

Not all the story updates are upbeat

The good news? The barricades are finally coming down at Portland International Airport. Belatedly, if not begrudgingly, the Port of Portland has found room for a USO Center to welcome military personnel and their families to town.

In the two years that retired Army Col. Joe Williams led a lonely campaign for that welcome lounge — a fixture at 41 other U.S. airports — he was told time and again that



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COMMENTARY

the Port couldn't find room in the "limited" space available at PDX.

Williams sought reinforcements — "Being a committee of one was a poor decision on my part," he concedes — and mounted a new offensive.

He enlisted retired Navy Cmdr. Donald Leingang, executive director of USO Northwest. He reached out to the Oregon Department of Veterans' Affairs and the governor's office.

And, lo and behold, the Port

stumbled upon an old conference room that was being used for storage on the airport mezzanine.

Williams is thrilled. Negotiations are continuing. Williams estimates he may need to raise \$250,000 to renovate and furnish the room, but he is optimistic that the PDX welcome center will open by early summer.

"Maybe July 4," Williams says. "Wouldn't that be something?"

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The bad news: Last May, Jennifer Warren, who worked for Columbia County Mental Health, dropped by the St. Helens duplex of Brent K.

Redd Jr. to deliver anti-psychotic meds.

Originally committed to Oregon State Hospital when he tried to kill his mother in 2007, Redd was granted conditional release by the Psychiatric Security Review Board in 2010. He lived with minimal supervision and a curfew, but his therapy seemed to be going well.

Until that Sunday morning, when Redd stabbed Warren to death.

On Feb. 12, Redd pleaded guilty except for insanity to the murder. He was placed, once again, under the review board's care.

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And that board is immune from a wrongful death claim by Warren's 22-year-old daughter, Jessica, because her mother was covered by workers' comp.

"It blows me away," said Michael Sahagian, attorney for Jennifer Warren's estate, "when there's no recourse against these government bodies."

Workers' comp, of course, is a compromise, one in which workers generally accept no-fault insurance for work-related injuries while giving up the right to sue for extensive damages.

In negotiating that trade-off, the Legislature apparently decided that public agencies deserved a piece of the immunity deal.

The statute is clear: "Every public body and its officers ... are immune from liability for any claim for injury to, or death of, any person covered by workers' compensation law."

Look at it this way: If Redd had turned the kitchen knife on two people last May, Warren and the guy mowing the duplex lawn, only the family of the guy on the John Deere could file suit against the board that decided Redd was no threat to the public.

"If PSRB or any government body makes a decision that can be shown is negligent, they're on the hook," Sahagian argues. "When people are released to their custody, they have an obligation to protect the public. They have to decide when it's safe to let them out.

"That may come down to a jury question. But because of that immunity, we can't even get to a jury."

In Warren's case, Sahagian said, workers' comp paid the estate \$16,000, much of which disappeared into funeral expenses.

Her daughter has no further recourse. Whatever remorse the Psychiatric Security Review Board is dealing with, it doesn't have to worry about financial liability.

And only the Legislature can decide if this brand of shoehorned immunity is truly warranted in wrongful-death cases.

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