

School board hires new instructor

The Morrow County School Board accepted one resignation, hired one staff person and okayed a civic proposal to put a track in Ione Monday night.

The school board accepted the resignation of Mary Fisher, an English teacher at Ione. They also hired Leanne Wilkes, a title I instructor for

A.C. Houghton Elementary school in Irrigon. Wilkes will replace John Shimp, who has moved to a first grade post there to take on increased enrollment.

The Cardinal Club, a booster organization, requested an okay from the board to go ahead with a proposed \$22,000 project for a track at Ione. At

present, there is no track facility at Ione. The project would entail fund raising and volunteer work.

In other business the board:

- approved Kansas City life, insurance tax shelter annuity plan, if the salesman could get ten interested persons.

- accepted a resolution from Greenfield Grange, Boardman, for the school board to look into possible sites for future school building.

- approved a Spanish field trip. Heppner, Boardman students will be traveling to Mexico during spring vacation at no expense to the school

board. Students granted extra day for recuperation if necessary.

- approved a leave of absence to Inez Meader for one year from her fourth grade post at Heppner.

- decided to increase maintenance and repair on older district vehicles for continued use. The next budget will

include money for two, 66 passenger buses and one, 30 passenger bus.

- accepted bids on three buses. Western Bus Company of Gresham had the bid on a 66 passenger bus for \$17,594.72. Shetky Bus of Beaverton had the low bid on a body for a 54 passenger bus at \$6,215.86 and the body of a 30 passenger unit at \$4,787.94. Morrow County Grain Growers had the bids on the chassis for the 54 passenger bus at \$10,015 and on the 30 passenger at \$8,840. There were 34 bids.

THE GAZETTE-TIMES HEPPNER

Editorial & Viewpoint

McCoy endorsed

William McCoy receives the Heppner Gazette-Times endorsement for Morrow County Commissioner for various reasons.

McCoy, the incumbent Republican, has a history in politics, from school board to his present commissioner role.

He has the ability and know how that is necessary to perform the duties of this office. His opponent, Willard L. Miller, does not have the experience or know how. His only political background concerns plumbing associations.

Although in four years with some study Miller may be ready, we believe that he is not suited for this position this year. McCoy, on the other hand, with a couple years as commissioner behind him, has worked well with the county court as a check and balance type guy.

We support McCoy as the people's choice for Morrow County Commissioner.

wcp

Tail wagging dog?

Will the tail start wagging the dog?
That's a question that could be answered at the outcome of the year's election for county judge. Two men are running. Both have integrity and fortitude. Both are solid men with the capabilities of attaining and presiding over this particular governmental body.
There is no question there. The question lies in the voter turnout. Voters know what happened to the school budget last year. The south end dumped the budget try, but voters in the north end saved it. Will it happen during this judgeship election?
Dan Creamer is a man who will stick to his norms. If elected, he would probably run the county efficiently. Judge Paul Jones has experience. He has consistently, for 16 years, been at the steering wheel of the county and has had no major accidents.
Both men are capable. Jones advocates the position that he has kept the county budget within the six per cent limitation. He's proud of that. Creamer says that maybe staying within that budget is not relevant in the 1970s. Maybe more county services would be better, he says. He'll stick to that.
Both men are qualified. Both men are capable. And both men will have voter clout behind them: Creamer in the north, Jones in the south.
The question is, which one will have more?
Total voter turnout will tell the tale.

wcp

Letters

Parrish endorsed

Editor:

I regret the fact that on November 2 I will not be a registered voter in Morrow County, and therefore will be unable to cast an additional winning vote for Sadie Parrish, candidate for County Clerk. Unfortunately, I must remain in Portland and elect the proper candidates here.

I wish Mrs. Parrish a good campaign, and the best of luck during her new term in office.

Sincerely,
Greg Davidson
3230 S.E. Morrison
Portland, OR 97214

LCDC Bill not unique

Gazette-Times, Editor:

Oregon's L.C.D.C. (S.B. 100) is not unique as some would have you believe.

It stems from Public Law 90-577 90th Congress. S.698 passed October 16, 1968. This act gave the President (Nixon) the authority to establish rules and regulations in providing federal revenue sharing assistance to state and local governments in order to control (1) land use, (2) conservation of natural resources, (3) all methods of transportation, (4) outdoor recreation, (5) scenic protection, (6) community facilities (garbage and sewage disposal, etc.), and (7) design standards for all structures.

Nixon yielded these law making powers to his appointees in the Federal Regions per section 403 of the Act.

The states or communities which refuse to go along with mandated goals are to be denied Federal Revenue Sharing

FACTS:

This is economic blackmail and to add insult to injury they're using our tax dollars to force us into submission.

All fifty states are under tremendous pressure to adopt identical Federal goals. This is Regionalism in action, the centralization of Federal control over all property and its development, regardless of location, anywhere in the United States. Its (Federal land control) authority would supersede state and local laws.

The greatest treasure you and I can leave our children is freedom of choice.

Free men can vote themselves into slavery; slaves cannot vote themselves free.

Vote yes on ballot measures 10 and 12 on November 2nd.

Ed Taylor
90937 Alvarado Rd.
Junction City, OR 97448

Bank Names Manager

John L. Van Winkle, Hermiston, will be the branch manager of the new offices in Boardman and Heppner of First Federal Savings & Loan of Pendleton, announced Robert W. Reese, president.

Van Winkle, a long-time resident of Heppner, comes to First Federal from the consumer finance industry. He



John Van Winkle

previously worked at Roseburg and has attended Southern Oregon College at Ashland.

"We are very enthusiastic about John coming to First Federal," Reese said. "He has the solid background in finance we need as well as being a citizen of the area for many years. These are the necessary ingredients for First Federal to serve the area in the manner consistent with the company's goals."

Reese said the offices should be open for business by early December. "Until that time, business can be conducted through our Hermiston office," he noted.

Van Winkle is married and has one child. He assumed his new duties with First Federal on Monday.

CBEC Checks sent

Checks are being received by many Columbia Basin Electric Coop members this week.

The payment represents patronage credit refunds for the year of 1964 on currently active accounts. These payments will total \$38,794.30.

Those members who have moved away or have "disconnected" certain accounts will be paid the patronage credits on these inactive accounts in 1977.

A total refund has been paid the members in patronage credits of \$172,637 over the years. Of this amount, \$90,441 was paid in 1974 and 1975.

Much of the 1964 patronage credits has previously been paid to decedent estates. The 1964 patronage credits represents about 18.2 per cent of the total revenues of that year.

For those members served by another company prior to May of 1964, only billing from May through December is concerned with the refund.

The refund has the effect of further reducing the "net" paid the Coop by the members. Coop charges per kwh (general rate structure) reached an all time low the past fiscal year for the Coop sales to members.

Dennis Doherty District Attorney

Editor's note:

The Heppner Gazette-Times recently published an informative article calling the public's attention to many of the problems associated with the lack of a jail or lockup facility in Morrow County. That article sparked the public interest and has led to a call for answers to several questions.

Why are we not able to use the jail facility we have? Does the absence of a jail facility adversely affect the public and law enforcement? If a jail facility is desirable, what alternatives do we have?

The Gazette-Times has invited Dennis Doherty, Morrow County District Attorney, to address these questions. The following article is the first of several which will appear in this paper on these subjects.

WHY ARE WE NOT ABLE TO USE THE JAIL FACILITY WE HAVE?

Authority to provide and operate jails has always been vested in local city and county governing bodies. The cities in Morrow County, so far as I know, have always utilized the county's jail facility rather than operating separate municipal jails.

Historically, the legislature and the judiciary did not interfere with the local governing bodies where jails were concerned. For the most part, the only check and balance was provided through the periodical inspections which the Grand Juries were expected to make of the jails. Upon finding shortcomings, the Grand Jury would issue a special public jail report and it was assumed that the responsible officials would then make necessary corrections.

Needless to say, these corrections were not always made. As a result, prisoners began pressing lawsuits against officials responsible for jails. These lawsuits were based upon constitutional due process claims and upon a provision of FEDERAL law which imposes civil liability upon officials who conspire or otherwise act to deprive persons of constitutional rights under the color of local law. The federal law in question was enacted shortly after the Civil War and was designed to provide a legal remedy to blacks who continued to be deprived of rights which the Civil War and 14th Amendment to the Constitution should have secured.

It should not be surprising that the prison and jail reform efforts were initially concentrated in the South and that they correspond in timing with the Civil Rights movement of the 1960's.

As a consequence of the lawsuits, a body of court law was developed. The constitutional rights of prisoners were delineated, including their right to safe and sanitary jail facilities. Since the rights were found to be traceable to the United States Constitution, the jail reform movement quickly spread to the other states in the Union, including the State of Oregon.

The Legislature, as is often the case, entered the act and, in the 1973 Session, enacted what is commonly known as the Minimum Jail Standards Bill. This Bill requires every jail in the state to comply with ten minimum standards. These include: 24-hour supervision; hourly personal inspections; three meals a day to be served at reasonable intervals within the jail; no physical punishment at any time; a facility safe and secure in accordance with the Uniform Building Code of the International Conference of Builders, etcetera.

The Bill also authorized the state Corrections Division to inspect local jails "...to insure compliance with the standards..." and set forth a procedure to enforce compliance.

At the present time, in addition to the Grand Jury and Corrections Division, the county health officer and the county courts are also charged with duties to inspect the jails for health and sanitation compliance with all laws.

Morrow County's jail facility has been found by the Corrections Division to be deficient in a large number of particulars. These deficiencies relate chiefly to prisoner health and safety, to non-compliance with the minimum standards, and to the lack of safety features for the officers who have to handle the prisoners. They do NOT relate to prisoner comforts beyond those which the legislature has established as a legal minimum. These deficiencies were previously elaborated in the article in the Gazette-Times edition of October 7.

Armed with newly defined constitutional rights, federal law and, now, the Minimum Jail Standards Bill, prisoners and their spokesmen have launched what amounts to a forceful and determined offensive to enforce their new status. The Board of Police Standards and Training has advised us that a new spate of lawsuits is making the rounds in the state and that these bode further ill for us.

Local officials, for many years, stood firm against prisoner demands for better jail facilities and more liberal jail privileges. We are not happy about the legal developments which make it impossible to continue to utilize our jail. Neither are we pleased with the federal courts, Congress or even the State Legislature, all of whom have made their determinations in a sterile academic environment far removed from the reality and the people whom their decisions adversely affect.

Obviously, however, officials at the local level are not in a position to disregard the law, nor does it appear that we are in a position to change it. It should be equally obvious that if we insisted on using the present jail facility we would be assuming an unjustifiable risk of liability. This liability would attach personally to the officials responsible to OPERATE the jail and publicly to the local government responsible to PROVIDE AND MAINTAIN the jail. Neither risk is acceptable.

In summary, federal court interpretations of the constitution and Congressional and state legislative enactments have brought the law to the point where it is no longer possible to utilize our jail. Thus, we are forced to bring our jail up to legal standards or to continue to use alternatives to a local jail facility.

NEXT WEEK: Does the absence of a jail facility adversely affect law enforcement and the public?

Dennis D. Doherty
District Attorney
Morrow County

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