

Criminal justice changes a ‘tectonic shift’ for felony cases

A switch to preliminary hearings

By CONRAD WILSON
Oregon Public Broadcasting

For as long as almost everyone who works in Multnomah County’s court system can remember, the district attorney has used grand juries in felony cases.

But starting this week that will change: District Attorney Rod Underhill will move away from grand juries, instead choosing to hold preliminary hearings.

Driving the change is a new law aimed at creating more transparency in Oregon’s criminal justice system.

Defense attorneys say the new system will give them a better sense of the state’s case against their clients. The shift

is also leading to uncertainty and higher costs for the court system.

“We in Multnomah County have three grand juries numbered one, two and three that hear cases nearly every day and most hours of the day throughout the work week,” Underhill said last month on OPB’s “Think Out Loud.”

Here’s how those grand juries work: The grand jurors are selected from a jury pool by a judge to serve for about 30 days. The seven county residents hear facts from witnesses and prosecutors on a range of cases, from drug and property crimes, to assaults and murders, Underhill said.

Grand jurors don’t hear from the defendant or their lawyer.

“They’ll ultimately be asked to vote on whether to move the case forward, move the charges forward or not,” Underhill said, “or make

‘Oregon’s citizens must have confidence in their criminal justice system — particularly when the state charges someone with a felony.’

District Attorney Rod Underhill

adjustments relative to the charging decisions.”

But much of that changed Monday with the adoption of preliminary hearings.

Lane Borg, executive director of the Metropolitan Public Defenders, explained preliminary hearings are like a mini-trial before a judge.

“It’s a presentation before a judge in which the defendant appears, the prosecutor appears,” Borg said. “They present the evidence to the

judge and the judge makes a determination about whether there’s sufficient evidence to justify binding the person over to trial.”

A new law the Legislature passed this year requires grand juries be recorded. The law calls for Deschutes, Jackson and Multnomah counties to start by March. The rest of the state’s counties must be in compliance by July 2019.

State House Majority Leader Jennifer Williamson,

a Democrat for Portland, has sponsored the bill every year since she was elected in 2012.

At a hearing at the state Capitol in March before the Senate Judiciary Committee, Williamson explained that recording grand juries is about making certain prosecutors play fair. Most of the time grand juries indict a defendant.

Williamson testified that Oregon is one of very few states that rely on handwritten notes from grand jurors as the official record.

“For Oregon, the process to ensure equity and equality in the law and to uphold the most basic tenants of the criminal justice system, we must start with transparency,” she testified.

In June, before the law passed, Underhill wrote a letter to Multnomah County Presiding Judge Nan Waller. Underhill said that if transparency was the goal of the bill,

he would move toward preliminary hearings.

“I believe that Oregon’s citizens must have confidence in their criminal justice system — particularly when the state charges someone with a felony,” Underhill wrote. “I also believe in responsible transparency.”

Here’s how Waller interpreted the letter:

“(Underhill) felt that really if it’s about transparency, preliminary hearings where a defendant is at the hearing, represented by counsel with the opportunity to cross examine any witnesses called to establish probable cause was the most transparent,” Waller said.

Underhill will start with drug cases. By early next year, he estimates 85 percent of all felony cases will shift to preliminary hearings. That translates into roughly 3,000 cases.

Two people evacuated from burning home

By JACK HEFFERNAN
The Daily Astorian

A man, woman and two pets were evacuated from a home on Lewis and Clark Road following a three-alarm fire early Saturday morning.

Fire personnel responded to the home on the 87000 block of the road shortly

after 2:15 a.m. When they arrived, firefighters evacuated a man from the balcony of the home and a woman who slipped and fell as she ran inside to collect belongings. Adding to the challenge was a steep driveway on the property and a lack of a nearby water source, Gearhart Fire Chief Bill Eddy said.

Firefighters were finally able to contain the fire after roughly two hours.

“It was a very, very tricky one,” Eddy said.

No injuries resulted from the fire. The damage to the structure and other items in the homes is estimated to be between \$90,000 and \$120,000.

Eddy said a wood stove chimney was the likely cause.

State reminds boaters to renew their registrations

The Daily Astorian

The State Marine Board is mailing approximately 75,000 boat registration renewal notices to boaters whose boat registration expires Dec. 31.

Boaters can renew online at boatoregon.com/store and print out a temporary permit. Other options include mailing the

payment coupon to the Marine Board or visiting a local registration agent, who can also issue a temporary permit.

The cost to register a boat is \$4.50 per foot and a \$5 aquatic invasive species fee. The Aquatic Invasive Species Prevention fund pays for inspection stations, decontamination equipment, inspectors, signage

and education materials.

The Marine Board is funded by motorized boat registrations, motorboat fuel tax and federal funding. Nearly 86 cents of every \$1 are used for law enforcement, boat ramps, restrooms, parking, boarding floats, facilities engineering, design, boating education and program outreach.

FIVE-DAY FORECAST FOR ASTORIA AccuWeather.com

TONIGHT	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
40	50 44	54 43	55 43	54 44
Mostly cloudy	Cloudy and breezy with a little rain	Breezy with periods of rain	Cloudy most of the time with a little rain	A thick cloud cover with a little rain

ALMANAC Astoria through Monday.

Temperatures
High/low 50°/37°
Normal high/low 56°/42°
Record high 70° in 1923
Record low 30° in 1957

Precipitation
Monday Trace
Month to date 1.42"
Normal month to date 1.87"
Year to date 63.57"
Normal year to date 48.09"

SUN AND MOON
Sunset tonight 4:53 p.m.
Sunrise Wednesday 7:07 a.m.
Moonrise today 8:23 p.m.
Moonset today 10:54 a.m.

REGIONAL WEATHER
Shown is tomorrow's weather. Temperatures are tonight's lows and tomorrow's highs.

UNDER THE SKY
Tonight's Sky: Lyra, the harp, stands high overhead as darkness falls this evening.

Source: Jim Todd, OMSI

TOMORROW'S TIDES
Astoria / Port Docks

Time	High	Time	Low
4:34 a.m.	7.9 ft.	10:02 a.m.	2.6 ft.
3:47 p.m.	9.2 ft.	10:56 p.m.	-0.6 ft.

NATIONAL CITIES

City	Today	Wed.	City	Today	Wed.
Atlanta	78 57 t 64 50 c		Olympia	45 33 c 47 38 r	
Boston	49 40 pc 48 36 pc		Pendleton	44 29 pc 46 38 c	
Chicago	46 28 pc 47 34 s		Portland	50 39 c 48 42 r	
Denver	33 20 sn 55 25 s		Roseburg	51 42 c 53 47 r	
Des Moines	42 27 pc 49 31 s		Salem	50 38 c 51 45 r	
Detroit	47 29 pc 48 32 s		Seaside	51 42 c 50 45 r	
El Paso	80 54 pc 68 45 pc		Spokane	35 27 pc 42 34 c	
Fairbanks	24 13 pc 28 18 c		Springfield	51 39 c 52 46 r	
Honolulu	88 74 c 86 74 pc		Vancouver	48 39 c 47 44 r	
Indianapolis	48 32 c 49 31 s		Yakima	41 29 pc 45 35 r	
Kansas City	42 25 pc 49 29 s				
Las Vegas	73 49 pc 72 51 s				
Los Angeles	75 57 pc 75 56 s				
Memphis	61 47 c 54 42 c				
Miami	86 72 pc 86 73 s				
Nashville	62 44 r 56 40 c				
New Orleans	83 65 s 77 58 pc				
New York	50 38 r 50 39 pc				
Oklahoma City	47 34 c 46 29 r				
Philadelphia	50 40 r 53 37 pc				
St. Louis	52 35 c 52 34 s				
Salt Lake City	46 26 pc 53 35 r				
San Francisco	66 51 s 66 57 r				
Seattle	47 39 r 49 42 r				
Washington, DC	50 41 r 52 40 pc				

TOMORROW'S NATIONAL WEATHER
Shown are noon positions of weather systems and precipitation. Temperature bands are highs for the day.

Seaside Elks offer free dinner to honor veterans

The Daily Astorian

SEASIDE — Seaside Elks Lodge No. 1748, 324 Avenue A, invites all veterans, their families and the community to a Veteran’s Celebration at

6 p.m. Friday. Veterans who wish to may attend in uniform.

The program includes speakers, patriotic music, a call to order, a Prisoners of War/Missing in Action ceremony, Veterans of Oregon Honor-

able Service presentations, an honor guard and service songs. There is a free spaghetti dinner after the program.

For information, call 503-738-6651 or email seasideelks@yahoo.com

ON THE RECORD

DUI

• At 11:08 p.m. Sunday, Tiffani Dawn Williamson, 43, of Warrenton, was arrested by the

Oregon State Police on the New Youngs Bay Bridge and charged with driving under the influence of intoxicants,

BIRTH

Oct. 27, 2017

STEVENSON, Danielle and Chris, of Chino, Washington, a girl, Elliot Rae Stevenson, 7 p.m., City Hall, 989 Broadway. Older

brother is Emmett Stevenson. Grandparents are Katherine and Ron Isom and Dave and Eija Stevenson, all of Astoria, and Julio Perez of San Antonio, Texas.

DEATH

Nov. 4, 2017

BOONE, William Walter, 66, of Seaside, died in Seaside. Caldwell’s Funeral & Cremation Arrangement Center of Seaside is in charge of the arrangements.

PUBLIC MEETINGS

TUESDAY

Port of Astoria Commission, 4 p.m., Port offices, 10 Pier 1 Suite 209.

Seaside Library Board, 4:30 p.m., 1131 Broadway, Seaside.

Miles Crossing Sanitary Sewer District Board, 6 p.m., 34583 U.S. Highway 101 Business.

Seaside Planning Commission, 7 p.m., City Hall, 989 Broadway.

WEDNESDAY

Cannon Beach City Council, 9 a.m., executive session, City Hall, 163 E. Gower St.

Astoria City Council, 9 a.m., work session on city goals, City Hall, 1095 Duane St.

Clatsop County Board of Commissioners, 5 p.m., work session and meeting, Judge Guy Boyington Building, 857 Commercial St.

Warrenton City Commission,

Warrenton Business Association, 5:30 p.m., joint meeting, City Hall, 225 S. Main Ave.

Astoria School Board, 6:15 p.m., study session, 7:30 p.m., regular meeting, Capt. Robert Gray School third-floor boardroom, 785 Alameda Ave.

Wickiup Water District Board, 6:30 p.m., 92648 Svendsen Market Road, Svensen.

LOTTERIES

OREGON

Monday's Pick 4:

1 p.m.: 2-2-0-9
4 p.m.: 4-2-7-9
7 p.m.: 1-7-6-6
10 p.m.: 4-8-2-5

Monday's Lucky Lines: 02-05-10-14-19-24-28-29

Estimated jackpot: \$13,000

Monday's Megabucks: 7-12-14-18-26-34
Estimated jackpot: \$2 million

Estimated jackpot: \$100,000

Monday's Keno: 02-07-09-11-14-25-36-38-42-44-45-49-50-53-56-57-65-74-77-79

Monday's Lotto: 01-03-05-19-24-33
Estimated jackpot: \$2.5 million

Monday's Match 4: 01-04-08-18

WASHINGTON

Monday's Daily Game: 3-0-8

Monday's Hit 5: 08-10-16-23-34

OBITUARY POLICY

The Daily Astorian publishes paid obituaries. The obituary can include a small photo and, for veterans, a flag symbol at no charge. The deadline for all obituaries is 9 a.m. the business day prior.

Obituaries may be edited for spelling, proper punctuation and style. Death notices and upcoming services will be published at no charge. Notices must be submitted by 9 a.m. the day of publication.

Obituaries and notices may be submitted online at www.dailyastorian.com/forms/obits, by email at ewilson@dailyastorian.com, placed via the funeral home or in person at The Daily Astorian office, 949 Exchange St. in Astoria. For more information, call 503-325-3211, ext. 257.

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