

Sheriff: Jones hopes the new info exonerates him

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he said. "But I don't want the story to be spun like I'm some kind of vigilante killer, or that there was some kind of corruption. Those officers, any I've ever had dealings with, they've done nothing but try to help me."

'No emotion'

Johnson was helping the tow-truck driver impound a minivan a little before 1 a.m. on Feb. 13, 2010, when a man approached and asked what they were doing. The man walked off. Johnson would later describe him as appearing extremely angry, while the tow-truck driver, George Hill, testified that he was "real neutral, like no emotion at all."

Moments later, the man returned from behind and shot the trooper in the head. The .22-caliber bullet broke apart and remains lodged near the base of Johnson's skull.

Feeling "like a crowbar had hit me," Johnson later testified, he locked eyes with the man and shot back twice.

Hill, who had known the trooper for 27 years, described the attacker as white but somehow ethnic, possibly tan or olive-skinned.

Suspicion fell on Jones, the minivan's owner. A tower crane operator, he was home in bed when his wife, Susan Jones, was arrested for drunken driving in the vehicle. He says he stayed home all night.

The next morning he let investigators search his house, told them where to find his three rifles, and agreed to stand out front to see if a witness would identify him.

Police rolled slowly by in an unmarked car with Hill inside.

At Jones' 2011 trial, a State Patrol detective, Matthew Hughes, recalled the tow-truck driver's reaction: "No, that's not the guy. ... That's Marty."

Hill had given the Joneses estimates for auto-body work.

That afternoon, Hill worked with a sketch artist. Several people told police the drawing looked like Nick Boer.

Police found Boer and his brother at their mom's mobile home. Nick denied involvement.

Johnson, meanwhile, was in a hospital bed. He saw the sketch on the news and said it didn't look anything like the shooter. He repeatedly asked for a picture of the minivan's owner.

A corrections officer showed him Jones' driver's license photo, with Jones' name underneath it.

That's him, Johnson replied.

Johnson then worked with the artist on a new sketch, without mentioning he'd seen a picture of Jones. Jones was arrested that night, close to 48 hours after the shooting.

State's theory

The state's theory was that



Bill Wagner/The Daily News

Martin Jones, left, listens to testimony in Tacoma, Wash., during his sentencing hearing in 2011 after Jones was convicted of shooting Scott Johnson in 2010 in Long Beach, Wash., when Johnson was a Washington state trooper. Jones' attorney is seeking a new trial, saying another man confessed to the shooting and that Johnson, who is now Pacific County sheriff, deliberately misidentified Jones.

Jones — a grandfather with no criminal history and with close relatives in law enforcement — got out of bed after receiving a text from his wife that she'd been pulled over. He walked 1.3 miles, or possibly drove part of that distance, to her van. He saw and spoke with a tow-truck driver whom he knew, and who could presumably identify him. He became enraged and shot the trooper with a handgun. The tow-truck driver couldn't identify Jones because he didn't get a good enough look.

Investigators found in Jones' house a box of .22-caliber ammunition. A state expert testified that microscopic markings on the shell found at the scene forensically matched the shells in the box — suggesting the bullet that shot the trooper came from the box in Jones' house.

But that type of analysis has been discredited and has no scientific foundation, William Tobin, a retired manager of forensic metallurgy at the FBI Laboratory in Washington, D.C., wrote last month after reviewing the case for Jones' lawyer.

At trial, Johnson, by then sheriff, identified Jones as the shooter. He told the AP he still has no doubt.

"I was just a couple feet from the shooter, and I looked him right in the eye," Johnson said.

Jones testified at length, protesting his innocence, but the jury convicted him.

Private investigator

The family eventually hired a private investigator, and the investigator learned that in 2012, a Pacific County fire commissioner named Greg McLeod tried to contact Jones' lawyers. McLeod's son, Mike, had come forward after the trial to say someone else confessed.

Nick Boer.

On the night of the shoot-

ing, Peter Boer came to his house with a backpack, Mike McLeod said. Peter told him his brother claimed to have shot an officer and asked him to get rid of some weapons.

The investigator interviewed Peter Boer under oath at a prison; he's now serving nearly five years for stolen property. Peter said he would talk partly because his mother, who wanted to protect Nick, had died.

In Peter Boer's telling, he was at his mother's trailer when Nick called from a house two blocks from the shooting. An officer was shot, Nick reported, and Peter should stay put.

Nick then arrived, looking at the floor when Peter asked if he'd shot the trooper. They went to a friend's house, getting high along the way, and Nick "took credit," Peter said.

"He was like, 'Yeah, I do — I shot him,'" Peter said. "So he asked me to go out to the car and grab a backpack and go dump off some gun parts we had."

Peter said he stopped by McLeod's house and tossed the gun parts in a spot where the tide comes in.

A friend who supposedly witnessed the confession told the investigator he doesn't remember that night. Nick Boer maintains he and his brother never left their mom's trailer, and says his brother may remain bitter over some family disputes.

Hill, the tow-truck driver, told the AP he couldn't identify the shooter at the trial, and he can't now.

From the state penitentiary in Walla Walla, Jones said he and his wife always supported law enforcement and even held a fundraiser for the wife of a trooper slain in 1999. He hopes the new information exonerates him.

"I'm not the kind of person who goes around committing any crimes, let alone shooting an officer of the law," he said.

Park: National parks return more than \$10 for every \$1 invested

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As a result, 260 jobs were added, leading to \$8.6 million in additional labor income. Benefits for hotels, which hauled in \$5.3 million of the park's economic output, and restaurants — \$3.7 million — have been particularly fruitful.

Economists Catherine Cullinane Thomas of the U.S. Geological Survey and Lynne Koontz of the National Park Service completed the peer-reviewed report. It illustrates a gradual rise in economic contributions from national parks by multiple measurements the past five years.

Nationally, parks contributed \$34.9 billion, 331 million visitors spent more than \$18 billion dollars and an additional 318,000 jobs were added. National parks return more than \$10 for every \$1 invested, Burpee said.

More trails

Though the National Park

Service's centennial celebration helped boost the number of visitors last year, Lewis and Clark park's emphasis on adding and maintaining hiking trails has also been a factor the past few years, Chief of Resources Chris Clatterbuck said. Park staff has added 7 miles of trails since 2011.

Because Lewis and Clark collects usage fees, it is required by law to reinvest that money into projects that benefit park visitors, Clatterbuck said. Recent statistics have revealed trail maintenance has been a key draw for visitors, he said.

For instance, the park will conduct maintenance late this summer on the Fort to Sea trail, placing a fresh layer of gravel to combat mud issues, along with rerouting the boardwalk near Fort Clatsop National Memorial.

Known primarily for its replica of Fort Clatsop — the winter home for explorers

Meriwether Lewis and William Clark in the early 1800s — the park has become more of a hiking destination, Clatterbuck said. "I don't think we were necessarily looking to increase visitor spending, but we wanted to add to the number of opportunities for people."

While five years of smooth sailing financially has created opportunities for such projects, it is not entirely clear how long the park's economic waters will remain calm.

President Donald Trump has proposed a 12 percent decrease to the Department of the Interior's budget in 2018. The proposed budget calls for reduced spending on major maintenance programs at national parks.

Lewis and Clark, though, will not be able to plan for next year until Congress officially adopts a budget, Clatterbuck said. "We just don't know at this time."

Gearhart: Ballot initiative is one of several challenges

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safety inspections and permit fees.

"Ultimately, my interest, and the interest of the city, is that city electors have a ballot title that allows them to make an informed decision on the potential initiative," Gearhart City Attorney Peter Watts said Monday. "I think that the ballot title that Judge McIntosh wrote is clear and easy to understand. I also believe that it is substantially similar to the ballot title that I drafted."

Ballot title challenge

The city's rules, enacted last fall, regulate short-term rental occupancy limits, parking and property management contact information, among other measures. Permits are transferable only by inheritance, not by the sale of the property, according to the ordinance.

In March, property owners Joy Sigler, Brian Sigler and Sarah Nebeker filed a challenge to the city, seeking a ballot initiative to Gearhart voters that would repeal and replace the ordinance. Titled "Gearhart Vacation Rental Ordinance," their proposed 15-point ordinance seeks to "assure that the interests of vacation homeowners and permanent residents remain in a sustainable balance that is good for the community,

that every property owner's rights are fairly protected and that no property owner is economically harmed by excessive rules and regulations."

The ordinance offers rules for short-term vacation rentals, including owner contact details, transferability, occupancy and health and safety details, among others.

Property owners submitted that document to the city, which then summarized it by caption, question and summary, as specified by state election law. Upon its release on the city's blog in early April, Gearhart homeowner Jim Whittemore said the city's ballot title summary was prepared without input or review by those who wrote it and did not reflect the purpose and intent of the initiative petition.

The summary prepared by the city only specified what would be eliminated, not what the measure would actually provide, the Siglers and Nebeker wrote in their April petition to challenge the ballot title.

They requested new language to ensure that voters understood that their revised rules would require compliance with city ordinances that "apply generally to all residential dwelling units."

"We're willing to abide by the rules that everybody else does," Townsend said this

week. "They should be the same for everybody."

Land use appeal

The ballot initiative is one of several challenges to Gearhart's short-term rental rules, which have subsequently been merged to go before the state Land Use Board of Appeals.

Whittemore, among 14 Gearhart property owners, brought an appeal to the state in October. A second land use appeal was subsequently merged.

Coincidentally, the state appeals board listened to arguments on May 4, the same day as the Clatsop County Circuit Court hearing. A decision from the state has not yet been rendered.

A ballot measure could go before voters in November if supporters can gather 175 validated signatures necessary at least 90 days before Election Day.

If there is a ruling on the land use case at the state level, the initiative petition measure would nevertheless proceed, Townsend said.

"From my understanding of LUBA, (the state) will send it back to City Council to do all over again," Townsend said. "The City Council has not expressed any interest in sitting down with us and arriving at a compromise measure."

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