

Bill: Marquis says the system is fairer here than in other states

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Prozanski's bill would require all grand jury proceedings to be recorded except deliberations and voting. In case of indictment, the transcript would be released to the district attorney and defense counsel. If there were no indictment, the transcript would not be released except when the accused was a public servant such as a police officer.

High-profile cases of police officer-involved shootings in which grand juries declined to indict officers have fueled national interest in adding transparency to the grand jury process.

But well before that debate was sparked, critics say, Oregon had multiple examples of abuse of the grand jury system. Proponents of Prozanski's bill have argued that electronic recording would have served as a deterrent to abuse in those cases.

"One of the reasons is to impress upon the witness that this is on the record, this is important," Meyer said. "It has to be accurate because important decisions will be made based on what you say. It also makes viable the threat of perjury should someone testify con-



Daily Astorian/File Photo

Clatsop County District Attorney Josh Marquis speaks with the press in August 2014.

trary to the truth. It has been recognized that recording testimony reduces prosecutorial overreach and abuse."

Clatsop County

One of the most scandalous examples of prosecutorial abuse came out of Clatsop County in 1993.

Then-Clatsop County District Attorney Julie Ann Leonhardt won grand jury indictments against two Astoria police officers. One of the officers, Cpl. Tim Thurber, had given Leonhardt's ex-convict boyfriend a traffic ticket earlier that year, according to a Oregon Supreme Court ruling

and media reports at the time.

Leonhardt accused Thurber and Sgt. Bill Stowell of trying to sell drugs through an informant with the Drug Enforcement Administration and failing to turn over all confiscated contraband.

While the informant never testified in front of the grand jury, Leonhardt falsified the indictment to suggest that he had.

Charges against the officer were ultimately dismissed after other members of the Clatsop County District Attorney's Office acknowledged in court that the indictment was poorly founded.

Leonhardt was convicted of four counts of first-degree forgery and two misdemeanor counts of tampering with public records for falsifying the indictment. In 1994, she was disbarred.

Josh Marquis, who replaced the disgraced prosecutor as Clatsop County district attorney and is still in office, said he still thinks Oregon's grand jury procedures work well, but the public rarely hears about the system's successes.

"Those cases are usually ones that never see the light of day like a plane landing safely; nobody ever hears about," Marquis said. "You only report on planes where the landing gear malfunctions."

He opposes Prozanski's proposal and believes it will cost millions of dollars to implement because more staff will need to be hired to record testimony.

"The proposal as written essentially is one of the criminal defense bar," Marquis said. "What they are proposing is recording all grand jury proceedings on the theory this would make the process transparent. The problem is grand juries are inherently secret to both protect people under

investigation who may not be guilty and to protect child abuse and rape victims."

District attorneys oppose

The Oregon Association of District Attorneys headed up opposition to the legislation last session. Prozanski said he has been meeting with association members, as well as criminal defenders, to try to address their concerns.

In a memo to the Senate judiciary committee in March, Multnomah County District Attorney Rod Underhill estimated that the requirement would cost Multnomah County about \$2 million a year in recording staffing, transcription service, staff time used to distribute transcripts and audio recordings and to review cases, administrative overhead and maintenance and technical support.

Grand juries, made up of seven jurors, are the most common method used to indict suspects on felony charges in Oregon.

Meyer, of the defense attorneys association, said Oregon's heavy reliance on grand juries to charge people is more of a reason to record proceedings.

But Marquis said the system is fairer than in other states such as California because jurors are selected at random, and the prosecutor has no authority to weed out the selections.

"You are stuck with the seven people pulled out of the batch," Marquis said. "In a community of my size it may include people who have been writing letters that I need to be thrown out of office, but that's a good thing because it is a general slice of the community."

During the proceedings, grand jurors hear only from the prosecutor and witnesses. There generally is no record of the testimony, except if jurors decide to take handwritten notes. If the jurors agree to an indictment, the names of the witnesses also must be included on the indictment document.

Marquis said even in the Leonhardt case, the system worked: She was discovered, charged, disbarred and removed from office.

"We hold our prosecutors politically responsible," he said. "They get recalled if they abuse that power. These cases aren't private; they're tried in public."

Angry owl back in Salem

The Associated Press

SALEM — The year is ending the way it began in Salem, with an aggressive owl going after people.

At least two attacks have been reported more than a mile north of a park where joggers were attacked in January, said Julie Curtis, spokeswoman for the Department of State Lands.

Dwight French said he was jogging from his office to a parking garage Monday when he felt a bump on the back of his head. He turned around and saw an owl fly into the trees and stare at him. As he crossed a street, the owl hit him again and then a third time.

"At the moment it was just really bizarre and kind of scary for a minute," he told the Statesman Journal.

French sustained several little cuts. He said it looks like he "got a really violent haircut."

The January attacks on several joggers got national attention, most of it humorous.

Inspired by a segment from MSNBC host Rachel Maddow, Oregon's capital city posted "angry owl" warning signs in the park where the owl was likely defending its nest against perceived threats. The Statesman Journal had an online naming contest, with "Owlcapone" getting the most votes. And, of course, there's

an Owl Attacks Facebook page.

David Craig, a biology professor and animal behavior specialist at Willamette University, said there's no way of knowing if the owl that attacked French is the notorious Owlcapone establishing a new home or if it's another barred owl.

He said this is the time of year when owls and eagles are courting and establishing their territory, which makes them aggressive. They lay eggs as early as February.

If an owl scratches you and it breaks the skin, Craig recommends monitoring the wound like you would a cat scratch.



Danielle Peterson/Statesman-Journal

John Kleeman, parks operations supervisor for Salem, installs a sign at Bush's Pasture Park warning visitors of owl attacks in February. The year is ending the way it began in Salem, with an aggressive owl going after people. At least two attacks have been reported more than a mile north of a park where joggers were attacked in January, said Julie Curtis, spokeswoman for the Department of State Lands.



CLATSOP ANIMAL ASSISTANCE

Helping the Shelter with volunteers and \$\$

2015



Thank you!

CAA members and I want to thank the entire extended community once again for making our annual fundraiser and holiday party a resounding success for the animals who rely on us.

To everyone who donated silent and raffle items, baked goods, event space, and lots and lots of time, thank you!

And to everyone who came out in the storms to buy bake sale items, bid on silent auction items, take chances on raffles, and get your pets' pictures taken with Santa, we are grateful.

In spite of awful weather, we had our best year ever! All proceeds from this fundraiser are used to provide vet care for our shelter dogs and cats, for behavioral training when needed, and to help get them into loving homes.

Marcy Dunning for CAA



What's on your wish list for the Parks and Recreation Department?

The City of Astoria Parks and Recreation Department is conducting a Comprehensive Parks and Recreation Master Plan to help establish a short and long-term vision and identify priorities for the Parks Department's parks, facilities, and program offerings. Take a few moments to give us your feedback by taking our survey and let us know what is important to you.

Enter to win a \$50 Punch Pass in our daily drawing now through January 1, 2016.



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