority. The Democrats’ ability to hold onto the Senate means that Oregon’s two senators will return to Washington knowing they are in the majority, with their seniority giving them positions to wield gavels as chairs of key committees. Sen. Ron Wyden will be the chair of the influential Finance Committee. Jeff Merkley can retain two key environmental-oriented subcommittee chairmanships.

With senators serving six-year terms, both will have a two-year stretch in which they can focus on policy instead of politics before the 2024 presidential election.

Gavels gone in the House

It’s the opposite in the House. Rep. Earl Blumenauer, D-Portland, who is the dean of the Oregon delegation, will have to hand over his gavel as chair of the Trade Subcommittee of the Senate Ways & Means Committee, most likely to Rep. Adrian Smith, R-Nebraska, who was ranking Republican.

Smith is a member of the far right Tea Party Caucus and was among House members who backed an effort by Trump supporters to challenge the Pennsylvania election outcome.

Rep. Suzanne Bonamici, D-Beaverton, has been in Congress for a decade and served as chairwoman of the Subcommittee on Civil Rights and Human Services.

She too will have to be content as “ranking minority member” for at least the next two years.

With the unusual amount of

election upheaval, sophomore Rep. Cliff Bentz, R-Ontario, now has the third longest tenure in the delegation. Barring some major shuffling, the flip in party control would create an opening for Bentz to move from ranking member to chair of the Subcommittee on Water, Oceans, and Wildlife, areas of major interest to his sprawling rural 2nd Congressional District.

Rep. Lori Chavez-DeRemer, R-Happy Valley, will be a first-term lawmaker, but has the advantage — or disadvantage — of being a high-profile protégé of the GOP’s third-ranking House member, Rep. Elise Stefanik, R-N.Y.

Stefanik backed Chavez-DeRemer before the Oregon GOP primary and ensured that Republican money went to the race. Recently, Stefanik has been a leading voice in congressional leadership advocating for Republicans to clear the presidential primary field for another run by Trump in 2024.

Backers of the defeated Democrat, Terrebonne attorney Jaime McLeod-Skinner, have complained that top House leaders steered money to other races, allowing the GOP to win the formerly Democratic seat by 2% of the vote. She’s been encouraged by supporters to get into the 2024 primary to take another shot at Chavez-DeRemer.

Progressive and centrist elements in the Democratic Party have continued to debate the impact of McLeod-Skinner’s successful run to the left of U.S. Rep. Kurt Schrader, D-Canby, who lost the May primary.

At the bottom of the congressional pecking order for the moment are two Democratic first-termers, Rep. Val Hoyle, D-Springfield, and Rep. Andrea Salinas, D-Lake Oswego.

As brand new members serving with the minority party, they’re near the end of the line for committee assignments and other perks that help lawmakers make a quick splash in Washington before their first reelection campaigns in two years.

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OBITUARY

Matthew Adam Mazeikas

October 31, 1972 - December 2, 2022

Matthew Adam Mazeikas age 50 of Bend, passed away peacefully December 2, 2022 following complications related to a prior brain injury.

Matt was born on October 31, 1972 to Frank and Karen Mazeikas in Westminster, California, the youngest of three siblings.

The Mazeikas family journeyed to the rural town of Temecula, California in 1976. Matt formed many strong childhood friendships during his elementary and high school years. His friends were by his side always until the very end. Matt also loved his family and he worked at maintaining positive relationships with them all. He truly cared about his nieces, nephews, cousins, aunts and uncles.

A big part of Matt was the pain and suffering he experienced in his life. The tragic loss of his close friend in his teens was a turning point in his life. Matt would often travel back to the California graveside on June 2nd to honor the lives lost that day.

In 1993, Matt and his close friends began their adult lives in Bend. Matt became involved in the brewing industry doing fabrication and welding, a skill he developed while attending college.

On Sept. 9, 2001 Matt suffered a terrible accident on a skateboard which left him with a traumatic brain injury. Matt survived the accident and worked hard at rehabilitation and rebuilding his life. Matt was a fighter! It was a very tough life at times, but Matt was humble and grateful for the extra time he was given, as were all in his circle. He taught us much about enduring the difficulties of life.

Matthew, Zeik or Matty were the names he was fondly called by those close to him. However you chose to greet Matt, he would light up a room when he entered. If you asked Matt, "what's up?" he would respond with, "that's a very good question... the sun" and if you were working on something difficult he would always act impressed and exclaim, "no messin' around!" Matt always made sure to acknowledge you; whether with one of those greetings, a finger point and a knowing head shake or some Tapatio on his hip that was ready to draw!

Matthew had many families: his family first and foremost, his friends close and distant, the many businesses around town that he frequented, his bowling league family and then just about anyone he would run into. Matt was a giving person. He would give his time and his money to people or causes he believed in. He truly would give the shirt off his back or his last dollar for people or animals in need.

Matt is survived by his father Frank: mother Karen; brother Mike; and sister, Michele. Also his stepmom Sharon, and sisters, Kate and Jessie.

The family is sincerely grateful to the care team at St. Charles ICU, to the brewing community in Bend, and to all of you who loved Matty.

There will be a celebration of his life in Bend, OR. on June 2, 2023.

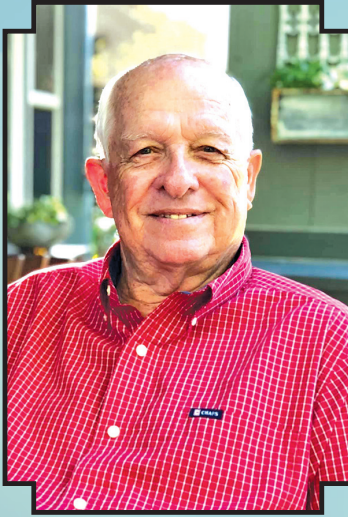
In lieu of flowers, consider a donation in Matt's name to one of his favorite charities.



OBITUARY

Michael Marr

May 9, 1936 - December 5, 2022



Hilarie Marr Withers (Cecil Withers) of Westlake Village, California; sister in law Maureen Marr (Denver, Colorado); and nine nieces and nephews. The deceased is preceded in death by his brothers, Peter Marr of Newport Beach, California and William Marr of La Canada, California.

Mike graduated from South Pasadena High School in 1954 and after a brief stint in the US Navy, Mike received his bachelor's degree from the University of California at Santa Barbara, where he was a member of Kappa Sigma Fraternity. During college, he met his sweetheart, Phyllis Milum, whom he married after graduation. Mike had a stellar career in commercial real estate with firms Coldwell Banker (precursor to CBRE), JC Penney and Melvin Simon Development. Mike was an expert in negotiating large anchor store transactions on behalf of JC Penney, and then developing shopping centers for Melvin Simon Development. Mike's career brought him to Newport Beach, California in 1969 and then New Canaan, Connecticut, Sewickley, Pennsylvania and back to Newport Beach.

After a successful career of selling high end homes in Newport Beach in the 1990's, Mike and Phyllis retired to Bend to take full advantage of snow skiing, golfing, fly fishing and other outside endeavors. As a youngster, Mike was raised in Southern California, Modesto, California and Philadelphia, Pennsylvania. Mike was a fifth generation Californian and had a knack for making friends everywhere he went and remained friends with people all over the country up to his death. Mike loved to travel, visit with his grandchildren, and play golf at Broken Top Club. Mike was especially fond of his 60-pound Labrador, Doc, where he was seen daily walking Doc throughout Broken Top.

Mike believed his greatest achievements was somehow snagging one Phyllis Milum, remaining married for more than 61 years, and raising three children where he instilled in them the highest degree of integrity and being loyal to family and friends. Mike was unique that he had many that considered him their best friend. Mike was as honest as the day was long and truly genuine. His quick wit and annual Christmas letters kept people laughing and made people want to be around him. A celebration of life will be held in Bend and Newport Beach, California at a later date. In lieu of flowers, memorials should be made to Bend Disabled American Veterans (DAV).