

LAW & JUSTICE

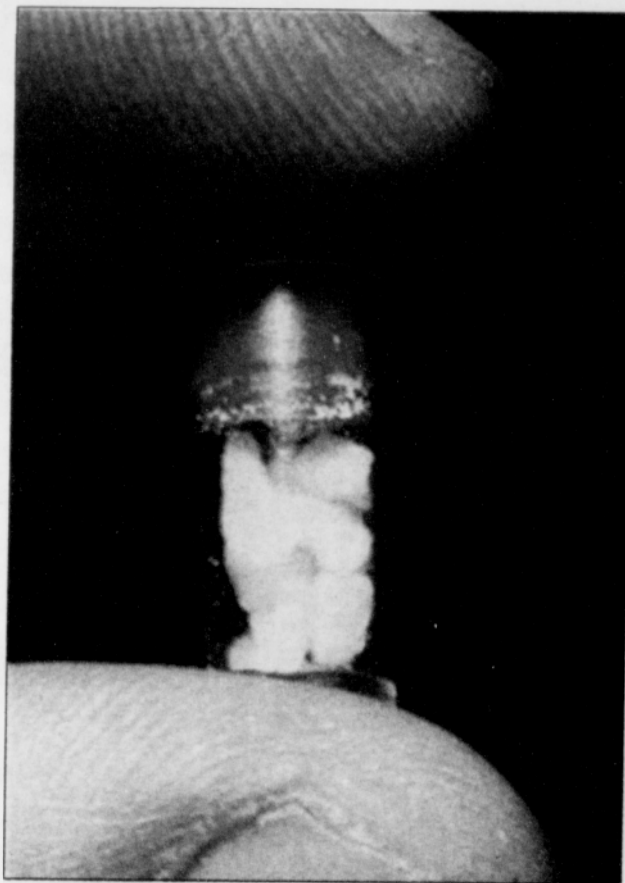
Prisoners Released after Cocaine Sentences Reduced

(AP) -- Thousands of federal prisoners locked up for offenses involving crack cocaine will be eligible for early release after a vote Thursday by the U.S. Sentencing Commission.

Congress passed a law last year substantially lowering recommended sentences for people convicted of crack cocaine crimes, ranging from possession to trafficking. The idea was to fix a longstanding disparity in punishments for crack and powder cocaine crimes, but the new, lower recommended sentences didn't automatically apply to offenders already in prison. On Thursday the six-member sentencing commission unanimously decided that offenders locked up for crack offenses before the new law took effect should also benefit.

"I believe that the commission has no choice but to make this right," said Ketanji Brown Jackson, a vice chair of the commission. "I say justice demands this result."

The commission's decision is final unless Congress decides to intervene by the



A plastic container of crack, the smokable, purified form of cocaine, is displayed in Boston-Photo Courtesy of AP

end of October, though that is considered unlikely.

According to the commission's own research, approximately 12,000 of the roughly 200,000 people incarcerated in federal prisons nationwide will be eligible to have their sentences reduced because of Thursday's vote. The average sentence reduction is expected to be approximately three years, though a judge will have to approve any lower sentence. Individuals convicted under state law and in state prisons will not be affected. The Bureau of Prisons estimates that over the first five years the change will save \$200 million.

In its ruling Thursday the commission took a broad view of who should benefit from lower recommended sentences, though various groups had urged the commission to act more narrowly. A group of 15 Republican lawmakers from the House and Senate wrote to the commission saying the Fair Sentencing Act passed by Congress last year was not intended to benefit any past offenders. And

U.S. Attorney General Eric Holder took the position that prisoners who used weapons during their crimes or who have significant criminal histories should not be eligible for reduced sentences. That would have cut in half the number of prisoners eligible for early release from 12,000 to approximately 6,000.

Prisoners eligible for a reduction can begin petitioning judges for a revised sentence beginning in November, assuming Congress does not act.

The reductions would not be automatic. A lawyer, the overwhelming majority of them public defenders, would file paperwork in court for the prisoner seeking a reduction, and the reduction would have to be approved by a judge. Prisoners would not necessarily have to appear in court, but prosecutors would also weigh in.

Courts have had prior experience with the process. In 2007 approximately 16,000 crack offenders had their sentences reduced after another action by the Sentencing Commission.

Rampant Car Theft Unveiled in National Report

Although the overall car theft throughout the country is down, Portland has taken the lead as the city within Oregon with the highest rate of thefts per 100,000 residents.

According to a new report from the National Insurance Crime Bureau, Portland has seen a slight increase in the past year. In 2010, 6,960 cars were reported stolen in the Portland-Vancouver-Hillsboro area, which is an increase from 2009, when there were 6,837.

Compared to other cities throughout the country, Portland has the 65th highest auto theft rate with roughly one in 100 people falling victim to car theft in the past year.

The Portland Police Bureau says auto theft is a serious community problem, and vehicle owners who have their cars stolen suffer inconvenience, expenses and time loss from work, as well as all vehicle

owners pay higher insurance rates to cover the replacement of stolen vehicles.

According to the Portland Police Bureau, the stolen value of vehicles in 2008 came to an estimated total of \$20,019,755, while the value of recovered vehicles was a mere \$2,697,761.

The policy of the PPB related to car theft is to recover stolen vehicles taken through criminal activity, and to refrain from exercising authority in situations involving vehicles taken in civil disputes.

In order to accept a report on a stolen car, members will conduct a preliminary investigation, and as part of that investigation, ownership must be established.

"It's a shame, but thieves are always going to find a way around the most common security sys-

tems," said Drew Hoffman from Stellar Alarms' Produce Row warehouse. "A car is an investment, and sometimes you have to put in security to

According to NICB, the Top 10 most stolen vehicles were as follows:

1. 1992 Honda Accord
2. 1995 Honda Civic
3. 1990 Toyota Camry
4. 1994 Acura Integra
5. 1991 Nissan Sentra
6. 1993 Jeep Cherokee/Grand Cherokee
7. 1997 Ford F150 Pickup
8. 1995 Nissan Pathfinder
9. 1995 Subaru Legacy
10. 1998 Toyota Corolla

protect your investments. Our philosophy is that it shouldn't cost you an arm and a leg," he added.

Hoffman's company Stellar Arms is one local Portland company, which believes in light of current trends, efficient security systems might be

an upgrade worth considering.

Stellar Arms said many owners of both new and older cars are protecting their investment by installing reasonably-priced, aftermarket security devices, such as keyless entry systems, remote starters, and hidden switches, which allow owners to control specific electrical components in their vehicles.

When hooked up to the fuel injection system or the starter, this physically prevents thieves from driving away.

"Consumers in America pay billions each year for auto theft," said Karl Newman, NW Insurance Council President. "The cost to replace stolen vehicles and repair those that are recovered is reflected in your insurance rates. That makes stopping auto theft important to all of us."

Suspect Uses Dog in Robbery

On Sunday, July 11, Portland Police identified a suspect who used his pit bull to complete a robbery of a father and son walking with their bikes along Southeast Water Avenue and Main Street over the weekend.

Portland Police officers assigned to Central Precinct responded to the report by 41-year-old Rodney Graves and his 14-year-old son who told police they were walking the Vera Katz Eastbank Esplanade when the male suspect approached them holding a leashed white and gray pit bull.

According to Graves, the 29-year-old suspect Jan Leith Haga Jr. took their backpacks after he pulled on the pit bull's leash in a manner indicating that he was trying to hold the dog back from attacking.

Officers in the area located both the suspect and the pit bull underneath the Westside of the Morrison Bridge before taking them both into custody.

Jan Leith Haga Jr. was booked into the Multnomah County Jail on one count of Robbery in the First Degree.

The pit bull was turned over to Multnomah County Animal Control.

Cold Case Resolved

After almost 18 years since the beginning of the investigation, 37-year-old Brad Richard Ballantyne was sentenced to 25-years in prison after he pled guilty to Murder in connection with the 1993 death of Kimberly Jean Dunkin on Thursday, July 7.

On Friday, January 1, 1993, at 10:30 a.m., 30-year-old Kimberly Jean Dunkin, was found shot to death inside the driver's seat of her blue 1973 Chevrolet Camaro parked in front of 4927 Northeast Skidmore Street the morning after attending a

New Years Eve Party.

Although the case remained unsolved for years, Cold Case Homicide Detectives began examining this case in 2008, when Kimberly Dunkin's unsolved homicide was featured in a set of playing cards distributed throughout correctional facilities in Oregon.

Featured on each card is a different homicide cold case from the Portland Police Bureau and Sheriff's Offices from Multnomah, Washington, Clackamas and Clark Counties.

A tip directly related to the play-



Kimberly Jean Dunkin

ing cards, which were released by Crime Stoppers and local law enforcement agencies in 2009, were given to detectives that ultimately

helped lead to the arrest of Brad Ballantyne in July 2010.

According to the Portland Police Bureau, the partnership between the Portland Police Bureau's Cold Case Homicide Unit and the Multnomah County District Attorney's Office was instrumental to the success obtained in this case, as well as the tenacity of the Kimberly's family was critical.

As a part of the plea negotiation, the family had the opportunity to confront Kimberly's killer Brad Ballantyne privately in a jury room on the 5th Floor of the Multnomah County Courthouse.