

Measure 110

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she described as a welcoming response.

"That welcoming was one reason Mr. Beltz decided to continue providing the array of services he was introduced to while working at Choices," Byus said. "The community needs of the addicted and houseless population who need or want to have a different option than the only one they have had for the last several years."

According to Oregon Health Authority data, Byus' company was one of 67 providers awarded \$31.4 million through the state's grant program.

Data from OHA revealed only 136 people had entered treatment by the end of 2021. While there are limitations with the data, it provides a snapshot of how the funding appropriated for Measure 110 has been spent. (Grantees were initially required to spend the money in 2021, but the deadline was extended to June 2022.)

Meanwhile, according to Lindsay, CCS has submitted an application for \$2.2 million for the next round of funding for additional counselors, peer support staff, rental and housing vouchers, and crisis staff.

According to the OHA website, the Measure 110 Oversight and Accountability Council will vote on grant awards Wednesday, Feb. 23.

Labhart added that if Grant County gets the money, it might be the "great litmus test" as to whether lack of investment has been the issue in addressing addiction.

Getting funding is just the start, according to Labhart. Across the country, employers are facing work force shortages — a problem CCS has faced as well.

Labhart said while CCS has a full-time addiction counselor in Grant County, a second full-time position has gone unfilled for the past year.

Limited access

There is no question more substance abuse services are needed in Grant County and

across the state.

Recently, the National Survey on Drug Use and Health concluded that Oregon has the second-highest rate of drug and alcohol addiction in the country. Additionally, the data showed that 18.08% of people need but cannot get addiction treatment.

Labhart said that Grant County historically has exceeded the state averages for binge drinking and tobacco use. For other substances, the county has generally been around or below the average in Oregon.

For those who need drug treatment here, however, access continues to be an issue.

Most people, for instance, have to wait two to three weeks for an addictions assessment, Labhart said, though it might be possible to speed that up based on the severity of the need and other factors.

While outpatient treatment is available in Grant County at the CCS office in John Day, people can also seek help remotely to avoid the stigma of being treated for addiction while living in a small town.

The waiting list to get into an inpatient facility ranges from three to five weeks or sometimes longer, Labhart said. Currently, there is not an option for inpatient treatment in Grant County.

M110 in Grant County

Before Measure 110 went into effect on Feb. 1, 2021, Labhart noted, most Oregonians seeking drug and alcohol treatment did so under a court order following an arrest.

"Upwards of 95% of people who need treatment don't think they do," he said.

Before, possession of user amounts of drugs was generally a misdemeanor crime punishable by a maximum of one year in jail and a fine of up to \$6,250. Now it is classified as a violation, like a traffic ticket.

Under the new law, getting caught with small amounts of drugs, including heroin, methamphetamine, LSD and ecstasy, is punishable by a \$100 fine, which can be waived if the offender agrees to undergo a health evaluation.

Grant County Justice of the Peace Kathy Stinnett said that before the Legislature began requiring the violations go through the Circuit Court system last summer, the Justice Court saw a total of three violations.

"None of the three defendants provided proof of calling for the free assessment or paid the \$100 fine," Stinnett noted. "Unlike other financial obligations, there is no enforcement allowed on the \$100 fine, and so all three of ours are still due and just sitting in our case log."

According to Cleo McCluskey with the Grant County Circuit Court, only two Measure 110 cases have gone through the system. In both cases, she said, the charge was initially filed as a misdemeanor but was converted to a violation when the new law came into effect. Since then, the court has not had any further violations.

Grant County Sheriff Todd McKinley said his office had not issued a single ticket.

"Typically," McKinley said, "the effort at this point really isn't worth the paperwork because there's no follow-through. We have no idea of anything ever occurring from (the violation)."

McKinley said writing the tickets is a waste of time if the offender does not have to face the consequences for not following through on the violations. He said he would rather his deputies focus on the criminal amounts of drug possession.

"Something needs to change because what came out of it was not what was being sold to the public," McKinley said.

The Drug Policy Alliance, the main group behind Measure 110, wrote in a Feb. 1 press release that the treatment infrastructure to support the decriminalization law is "getting off the ground." Labhart said the central phone number offenders call for drug assessments to have the \$100 tickets waived only offers treatment if they ask for it.

He said there is a "gigantic disconnect" between people getting assessments and people getting help.

"We can have all the treatment in the world," Labhart said, "but we still have to get folks in the door."

Malheur

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from some who feel that Iron Triangle has profited at the expense of smaller rivals.

One way to remedy the perception of winners and losers would be to offer smaller, independent contractors what the Forest Service refers to as blanket purchase agreements, which can cover the same sorts of services as the stewardship contract, but with more flexibility in the terms of the agreement. For one thing, Trulock said, the agency could offer shorter contract periods and bring in more contractors.

Mark Webb, executive director of Blue Mountain Forest Partners, pointed out that there is a tremendous amount of risk associated with a long-term stewardship contract. He pointed out that with a stewardship contract, most task orders run on a two-year timeframe.

"So not only do they have to get all of the commercial harvesting done," Webb added, "but they've got to get all the service work associated with it, too."

Tim Rude, the owner of John Day-based Rude Logging, was one of the contractors on the original stewardship proposal to work with Iron Triangle. At the Feb. 10 meeting, he asked who would ultimately decide what company gets the long-term contract.

Trulock said the Forest Service's national procurement office would make that decision. Trulock told the Eagle in a phone interview that his role would concern what goes into the package as far as finances and commercial timber volume.

The plan, Trulock said, is to open the bidding process in November.



Trulock



Rude

COVID

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tionary nature to outbreaks: "I was complaining that it was hypocritical we had to wear masks but officers didn't; that officer said to me (expletive) it, we'll deal with it when it comes."

The lawsuit also described practices where correctional officers would move from a quarantined unit to an uninfected unit without a mask, likely due to overtime and staffing shortages at the facilities.

"I think the (COVID-19) situation shakes the entire foundation," Chavez said. "What we

were asking for only sounds extraordinary if we weren't in extraordinary times, and so we needed something grander. And that didn't happen. A lot of people got hurt."

Two Rivers has been especially problematic, according to prison attorney Tara Herivel, who has litigated hundreds of cases against the Department of Corrections. Herivel said approximately 80% of her cases are against Two Rivers. According to Herivel, despite the litigation and sea of lawsuits, Two Rivers in particular is "not afraid enough to change."

"The conversation I have a lot with my clients and people I work with is why?" Herivel said.

"Why is it so horrible? Why don't they learn? They've been sued so many times, and I just don't think they've been sued enough. I think they don't have real consequences, and they can brush away these individual suits like the kinds I do pretty easily. They just don't follow court orders."

Herivel said in addition to filing a majority of her prison cases against Two Rivers, she has had contempt of court motions against the prison's medical department for failing to follow the court's orders, leading to the release of an adult in custody 11 years ago.

Positive cases in staff members at Eastern Oregon prisons

— including EOCI, Two Rivers, Snake River Correctional Institution and Powder River — preceded every spike of COVID-19 among the adult population in January.

The correctional facilities handle medical cases through their own health care settings, according to Bemt.

In Ontario, Dr. Garth Gullick, the chief medical officer for the Snake River Correctional Institution, testified that a fever was not a symptom of COVID-19, that COVID-19 testing was "harmful" and said that it "can be the enemy," according to reporting from the Malheur Enterprise. The reporting also indicated that Dr. Warren Roberts, Corrections' top medical adviser, had been ordered to stop performing surgeries and had a history of malpractice.

"Cases are handled internally to the extent possible through our Health Services units and infirmaries," Bemt said. "If an individual's symptoms surpass our ability to care for them, they are transferred to a hospital for care."

A spokesperson for Two Rivers declined to comment on the COVID-19 outbreak at the facility, citing a need to go through the Oregon Department of Corrections for a unified response.

EOCI saw a milder outbreak than it had at the start of the pandemic, according to supervising executive assistant Ron Miles.

"In addition to masking, we've done our best ability to maintain social distance or maintain 6 feet of distance between everybody, but the challenge with that is putting 1,700 people into a 15.2-acre location," he said. "So social distancing is not going to be easy; that's just a fact of prison life."

EOCI saw one case among its

staff on Dec. 23, 2021, according to the DOC data. Six days later, the facility saw its first cases among its adults in custody population, before it peaked at 47 positive cases among the adults in custody and nine cases among the staff on Jan. 12. In October 2020, EOCI had more than 350 active cases.

As of Feb. 8, EOCI had zero active COVID-19 cases, according to the DOC COVID-19 website.

Powder River, in Baker City, saw a small outbreak of 21 cases by Jan. 29, which fell to eight cases on Feb. 8. Herivel said that Powder River was one of the best prisons in Eastern Oregon when it came to COVID safety.

On the other hand, Two Rivers had nearly 15% of its adult population test positive for the COVID-19 virus on Jan. 23.

Miles said EOCI offers vaccines to the adult in custody population, as well as offering vaccine booster clinics from time to time for prisoners to keep up to date with the COVID-19 vaccines.

Previous reporting by the East Oregonian through numerous interviews with lawyers representing clients at Two Rivers, as well as inmates themselves, had shown a lax regard for COVID-19 safety at Two Rivers. Inmates cited improper mask wearing by staff members and mixing of COVID-19-positive inmates with the general population for work.

According to previous reporting by Oregon Public Broadcasting, Two Rivers saw a spike in infections during December 2020 after two staff members tested positive, and the facility transferred 10 positive individuals from Deer Ridge Correctional Institution, Madras. The

same day the facility transferred adults in custody from Deer Ridge, it began seeing a spike in cases, with 85 cases on Dec. 21, 2020.

As of Feb. 8, 10 employees at Two Rivers had not yet stated either their vaccination or exemption status. Powder River had just two, and EOCI had six. Out of the 5,306 DOC employees reported to have been under the vaccination compliance executive order in 2021, nearly 20% had filed and received a medical or religious exemption, according to DOC data from October 2021.

The number of in-custody deaths across the state also appears to be increasing, with four reported deaths within a five-day period between Jan. 27 and Jan. 31. Since the start of the pandemic, 45 adults in custody have died after testing positive for COVID-19, according to DOC data, while 17 of those deaths are from adults in custody at Two Rivers, the highest out of all prisons in Oregon, despite being the third-largest prison in Oregon. EOCI, which has a similar population size of adults in custody, saw four deaths throughout the pandemic, while PRCF saw none.

The Department of Corrections keeps a spreadsheet of positive tests for COVID-19 on its website, but that database has not been updated since Nov. 12. Officials with the DOC said staffing issues and the tediousness of entering the data by hand had made the task too resource-intensive. Daily COVID-19 statistics and current active cases can be found on the Department of Corrections website through their COVID-19 tracker at www.oregon.gov/doc/covid19/Pages/covid19-tracking.aspx.



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