

Shooting suspect could be prosecuted as an adult

By JAYSON JACOBY
Baker City Herald

BAKER CITY — Baker County District Attorney Greg Baxter is seeking to have the 17-year-old suspect in a fatal shooting in Baker City on Wednesday, July 13, tried for second-degree murder and unlawful use of a weapon as an adult rather than a juvenile.

Baxter confirmed on July 15 that he had filed for a motion for a waiver under an Oregon law, ORS 419C.349.

Under that law, a district attorney can seek a hearing in a case in which a suspect who was 15, 16 or 17 years old is accused of a crime that, if committed by an adult, would constitute a Class A or Class B felony.

The male suspect is accused of fatally shooting another juvenile male just after midnight on July 13 in the parking lot at the Baker Technical Institute, on the Baker High School campus.

Police have not released the name of the victim or the suspect, nor have they given the age of the victim, who died at the scene.

Police haven't said what type of gun was used.

Baxter said he couldn't give any additional details. He said the investigation is continuing.

The 17-year-old suspect was taken to a juvenile detention facility in The Dalles.

The shooting was reported at 12:25 a.m. on July 13, according to a press release from the Baker County Sheriff's Office.

The caller told a dispatcher that the shooting suspect had fled.

Baker City Police officers responded and found a male juvenile with a gunshot wound. Efforts to save the victim were not successful.

Police also found a female juvenile at the scene who was not hurt.

Police haven't said whether the female juvenile who was in the parking lot reported the shooting, or whether someone else called police.

According to the state law dealing with juveniles being prosecuted as adults, a judge can consider, among other criteria, whether:

- "The youth at the time of the alleged offense was of sufficient sophistication and maturity to appreciate the nature and quality of the conduct involved."

- "The amenability of the youth to treatment and rehabilitation given the techniques, facilities and personnel for rehabilitation available to the juvenile court and to the criminal court that would have jurisdiction after transfer" (to adult court).

- "The aggressive, violent, premeditated or willful manner in which the offense was alleged to have been committed."

- "The previous history of the youth, including: prior treatment efforts and out-of-home placements; the physical, emotional and mental health of the youth; the youth's prior record of acts that would be crimes if committed by an adult; the gravity of the loss, damage or injury caused or attempted during the offense."

The law also gives the prosecutor the right to have at least one psychiatrist or licensed psychologist, of the prosecution's choice, examine the juvenile defendant.

Baxter said he doesn't know how long it typically takes for a judge to decide on a motion seeking to prosecute a juvenile defendant in adult court.

A defendant convicted of second-degree murder as an adult could be sentenced to life in prison without the possibility of parole.

Baker County meets with landowners along B2H power line route

By IAN CRAWFORD
Baker City Herald

BAKER CITY — About 20 Baker County property owners whose land is along the proposed route for the Boardman-to-Hemingway power transmission line attended a meeting to discuss their options in dealing with Idaho Power Company regarding payments for permanent easements.

County Commissioner Mark Bennett set up the meeting the evening of Wednesday, July 13, at the Baker County Courthouse.

Andrew Martin, an attorney with Intermountain Law in Baker City, the firm the county has enlisted, also attended.

Bennett said county officials offered many years ago to help affected property owners navigate the potentially complicated process.

Idaho Power, the Boise-based company that has been leading the Boardman-to-Hemingway project since it was first proposed in 2007, would own 45% of the line, and PacifiCorp, of Portland, would own 55%.

The Bonneville Power Administration (BPA), a federal agency, was also involved in the project, but early this year the BPA transferred its ownership interest to Idaho Power.

"Over the years we discussed what would we do when we got to this point," Bennett said during the meeting, noting that the proposed route covers more than 70 miles in Baker County and affects about 30 separate landowners, making it a challenge to get most or all to gather.

About 20 landowners attended, some by Zoom.

"I want to make this clear, we're not pushing anything specific, but we do think it's important that you hear from a confident land use law



Baker City Herald, File

The proposed Boardman to Hemingway power transmission line could follow the route of an existing line that runs along the eastern edge of Baker Valley near Highway 86.

attorney," Bennett said, referring to Martin. "We think it's important that information gets out."

The federal government has approved the 293-mile route, which runs from near Boardman, in Morrow County west of Pendleton, and the Hemingway substation near Murphy, Idaho. The Oregon Energy Facility Siting Council, part of the state Department of Energy, is reviewing the proposed 500-kilovolt transmission line, which would cross parts of Baker, Malheur, Union, Umatilla and Morrow counties.

The proposed route through Baker County would run south of Interstate 84 from near Huntington to the Durkee Valley, cross the freeway near Pleasant Valley, then follow the route of an existing 230-kilovolt line (which it would replace) along the north side of the freeway to near Baker City, then head north along the east side of Baker Valley between the freeway and the Oregon Trail Interpretive Center.

Martin said he has been in touch with Idaho Power officials, who expect to complete the state permitting process later this year, although he said "that timeline may get pushed out a little bit further."

Idaho Power anticipates the transmission line could be finished as early as 2026.

A regional organization, Stop B2H, has been working for several years to block the project, claiming it is not needed and would harm the environment, increase the risk of wildfire, and intrude on private property.

Idaho Power is required to survey sites along the route, including private property, for wildlife and plants, among other things.

In late 2021 and early 2022, attorneys representing the company filed 10 lawsuits against Baker County landowners — and similar complaints against other property owners elsewhere in Eastern Oregon — seeking access to their properties for surveys.

Idaho Power dismissed all the Baker County suits this spring after all the affected landowners granted the company permission to do surveys.

Easement payments

A focus of the meeting was the one-time payments Idaho Power will offer to property owners for easements across their land.

"They have individuals that work with Idaho Power approaching landowners and presenting packages of documents to folks," said Martin, who called for a show of hands from property owners who'd already received the documents.

Nearly every landowner attending has received initial offers from Idaho Power.

Martin said landowners should have an attorney review the forms before signing.

"If you notice, they're full of blanks, so those are pretty generic forms," he said. "For most of you, unless you have an attorney look at it, it's a lot of legalese and lawyer jargon."

Martin said the packages are in effect the first step in the negotiating process. In most cases Idaho Power is seeking a 160-meter wide easement, although the dimensions vary depending on the property.

He said landowners would be able to continue using the easement for purposes such as cattle grazing.

Martin said that if Idaho Power can't negotiate an easement, the next step would be a "condemnation lawsuit."

Also known as eminent domain, that's a legal process that forces a private landowner to give up a portion of property for a public project, such as a highway or power line. The property owner would receive a payment, but it would be determined by the court rather than in a negotiation between the parties.

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