

Temporary fire closure lifted

The Deschutes and Ochoco National Forests and Crooked River National Grassland and have lifted the temporary area closure on federal lands surrounding the Akawana Fire.

The approximately 50-acre closure of Oregon Department of Forestry (ODF) protected lands, Crooked River National Grassland and National Forest lands on the Sisters Ranger District was put in place while firefighters worked to contain the

Akawana fire. Ninety-five percent containment has been achieved and the public can safely return to the area.

Smoke will potentially be visible within the fire area for the next couple of weeks. If you are recreating in the area, use caution. If you see smoke within the burn area, do not report it.

The Akawana Fire area is 2,094 acres and was managed by Oregon Department of Forestry, Team 3. The wildfire was started by lighting on June 7.

Consultant: Ore. berry crop early, good quality

SALEM, Ore. (AP) — Oregon's berry crop is high-quality despite unusual weather this season, according to crop consultant Tom Peerbolt.

Record winter rain was followed by unseasonable heat waves and stretches of cool days, *The Capital Press* reported. The weather swings caused berries and many other crops to appear about two weeks earlier than usual.

"The earliness of everything has thrown everybody off center a bit," explained Peerbolt, who co-owns Peerbolt Crop Management in Portland with his wife, Anna. "It's hard on logistics when everything comes at once."

Oregon ranks first nationally in blackberry production, third in raspberries and strawberries and fourth in blueberries and cranberries.

The strawberry harvest is

wrapping up, said Peerbolt, while harvesting is underway for several types of blueberries and raspberries.

Oregon's premier type of blackberry, the Marion, is traditionally harvested the day after the Fourth of July holiday. This year it will likely start about two weeks earlier than that, according to Peerbolt.

He said the thornless Black Diamond and Columbia Star blackberry varieties will be harvested even earlier.

The early harvesting doesn't seem to have had a negative impact on the crop, said Peerbolt.

"Boy there's beautiful berries out there," he said. "Very good quality and very good size — mainly in blueberries but in caneberrys as well."

He said the harvest came early last year, too, but Peerbolt said this year's moisture made a difference.

DA is gunning for justice in review

By Andrew Selsky
Associated Press

BEND (AP) — At first, authorities in Oregon believed the lab tech had been stealing drugs from just one batch of evidence. Then they saw drugs were missing from other cases she had worked. And then they finally concluded she had also stolen evidence from ones she had not worked on.

The number of possibly contaminated convictions grew, from one to now around 1,500 in Central Oregon's Deschutes County alone.

District Attorney John Hummel is vowing to re-examine each conviction, arguing that revisiting them is critical to ensure that the public has confidence in the justice system. So far, he has recommended 10 convictions be overturned.

"I want people to say: 'You know what? When the DA stands up and says he thinks someone is guilty, he is doing that based on solid evidence,'" said Hummel, whose county's natural beauty belies a reputation for misdeeds by its own lawmen.

Hummel said he has seen the consequences when people lose faith in their justice system, pointing to his experience in a post-civil-war Liberia when he'd find smoldering bodies during morning walks, the victims of mob justice.

Nika Larsen, the lab technician from the state police lab in Bend, is suspected of removing drugs and replacing them with over-the-counter medications.

Hummel said a joint investigation by his office, the U.S. attorney, the Oregon Department of Justice and the Umatilla County district attorney is wrapping up and

an announcement is forthcoming on who will take the lead on prosecution.

Meanwhile, his office is reviewing all those convictions. So far, a judge has thrown out at least one conviction for methamphetamine possession. The lawyer for another one of the 10 asked the court on June 8 for his client's conviction to be thrown out.

George Burgen had been sentenced to 10 days in jail after a sheriff's deputy stopped his car and found a small plastic bag in his wallet, a thin line of a substance on the bottom. An official document refers to it as "meth (residue)."

"Those 10 days in jail, I don't know how I get those back," Burgen said in an interview in his house in the woods near the Deschutes River. "But I was guilty. I did have it in my possession."

Burgen doesn't trust police and cited crimes committed by officers, including a former sheriff who was imprisoned for embezzling hundreds of thousands of dollars and a deputy convicted of giving drugs to teenage girls and sexually abusing them.

"Of those in the justice system, some are criminals themselves, so who are they to be convicting," Burgen wondered over a cup of coffee, a letter from his attorney on the table in front of him. "The hypocrisy is just amazing."

He said he appreciates Hummel's efforts.

"People have to have faith

in their justice system, which has been so screwed up in this county," Burgen said. "I'm glad we have a DA who is looking at the whole picture in this way."

Burgen said he had quit using meth long before he was busted. "I decided I was getting too old to do this," he said, adding that he had forgotten that he still had the tiny amount in his wallet.

Some other counties are also investigating possible tampering of evidence, including Umatilla, where Larsen previously worked at a lab in Pendleton.


Hummel's office has posted a spreadsheet, tracking all the cases. The Oregon Innocence Project has applauded Hummel's actions and transparency and called on other counties to follow his lead by opening their own files to the public.

Kevin Sali, a defense attorney who is on Gov. Kate Brown's work group investigating the Oregon State police forensic laboratory system, said problems go beyond a few analysts tampering with the evidence.

Sali said the group needs to try to improve the process "at every level," from eliminating influence and pressure on technicians to come up with results that please police and prosecutors, to making clear to juries when a finding is not purely scientific but is subject to an analyst's interpretation.

Hummel said he expects his review to be completed in September.


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