

Man pleads not guilty to burglary, sexual abuse

By JACK HEFFERNAN
The Daily Astorian

A Clatskanie man pleaded not guilty Monday after allegedly breaking into a Westport woman's home and touching her inappropriately.

The woman was sleeping just before 3 a.m. on Dec. 29 when she allegedly woke up to a man choking her and sexually rubbing up against her. During the encounter, the man allegedly asked the woman if she wanted to see him naked.

Robert James Swint, 29, was later arrested in connection with the incident. The victim allegedly asked Swint to stay away a couple of months ago. After his arrest, he told a Clatsop County Sheriff's Office deputy that he choked her to "help her sexually," according to a

police report.

Swint has been charged with two counts of first-degree burglary, third-degree sexual abuse, strangulation, fourth-degree assault and first-degree criminal trespass.

Appearing via video at his arraignment Monday, Swint stated that his name was actually Jesus Alvarez and that he is 34 years old. When the arraignment concluded, he stood up and clapped his hands together twice before the video feed ended.

Swint has also been accused of second-degree theft and harassment after allegedly stealing a soda from West Mart Grocery in Westport in October.

Bail has been set at \$75,000. Swint has been scheduled for an early resolution conference later this month.



Robert James Swint



R.J. Marx/The Daily Astorian

Justin Parker, Matt Keefer, Genesee Dennis, Seth Collins, Dan Mullery, Katie Bulletset, Chris Dugan, Doug Roberts, Roy Dague and Mike Smith with Mayor Jay Barber and Chief Joey Daniels.

Seaside firefighters honored for work

By R.J. MARX
The Daily Astorian

SEASIDE — Mayor Jay Barber joined Fire Chief Joey Daniels Monday night in recognition of members of Seaside Fire and Rescue who battled fires in 2017 both near and far.

"I do appreciate the council support and the citizen support," Daniels said. "Our volunteers do a great job and so do our career staff. This just adds to everything we do."

As partners in the Clatsop County strike team, Seaside sent two firefighters to the Millie Fire near Sisters in mid-August. When dry weather and high winds fanned flames at the Chetco

Bar Fire in Brookings, three Seaside firefighters joined the task force — a period when the department had Hood to Coast and Labor Day coverage to maintain.

In September, four Seaside firefighters joined crews to fight the Eagle Creek Fire near Hood River. In October, five Seaside firefighters battled the Santa Rosa, California, blaze. And before year ended, Seaside firefighters headed to Ventura County for more than two weeks in December to aid crews there.

"When a person becomes a firefighter, their greatest act of bravery has been accomplished," Barber said. "What comes after is all in the line of work. Thank you again, chief, for all their work."

Project to help fish travel coming to Crooked River

Associated Press

BEND — A project designed to help fish populations travel more effectively is coming to an Oregon river.

Construction is set to begin this spring on a 28-foot fish ladder at the Opal Springs Hydroelectric Project near the mouth of the Crooked River, The Bend Bulletin reported.

The primary goal of the \$10.7 million project is to allow Chinook salmon and steelhead in the Deschutes Basin to travel up the Crooked River more effectively, reuniting disconnected fish populations, Oregon Department of Fish and Wildlife Fish Biologist Brett Hodgson said.

The ladder will make it possible for fish to move upstream and downstream more freely, said Darek Staab, project manager for Trout Unlimited's Deschutes Chapter.

"It provides access to approximately 120 river

miles of the Crooked River and its tributaries," Hodgson said. "Passage and access to the Crooked River is really critical."

The concrete ladder will have 38 individual segments where the fish can rest in the water, project consultant Finlay Anderson said.

Ed Pugh, general manager of the Deschutes Valley Water District, which operates the Opal Springs Hydroelectric Project, said they've been looking for ways to improve fish passage on the Crooked River for more than a decade. But a lack of funding and disagreements over the specific requirements for the fish ladder kept the project from getting off the ground, Pugh said.

The water district intends to break ground on the project in April, with the project expected to be complete by the end of next year, Pugh said.

"We're pretty excited about this project finally getting started," he said.

Portland man arrested after allegedly robbing Mini Mart

By JACK HEFFERNAN
The Daily Astorian

A Portland man was arrested early Sunday morning after allegedly robbing the Mini Mart on West Marine Drive.

Kevin Patrick Kelty, 27, tried to buy alcohol at the

store but was denied because it was after 2:30 a.m. He returned about 30 minutes later, allegedly grabbed beer and tried to walk out. He allegedly threw bottles at a store employee who tried to prevent him from leaving.

When officers arrived, they found the employee laying

down in front of the store with shattered glass around him. They also spoke with a person who went to the store with Kelty and was waiting outside. That person was not charged.

Just after 4:30 a.m. police responded to reports of a man who was knocking on a door and attempting to turn the door

knob at a nearby residence on the 170 block of Duane Street. Police arrested Kelty at the scene.

Kelty has been charged with second-degree robbery and fourth-degree assault. He pleaded not guilty to the charges Monday, and bail has been set at \$250,000.

Some law agencies push back on selling guns

Weapons later used in crimes

By MARTHA BELLISLE
Associated Press

SEATTLE — Kyle Juhl made one last attempt to patch things up with his fiancée, then took back his ring, put a gun to his head and pulled the trigger as she and her mother ran from the apartment. The bullet went through a wall and narrowly missed a neighbor's head as she bent to pick up her little boy.

The Smith & Wesson 9 mm that Juhl used to kill himself in Yakima in 2014 was familiar to law enforcement: The Washington State Patrol had seized it years earlier while investigating a crime and then arranged its sale back to the public. It eventually fell into Juhl's hands, illegally.

It's fears of tragedies like that, or worse, that have created a split among law enforcement officials over the reselling of confiscated guns by police departments, a long-time practice allowed in most states.

Juhl's gun was among nearly 6,000 firearms that were used in crimes and then sold by Washington state law enforcement agencies since 2010, an Associated Press review found. More than a dozen of those weapons later turned up in new crime investigations inside the state, according to a yearlong AP analysis that used hundreds of public records to match up serial numbers.

The guns were used to threaten people, seized at gang hangouts, discovered in drug houses, possessed illegally by convicted felons, hidden in a stolen car, and taken from a man who was committed because of erratic behavior.

While those dozen or so guns represent an extremely small percentage of the resold firearms, some police departments contend the law shouldn't be doing anything to put weapons back on the street. The AP did not look at how many of the resold guns figured in crimes committed out of state, so the actual number of misused weapons could be higher.

"We didn't want to be the agency that sold the gun to somebody who uses it in another crime," said Capt. Jeff Schneider of the Yakima Police Department, which sold guns until about a decade ago but now melts them down. He added: "While there is almost an unlimited supply of firearms out there, we don't need to make the problem worse."

Similarly, the International Association of Chiefs of Police says confiscated guns should be destroyed because putting them back in circulation "increases the availability of firearms which could be used again to kill or injure additional police officers and citizens." Also, federal agencies must destroy seized fire-



AP Photo/Elaine Thompson

Sales clerk Tom Wallitner holds up a Norinco model 54-1 pistol during an auction at Johnny's Auction House in Rochester, Wash., in October.

arms unless they are needed as evidence or being used by the agency.

Raises money

On the other side of the debate, some law enforcement officials say the selling of guns raises money to purchase crime-fighting equipment, and if the practice were abandoned, people would just buy weapons somewhere else. In fact, a growing number of states from Arizona to North Carolina are passing laws prohibiting agencies from destroying guns.

"These guns are going to be out there," said Sheriff Will Reichardt of Skagit County, Washington. "If I destroy them all, I'm just helping Remington or Winchester's bottom line."

Phyllis Holcomb, a manager with the Kentucky State Police, which oversees Kentucky's gun sale program, said such transactions have helped equip officers with body armor and other gear.

The debate is playing out in Washington state, where the state patrol is pushing back against a state law that requires the agency to auction off or trade most guns.

The state patrol hasn't sold any weapons since 2014 and at one point accumulated more than 400 in the hope the Legislature would change the law and let the agency destroy them. Democratic Rep. Tana Senn of Bellevue is sponsoring such a bill.

"I know many of the police chiefs in my district chose not to sell but rather to destroy, and in their own words, 'It's so we can sleep at night,'" Senn told a legislative committee.

The National Rifle Association opposes the plan.

"The police chiefs maybe could sleep better if they went out and apprehended the criminals behind the guns and didn't worry about destroying perfectly legal firearms that are no more easy to purchase than a brand-new firearm at a firearms dealer," NRA spokesman Tom Kwieciak said.

Tragedies involving police-sold guns have happened throughout the U.S.

In 2010, a mentally ill man ambushed and wounded two Pentagon police officers with

a handgun sold by Memphis, Tennessee, police. Also that year, a Las Vegas court security officer was killed by a man with a shotgun sold by a Memphis-area sheriff's office. And in 2015, an unstable man walked into City Hall in New Hope, Minnesota, and wounded two officers with a shotgun sold by the Duluth Police Department. The department has since stopped selling guns and now destroys them.

The weapons sold back to the public in Washington state include Colt, Glock and Ruger pistols, 12-gauge shotguns, .22-caliber rifles and assault weapons such as AR-15 and SKS rifles. All such sales are handled through federally licensed firearms dealers, including auction houses, pawnshops and sporting goods stores. Before buyers can take their guns home, they must pass an FBI background check.

A warning

On a recent Friday night, owner John West of Johnny's Auction House in Rochester, Washington, about 80 miles south of Seattle, launched into his rapid-fire bid-calling to a packed room, selling necklaces and coins. Before he offered up the first police-confiscated gun for sale, he had a warning.

"Straight up," he told the crowd, "if you cannot possess a firearm and you can't pass a background check, just don't even bother bidding."

There is no master list of guns sold by police, so compiling one for Washington state involved dozens of public-records requests to individual agencies. The federal Bureau of Alcohol, Tobacco, Firearms and Explosives keeps track of crime guns but refused to release information from its database, so the AP collected databases from individual agencies and compared them with the sold guns.

One of the guns that ended up in a new police report was a .22-caliber handgun sold by Longview police in 2016. In 2017, a drunken Jesse Brown and a friend armed themselves with the gun and two other weapons, went to a house and threatened two young men they believed were selling drugs, police said.

Longview Police Chief Jim Duscha said that while some resold guns may be used in new crimes, "if they're going to get a weapon, they're going to get a weapon." Selling guns generates money used for drug investigations, he said.

The Seattle Police Department and the sheriff's office in surrounding King County don't sell crime-scene weapons; they hand them over to a foundry to be melted down at no cost to themselves.

For years, the state patrol traded confiscated firearms to dealers for other gear, and the dealers then would sell the guns to the public. In one exchange in 2013, the state patrol traded in 159 weapons and got a credit of \$27,420, which it then used to buy handguns for the force.

The weapon Juhl used to kill himself was in a batch the state patrol traded in 2012. It was purchased by a man in Yakima, who sold it to someone else, who then sold it on Craigslist. Juhl's girlfriend told police that's where he acquired it.

Juhl, 24, was not legally permitted to own or possess a gun. He received a bad-conduct discharge from the Army after serving time in prison for using the drug ecstasy and going AWOL for about two months. An Army spokesman said Juhl's criminal history was sent to the FBI's Criminal Justice Information System, but the police detective who handled Juhl's suicide said he checked the FBI's database but didn't find Juhl's convictions.

THE DAILY ASTORIAN'S CUTEST BABY CONTEST is Back!

If your baby was born between **January 1st & December 31st, 2017**,

you can submit your newborn's picture either via email at:

CLASSIFIEDS@DAILYASTORIAN.COM

or drop by one of our offices in Astoria or Seaside and we can scan in the photo for you.

Deadline to enter is **Thursday, January 25th at 5pm**

Entries will be printed in The Daily Astorian on January 31st.

*Human babies only please!



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