

# Lawmakers seek to close gun loophole

By Paris Achen  
Capital Bureau

State lawmakers say they plan to advance a bill that would prohibit abusers and stalkers from owning or possessing firearms. The legislation also would require Oregon State Police to notify other law enforcement when they learn someone has tried to obtain a gun illegally.

Gov. Kate Brown identified the law change as one of her priorities almost two years ago, and she was first to speak in favor of it during a hearing in front of the House Judiciary Committee Feb. 7.

She recounted how a year ago, she had visited Oregon State Trooper Nic Cederberg in the hospital after he was shot 12 times while responding to a domestic violence call on Christmas night in King City in Washington County.

Twenty-four-year-old Kate Armand was shot and killed

by her estranged husband. When Cederberg responded, Armand's husband shot the trooper 12 times in 50 seconds.

"I made a promise (to Cederberg) that I would continue to do everything I can to keep victims and law enforcement officers safe from this kind of senseless violence," Brown said.

She said her resolve gained urgency when she learned that in the month after Armand was killed, another 16 Oregonians lost their lives in domestic violence-related incidents, according to a Jan. 18 report by the Oregon Domestic Violence Fatality Review Team.

House Bill 4145 would expand prohibitions on domestic abusers having guns to include dating partners and stalkers. Existing law applies to only spouses, former spouses and couples who are cohabitating.



Capital Bureau/Paris Achen

**Salem resident Madeleine Garcelon holds up a photo of herself, right, and her daughter, Nicolette Elias, who was murdered by her ex-husband in Southwest Portland in 2014. She spoke at the Oregon State Capitol in Salem Feb. 7 during a hearing on House Bill 4145. The legislation is aimed at protecting domestic violence survivors from gun violence.**

"Family definitions have changed since I began my career," said Rep. Carla Piluso, a former Gresham police chief.

"It is important the definition in Oregon's law that protects family members from abuse in the home are updated to

protect today's families."

The National Rifle Association opposes the law change, said Keely Hopkins, the Oregon liaison for the NRA. The bill fails to adequately define the relationships that would be subject to the prohibition on possession of weapons and gives no limit for how far back that relationship might have occurred, Hopkins said.

When a firearm is within reach of an abuser, the risk of homicide is extreme, said Piluso, D-Gresham. Statistics bear that out. Out of the nearly 1,700 women killed by men nationwide in 2015, 93 percent were killed by a man they knew. A majority of the women were killed with firearms during the course of an argument, according to a study by the nonprofit Violence Policy Center.

The bill also would require OSP to notify local law enforcement within 24 hours

when an offender tries to transfer or purchase a firearm illegally.

Such an information-sharing requirement might have made a difference for domestic abuse survivors who later lost their lives to gun violence by their abusers, said Salem resident Madeleine Garcelon, the mother of a Portland woman killed by her ex-husband. Garcelon testified in favor of the bill.

Nicolette Elias, 46, was killed in Southwest Portland by her ex-husband despite a restraining order and a prohibition against him having a gun. Somehow, he obtained a firearm illegally and used it to end Elias' life and kill himself.

"I am using my voice to honor Nicolette to help protect other women and children who are at risk of suffering a tragedy like my daughter and granddaughters," Garcelon said.

## Audit: State tracking, licensing system for pot needs improvement

By Claire Withycombe  
Capital Bureau

Oregon's systems for licensing and tracking recreational marijuana have weaknesses that could allow illegal activity to fly under the radar, state auditors say.

The recreational marijuana program also lacks important security measures that could protect sensitive information and IT infrastructure from being compromised.

The Oregon Liquor Control Commission helps regulate the recreational marijuana program, including issuing licenses to producers, retailers and others in the recreational marijuana business. The agency also runs the "seed-to-sale" tracking program that is intended to track marijuana on its journey to market.

Among other issues auditors found, data in the cannabis tracking system is self-reported by cannabis businesses, raising auditors' concerns about its reliability.

There aren't enough trained compliance inspectors to adequately keep an eye on recreational marijuana activity. And auditors also found that the OLCC lacks an overall IT security management plan for the agency and a disaster recovery plan for its information.

The Feb. 7 audit report comes as there's renewed attention on marijuana, especially in states that have legalized the substance.

In early January, Attorney General Jeff Sessions issued guidance to U.S. attorneys in states that have legalized marijuana saying they may use their discretion when it comes to prosecuting marijuana cases. Marijuana remains illegal under the federal Controlled Substances Act.

U.S. Attorney for Oregon Billy Williams said at a marijuana conference he hosted recently that Oregon produces far more marijuana than



Capital Bureau/Mateusz Perkowski

**Marijuana plants grow in a high tunnel at a farm near McMinnville. A state audit says Oregon's licensing system could make it difficult to detect illegal activity.**

Oregonians can consume, and that product is leaking into the black market.

Oregon voters approved recreational marijuana in a November 2014 ballot measure. Recreational marijuana became legal on July 1, 2015.

The popularity of the program is greater than state officials had expected.

Through November 2017, the state had collected about \$115.5 million in state marijuana taxes since retail sales began in January 2016, according to the audit.

OLCC Executive Director Steve Marks said in a written response to the audit that the agency "is actively following up on all aspects of the audit" and wants to get more money to "move forward" on the technology issues raised by the audit.

## Wolf compensation bill clears initial hurdle

Proposal would base depredation funding on wolf population

By Mateusz Perkowski  
Capital Bureau

A proposal tying the amount of money available to ranchers for livestock losses to Oregon's wolf population has cleared its first hurdle.

Under House Bill 4106, Oregon lawmakers would be required to appropriate money to the state's wolf compensation fund based on the population of the species, to the extent practicable.

The bill was scheduled for a possible work session during the meeting of the House Agriculture Committee on Feb. 15, allowing the proposal to survive an initial legislative deadline, said Rep. Brian Clem, D-Salem, the committee's chair.

Several ranchers testified that it only makes sense to increase compensation funding as the number of wolves in Oregon continues rising. State wildlife regulators currently peg the wolf population at more than 100, though some ranchers consider this a low estimate.

In Wallowa County, which is home to eight confirmed wolf packs, it costs up to \$30,000 a year to have a range rider patrol for the predators, said Rod Childers, a rancher in the area.

"One range rider is not cutting it," he said. "There's no way he can respond to all those different packs."

The Oregon League of Conservation Voters opposes HB 4106 because it would confirm the "falsehood" that rising wolf populations will necessarily result in more

livestock kills, said Paige Spence, the group's Oregon conservation network director.

"Predation rates have not increased with Oregon's increased wolf population," she said.

Sean Stevens, executive director of the Oregon Wild environmental group, said problems with fraud and abuse of the wolf compensation fund should be resolved before the program is expanded.

Counties have recommended the disbursement of compensation funds without sufficient input from local committees, sometimes in areas with no wolves or confirmed depredations, he said.

Childers, the Wallowa County rancher, said that wolf compensation funds are well-vetted.

"We do the best we can on the ground," he said. "I don't believe there's widespread fraud in any of our programs."

In some cases, wolf compensation funds are used to prepare for the arrival of wolves in regions they've yet to be documented, said Todd Nash, a rancher and chair of the Oregon Cattlemen's Association's wolf committee.

For example, the money pays for the disposal of livestock and wildlife carcasses, which would otherwise attract predators, as well as the installation of fladry, which is rope adorned with ribbons to deter predators.

"If they're being proactive, that's a wonderful thing, isn't it?" Nash said.



Courtesy photo/Oregon Department of Fish and Wildlife

**A bill that would increase compensation for livestock losses based on Oregon's wolf population has survived an initial legislative deadline.**

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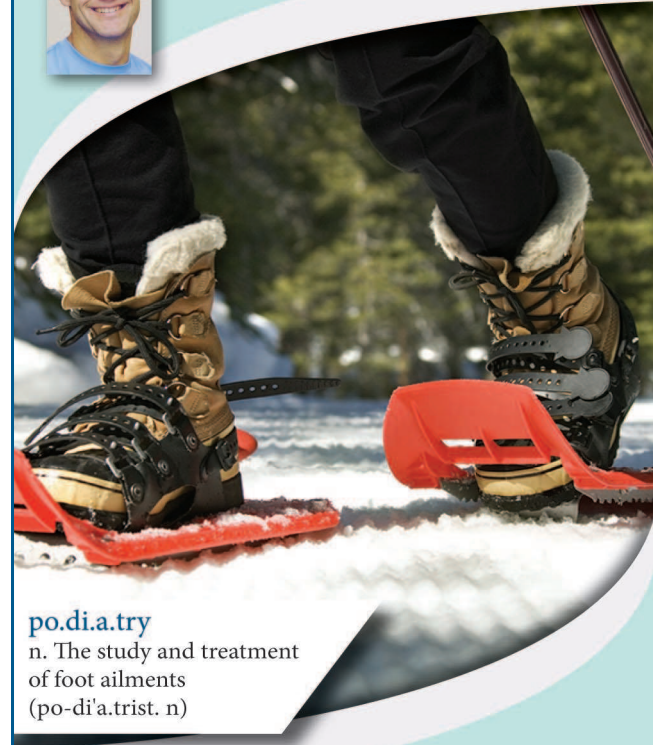
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