



Hermiston Herald

WEDNESDAY, JANUARY 16, 2019

HermistonHerald.com

\$1.00

INSIDE

DETOUR

Construction will close part of South First Street during February and March. **PAGE A3**

MLK DAY

The Hermiston Cultural Awareness Club is adding new elements to this year's celebration of the work of Martin Luther King Jr. **PAGE A4**

WRESTLING

Hermiston picks up three titles at the Farm City Invite. **PAGE A10**

BY THE WAY

Walden cancels town halls

Rep. Greg Walden won't be holding town halls in Umatilla and Morrow counties this month after all.

Walden announced a town hall schedule last week that included stops in Pendleton and Boardman on Jan. 23. But Tuesday afternoon his office released an updated schedule ending on Jan. 21.

According to the release, changes to the schedule for the House of Representatives, announced today by Democratic leadership, mean Walden will need to be back in Washington, D.C. by Jan. 22.

Canceled town halls will be rescheduled at a later date.

Blue Mountain Community College's search for a new president is one step closer to fruition. The search committee composed of employees, students, Board of Education members and community residents winnowed a pool of 44 applicants to nine semifinalists.

The search committee will interview applicants by videoconference Jan. 17 and 18. The field will be trimmed to several finalists to come to BMCC for additional in-person interviews and to meet with faculty, staff and students. Community members will

See BTW, Page A2

BRING HOME THE BACON

By **JADE MCDOWELL**
NEWS EDITOR



Kara Frazier performs with her partner Trevor, of the Utah Ballroom Dance Company, during Dancing with the Hermiston Stars on Saturday at Hermiston High School.

Staff photo by Kathy Aney



Staff photo by Kathy Aney

Jake Bacon and his partner Katya, of the Utah Ballroom Dance Company, reacts after he was announced as the winner of Dancing with the Hermiston Stars on Saturday at Hermiston High School.

There was an extra sparkle to Highland Hills Elementary School on Monday.

It came from the coveted mirror-ball trophy Principal Jake Bacon won over the weekend, dancing his way to the top at the annual Dancing With the Hermiston Stars event.

"There were several things that were really cool about it, but the best part was watching the kids get excited about it," he said. "That was really fun."

Saturday night featured seven local "stars" paired with professional dancers from the Utah Ballroom Dance Company. Each local dancer was dancing for a nonprofit of their choice (Bacon's was the Kiwanis Club), and audience members could supplement the judges' scores by dropping money in the jar of their favorite dancer's charity during the intermission. The event, which raised close to \$10,000, was sponsored by the Hermiston Education Foundation.

Bacon took on the persona of hip hop recording artist MC Hammer — iconic pants and all — and danced a ballroom hip hop routine to Hammer's hit song "U Can't Touch This."

There was a panel of judges, but since audience votes counted for most of the score, Bacon credits his students' cheerleading with the win.

"They were there in force, yelling and screaming," he said. "We took a lot of selfies."

The competition was fierce — Bacon beat out Hermiston High School drama teacher Beth Anderson by only four votes. Anderson, in keeping with the night's theme of "music legends," hit the stage in a blonde wig (and some other recognizable features) to channel Dolly Parton, dancing the quickstep to "9 to 5."

She was dancing for the Hermiston Education Foundation, which gives classroom grants to enhance student learning through extra field trips, technology or projects. Anderson also used the platform to put in a plug for her students' performance of Wizard of Oz, planned for Feb. 1, 2, 8 and 9.

She said she hadn't expected to be one of the finalists.

"I'm shocked because there were much better dancers out there," she said.

The highest judges' score of

See DANCE, Page A16

Hermiston School District concussion case moved to federal court

By **JAYATI RAMAKRISHNAN**
STAFF WRITER

A lawsuit against the Hermiston School District seeking \$38.9 million alleging failure to protect a student from concussion harm has been moved to federal court, and documents from the school district's side are denying major portions of the family's claims.

A suit filed by a Hermiston family on behalf of their son in September will now be heard by the U.S. District Court, moved up from the state level. Dawna and Todd Martin allege that their son, Connor, was allowed to play football after he had already had a concussion while on the field, and claim that district and athletic staff did not take proper measures to inform them, or to make sure their son was physically and medically sound before returning to the field. The family has sued the district for medical costs and emotional distress.

The district's response lists eight defenses, including contributory negligence — stating that the "plaintiff's damages were caused in whole or in part by his own intentional acts, or the negligence (sic) of intentional acts of other parties, or non-parties."

Roy Blaine, the trial court administrator for the Umatilla County Courthouse, said there are usually only a few reasons that a case will be removed from state court to federal court. In this case, he said, one party decided that the issue at hand was related to a constitutional right, and as such should be dealt with in federal court.

"The very simple answer is that they (the family) argue that the individual has a right to be free from bodily harm, under the 14th Amendment," Blaine said. "So the school district moved to have the case in federal court rather than state court."

The Hermiston School District referred questions about the suit to its lawyers, who did not respond to request for comment, and neither the

Martin family nor their lawyers responded to requests. But a federal court document responding to the original lawsuit details the district's admissions or denials of the family's specific claims.

In their response to the suit, the district admitted to basic facts, such as the titles of involved staff and administrators, Martin's age and status as a student and football player at Hermiston High School during the time the alleged incidents took place.

But they denied the bulk of the claims surrounding the first football game that the family says led to Martin's injury. They admit that he participated in a football game between Hermiston High School and Mountain View High School on Sept. 15, 2016, but deny that he collided helmet-to-helmet with another player and claims about Martin's encounters with school trainers the following day.

See CONCUSSION, Page A16

