

# Appeal Tribune

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## Lawmaker optimistic on dam plans

### Community leaders voice opinions to Rep. Schrader

**Bill Poehler**  
Salem Statesman Journal  
USA TODAY NETWORK

STAYTON – When the U.S. Army Corps of Engineers released its initial plan to draw down the water level of Detroit Lake in an effort to help fish, much of the backlash about the plan concerned the two- or three-year duration of the low water level.

The Corps has since presented a proposal for a one-year draw down and another that would require no massive draw down.

After a forum of stakeholders, U.S. Rep. Kurt Schrader, D-Ore., said he is pleased that the Corps of Engineers has already altered its initial plan.

“The fact that they’re commenting now on a one-year vs. a two- or a three-, it’s maybe not enough to be

frank with you, we’ll see, but at least they’re moving and they’re listening,” Schrader said. “That’s huge for the community to see.”

The U.S. Army Corps of Engineers’ current plan would draw down the water level at Detroit Lake to 1,310 feet between November of 2021 and December of 2022 to build a 300-foot temperature control tower and football-field size fish collecting screen.

The Corps made it clear the current plan is just in the proposal stages.

“Everything is preliminary here. We don’t have all the answers,” said Jeff Ament, Detroit Dam project manager for the U.S. Army Corps of Engineers.

The \$100 million to \$250 million project is projected to improve chinook and steelhead runs in the North

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Detroit Lake is on schedule to reach its regular summer water level this year. STATESMAN JOURNAL FILE

## Lawsuit alleges asbestos exposure at MacLaren



The hallways of Lord High School at MacLaren Youth Correctional Facility in Woodburn are shown in April 2014. The school was among eight buildings named in a lawsuit accusing the Oregon Youth Authority of knowingly exposing workers and students to asbestos. STATESMAN JOURNAL FILE

**Tracy Loew** Salem Statesman Journal  
USA TODAY NETWORK

A former MacLaren Youth Correctional Facility employee has filed a whistleblower retaliation lawsuit against the state, saying supervisors knowingly exposed workers and students to asbestos.

Silverton resident John Neves spent 18 months supervising a team of six youth offenders who helped remodel cottages and other buildings at the Woodburn facility as part of a \$52 million upgrade the Oregon Legislature approved in 2015.

According to the lawsuit, on Feb. 22, 2017, as Neves was working on the final cottage, his supervisor, Steve Babcock, ordered him to quickly replace panels he had pulled off the walls of the living area.

“Mr. Babcock explained that a tour of public officials was about to come through Kincaid Cottage and MacLaren Youth Correctional Facility did not want them to know about the asbestos in the walls,” the lawsuit reads.

“Plaintiff was shocked. He had never been told that MYCF knew there was asbestos in the walls of the living units he remodeled,” it continues. “Mr. Babcock said there was asbestos ‘all over the place.’”

Asbestos fibers are known to cause lung cancer, mesothelioma and asbestiosis. There is no safe level of exposure.

That evening, the lawsuit alleges, Neves and a painter who had been working in the cottage were put on administrative leave. Neves was told that he was

accused of helping or knowing about youth creating hiding spots for contraband in the units that were being remodeled.

On March 23, 2017, Neves filed a complaint with Oregon OSHA.

Neves was fired July 21, four days before OSHA cited Oregon Youth Authority for two serious violations of the Oregon Safe Employment Act and fined it \$500.

The OSHA investigation found that OYA did not notify employees doing the renovations that the work could disturb known or suspected asbestos-containing materials; and OYA didn’t provide initial and yearly training about asbestos to the employees, as required.

Oregon law prohibits employers from discriminating against employees who lodge complaints against their employer for unsafe or unhealthful work conditions.

Neves’ lawsuit, filed Feb. 20, 2018, names the Oregon Youth Authority; Babcock; MacLaren superintendent Dan Berger; and OYA employees Rex Emery, John Cummings and Abe Rios.

It asks a court to award him \$935,000.

Neither Neves nor his lawyer, Charese Rohny of Portland, responded to interview requests.

The state has not yet filed an answer with the court. Oregon Youth Authority officials declined to answer questions about the lawsuit.

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## Woodburn woman accused of assaulting boy

**Lauren Hernandez**  
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A Woodburn woman is facing multiple child sexual abuse charges for allegedly sexually abusing a boy under 14 years old over the course of a two year period.

Isabel Cortes-Flores, 19, was arrested April 29 for allegedly engaging in sexual intercourse with the boy starting around February 2, 2016 and lasting up until March 16, 2018, according to Marion County court documents.

She is facing one count of first-degree sexual abuse and three counts of second-degree rape.



**Isabel Cortes-Flores**

Cortes-Flores is in Marion County Jail on no bail. A warrant had been issued for her arrest April 18, according to Marion County court documents.

First-degree sexual abuse and second-degree rape are Measure 11 crimes and carry mandatory minimum sentences of roughly six years each if convicted.

Cortes-Flores was scheduled to be arraigned April 30 with Judge Channing Bennett.

Email Lauren Hernandez at lehernande@statesmanjournal.com, call 503-399-6743 or follow on Twitter @LaurenPorFavor

## BACKLOG BUSTED

### 2 years after law forces action, audit finds just 1,100 rape kits left untested

**Lauren Hernandez**  
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Two years after passing a law requiring Oregon crime labs to process the state’s growing rape-kit backlog, a Secretary of State audit found Oregon State Police’s crime lab is making a significant dent — with 1,100 kits in the backlog compared to 4,900 kits in 2015.

The number of new untested kits had quadrupled in recent years despite Oregon officials sending 2,800 untested kits — some from cases more than a decade old — to a Utah laboratory in 2016 because the Oregon labs couldn’t handle so many.

But changes to Oregon State Police’s crime lab analysis, prioritization of biology and DNA requests that include sexual assault forensic evidence, or SAFE kits, and suspension of property crime evidence has helped officials process more kits each month.

The Secretary of State Audits Division report released May 2 found OSP is complying with state law by hiring more staff and equipment and streamlining processing of kits by following best practices outlined by the National Institute of Justice.

### Crime labs streamlining processing of rape kits

State Police officials hired nine crime lab analysts for the state’s crime labs with \$1.5 million allocated as part of Senate Bill 1571, also known as Melissa’s Law.

Three of OSP’s five crime labs received the new hires including: One forensic laboratory specialist; one DNA supervisor; one biology processing analyst; four DNA analysts at the Portland lab; one biology processing analyst at the Bend lab; and one biology processing analyst at the Central Point lab.

Two additional positions were funded through legislation separate from Melissa’s Law, which allowed hiring of one biology processing analyst and one DNA analyst for the Portland laboratory.

Oregon State Police also operates crime labs in Pendleton and Springfield. The Portland lab is the largest, with 86 full-time staff, and is the only lab that analyzes DNA evidence.

In October 2017, the DNA unit was split into three teams to better streamline the processing analysis, according to the audit report.

One team of eight analysts focuses on processing SAFE kits. Another team conducts technical review of kits that are outsourced through Multnomah County.

The third team dedicates their time on criminal cases with a pending trial date, homicide cases or cases where public safety is a concern.

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Forensic scientist Jennifer Buttler puts a cutting from a sample cotton swab into a test tube as she demonstrates the steps required to process a sexual assault forensic evidence kit at the Oregon State Police Forensics Services Division. MOLLY J. SMITH/STATESMAN JOURNAL FILE

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