

Man held decades for rape he denies walks free

DENVER (AP) — A Denver man who spent more than a quarter-century in prison for an attack he denies committing walked free Tuesday, locking arms with his wife as his tearful children applauded and his grandkids embraced a man they had never met.

Clarence Moses-EL, 60, had just posted a \$50,000 bond that a judge required for his freedom after she overturned his 1988 conviction on rape and assault charges and found that he would likely be acquitted if his case went to trial again. Moses-EL was convicted after the victim identified him, saying his face came to her in a dream.

When police initially asked her who assaulted her, she named another man, who later confessed to having sex with her at the same time that night.

Outside the jail Tuesday, Moses-EL wore a black suit and tie as he stood beside his wife, Stephanie Burke, moments after hugging three of his 12 grandchildren for the first time.

Surrounded by his tearful children, he took a deep breath of the crisp late afternoon air.

“This is the moment of my life, right here,” Moses-EL told reporters.



Moses-EL

“I’m at a loss for words. I just want to get home to my family.”

Moses-EL has long maintained his innocence, and his case inspired legislation requiring preservation of DNA evidence in major felony cases for a defendant’s lifetime after police threw out body swabs and the victim’s clothing. Supporters posted bond for his release after Moses-EL was transferred from the prison where he was housed for decades.

“I waited a long time for this,” said Moses-EL, who eagerly anticipated arriving home to a special pizza “with chopped shrimp and steak, smothered in cheese,” and a comfortable chair.

His spirituality kept him from losing hope during 28 years of his 48-year sentence, he said.

“And my innocence,” he said. “That’s what really kept me going.”

But still looming was the prospect of a new trial. Prosecutors have not decided whether to try Moses-EL again, saying they are considering the age of the case and the availability of witnesses. A tentative trial date was set for May, if prosecutors decide to pursue new charges.

SCHOOL: Recommendations may include universal terminology for crisis situations, anonymous tip line

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That’s not to say rural shootings don’t happen. Several mass shootings have happened in rural communities with populations under 5,000 people, including the murder of five girls in a one-room school in Pennsylvania in 2006.

Mulvihill called up Roberts, and from their conversations they put together a plan.

Collaborating with local law enforcement, the IMESD would offer Roberts’ assessment services and deliver security recommendations based on his observations.

“I try to take a progressive, systematic approach,” Roberts wrote in an email. “I normally start with

an environmental threat assessment, which analyzes campus and facility vulnerabilities. I then move into emergency response planning, evaluation, implementation and training. I also look at partnerships and agreements that are in place to ensure evacuation facilities, bus contracts and other resources are up to date ... safety in a lot of respects is common sensical, so it is merely a matter of getting non-first responders to look at their respective environments through a different lens.”

The recommendations could be as simple as coordinating universal terminology in crisis situations, to more expensive options like an anonymous tip line or new security infrastruc-

ture like fencing, gates and video cameras.

While larger school systems like the Pendleton School District have been able to include security upgrades in bond packages, Mulvihill said smaller school districts that rely on tax bases that can’t or won’t support bonds puts them at a disadvantage.

If necessary, the IMESD could then assist school districts in obtaining funding from the state or federal government, drawing on its connections with members of the Legislature and Congress.

Mulvihill said the Echo, Ione and Athena-Weston school districts have showed particular interest in the proposal.

Any foray into school

security will garner a variety of opinions, which includes proposals to arm teachers. Mulvihill said any proposal of that sort would be an insult to law enforcement, who spend their careers specializing in public safety and are better suited to evaluate threats.

Mulvihill prefers leaving educators to do what they do best: Teach.

Roberts and Mulvihill are currently hammering out the details of a contract between the city of Pendleton and the IMESD. If an agreement is reached, Mulvihill would like to see assessments ready by next fall.

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LAWS: Speed limit will increase to 70 mph on I-84 east of The Dalles

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slew of other invasion-of-privacy laws that came into effect in 2015, including a ban on “upskirting” (intentionally photographing up a woman’s skirt or down her blouse without permission) and “revenge porn” (posting nude photographs or video of someone online with the intent to humiliate them).

Federal laws banning those convicted of domestic violence or subject to a restraining order from owning firearms were only enforceable by federal agents in the past, but starting in 2016 other law enforcement will also be able to remove guns from convicted abusers.

A new law also protects someone who seeks medical help for the victim of a drug overdose from being arrested or prosecuted based on evidence only obtained because the person sought help.

Police also will be able to break into a vehicle and free an animal if they believe temperatures inside the vehicle are endangering the animal’s life, and calling in a bomb threat or other false report about a hazard in a public building will be a Class A misdemeanor.

Education: Most of the education bills passed in 2015 don’t take effect until

the new school year starts next fall, but a “student bill of rights” pertaining to standardized testing will take effect in January.

The law allows parents to opt their child out of standardized test for any reason, and requires schools to send parents information about each test and their right to opt their student out.

Miscellaneous: Starting in January, drivers will be able to pump their own gas from 6 p.m. to 6 a.m. in counties with fewer than 40,000 people, which includes Morrow County.

It will be illegal to use unmanned aerial vehicles for hunting or fishing.

Using an electronic cigarette, also known as vaping, will be banned in offices, restaurants and other places where smoking is already banned.

Pharmacists will be allowed to prescribe birth control directly to women, saving them a trip to the doctor’s office, and insurers will be required to cover up to a 12-month supply in one purchase.

And in March, the speed limit will increase to 70 miles per hour on Interstate 84 east of The Dalles.

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B2H: Will analyze all routes in final Environmental Impact Statement next summer

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environmentally preferred alternative, and all route variations will be analyzed in the final Environmental Impact Statement next summer.

As cooperating agencies, Eastern Oregon counties now have until Jan. 8 to comment on the BLM’s revised preferred alternative. Oregon Sens. Ron Wyden and Jeff Merkley do not believe that’s enough time for the counties to conduct a thorough review. The senators, both Democrats, sent a letter Monday to Jerry Perez, state director of the BLM, asking for a 45-day extension of the comment period.

“Many landowners that are impacted by proposed and alternate routes for the transmission line have not seen all the routing options,” they wrote. “As we under-

stand, the cooperating partners have already planned to hold public meetings, yet the timeline that the BLM has put forth makes any concerns collected during those meetings moot.”

Morrow County will hold a public meeting to collect input on Wednesday, Jan. 6 at the Port of Morrow. Umatilla County has not scheduled a public meeting.

Planning Director Tamra Mabbott said it has been challenging to engage local landowners possibly affected by the project.

“I think it has put these local elected officials in a pretty precarious position,” Mabbott said.

A representative for the BLM could not be reached Tuesday.

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