

SETTLEMENT: Palmer, Mobley and the county all denied any liability

Continued from 1A

John Day city officials, list accusations that Palmer put the county at risk through of his association with the militants, that he's a law enforcement "security leak" and that he has improperly deployed civilian deputies.

Palmer and Undersheriff Zach Mobley didn't return telephone messages or respond to written questions. On Friday, Mobley's attorney didn't address the questions but wrote that "Mobley's reputation is very important to him personally, and also is vital to his ability to work in his profession."

Police records, video and audio recordings and dispatch logs show that Jim Koitzsch, 57, was at home with his two dogs, watching television, when the gunfire started. A neighbor heard it, too.

Koitzsch had stepped onto the front porch of his isolated Grant County home the evening of Jan. 26, 2015, to see who was shooting. Out of the dark, he said, a round whizzed past his head.

"I almost got hit," Koitzsch told the dispatcher, according to a recording. "I need an officer up here."

Mobley, with the sheriff's office since 2006, responded to the call, telling dispatchers he knew the people along the gravel lane that threads up a small canyon on John Day's west side. Just four homes line Terrace Road.

Recorded on police video, a shaken Koitzsch described the shots — four, a pause, and then four or five more. He pointed up the hill toward the house across the road as the source. He said he couldn't see anybody.

"Are you're absolutely positive it came from right here?" Mobley asked, gesturing toward the home.

"100 percent," Koitzsch responded.

It was the home of Terry and Leann Coalwell. Leann Coalwell is the sister of Mobley's wife. As he responded to the call that evening and before meeting Koitzsch, Mobley talked by phone to his 15-year-old niece, who told him she had heard no shots, according to the deputy's report.

After questioning Koitzsch, Mobley excused himself to talk to a neighbor who heard the shots.

But before reaching the neighbor or going to the Coalwell house, Mobley called Palmer.

According to his written report, Mobley told the sheriff that only kids were home at the Coalwells, though he didn't say how many or their ages. He said they didn't have access to guns, which were kept in a safe. His report doesn't say how he established this.

"Sheriff Palmer told me to go ahead and arrest Mr. Koitzsch," Mobley wrote in his report. "I told Sheriff Palmer that I was checking with him because I wanted to make sure it wasn't a conflict since the Coalwells are my

family."

He would later arrest Koitzsch for initiating a false report, a misdemeanor with a penalty of up to a year in jail.

Despite the arrest approval, Mobley still interviewed the neighbor, Dorothy Thexton, 66. He didn't tell her he intended to arrest Koitzsch on an accusation of fabricating the "shots fired" incident.

On police video, Thexton echoed Koitzsch's account — a series of gunshots that seemed to come from the Coalwell property.

Her grandson chimed in, saying it sounded like a rifle. "Like a machine gun?" Mobley asked.

The grandson said yes, and mimicked the sound as Mobley continued recording. Mobley recounted in his report his conversation with Thexton but didn't mention the grandson or his account.

He told Thexton he was going to the Coalwell home.

When she said she didn't know the deputy, he responded, "I'm Deputy Mobley."

"Are you their brother-in-law?" Thexton asked. "Yeah," Mobley responded.

"Holy crap," she said. In his report, Mobley wrote that he next went to the Coalwell home and interviewed his niece. He reported that she said no one had been shooting, no guns were out, and all the guns were in the safe. He later told Koitzsch he personally checked the safe and found it locked.

He did the questioning and the safe inspection in about two minutes, according to the dispatch logs and the police video.

He didn't include a video of that interview in his official report, though he had recorded the interviews with Koitzsch and Thexton with a body camera. His report makes no mention of entering the Coalwell home or verifying the gun safe was locked.

"To hide the fact that his relatives were allowing their minor children to have access to loaded firearms while home alone, Deputy Mobley arrested and jailed an innocent man," Rogoway said in a notice filed with Grant County that she intended to seek damages.

In the later settlement, Palmer, Mobley and the county all denied any liability.

Koitzsch spent the night in jail, and three days later the local prosecutor said there was no case.

District Attorney Jim Carpenter cited Thexton's statement in deciding not to prosecute Koitzsch.

"It is clear that shots were fired in the area, which is what Koitzsch reported," Carpenter wrote in a memo to Palmer.

"Investigations of relatives and close friends will be reviewed with a skeptical eye," Carpenter wrote. "Every precaution should be taken to avoid this situation."

COUNCIL: Budget includes 2.5 percent raise for employees

Continued from 1A

Power Administration was low, and has been pulling money from its reserves for the past few years to make up for significant increases in the cost of power from BPA.

Rivera said at the May 23 workshop that model was not sustainable. He also said that Hermiston Energy Services needed extra funds to make capital improvements, including a new \$1 million substation called Hermiston East that should help reduce power outages in the city and get customers back online faster if they do occur. Rivera also wants to institute "smart meters" that would tell HES as soon as the power goes out and allow the utility to automatically collect detailed reports of customers' energy usage without sending a meter reader door to door.

Funds for those improvements will also come from a refinance of the bond that formed HES, which will save about \$2.5 million.

On Monday the council also passed its \$49.2 million budget for 2016-2017.

The budget is also \$14 million smaller than the current fiscal year's budget, thanks to a combination of accounting changes and the spending down of funds for several large projects, including the Eastern Oregon Trade and Event Center.

One of the city's big spending projects for 2016-2017 is the Harkenrider Center, which the city plans to start building downtown in the fall to replace the current Hermiston Senior Center. The city is using a \$2 million Community Development Block Grant from the state and has approved the addition of

up to \$750,000 of its own money to add a basement and large parking lot.

The city also plans to spend \$100,000 on a pavement overlay on North First Place between Elm Avenue and Harper Road.

The budget also includes a 2.5 percent raise for employees, \$130,000 for the West Highland Trail extension between Riverfront Park and 11th Street, \$70,000 for a city bus to start a Dial-a-Ride program, \$75,000 to repaint the water tower with Hermiston's new "Where Life is Sweet" brand and \$25,000 to implement the brand on city vehicles, signs, letterheads and other materials.

Council John Kirwan said he felt that city staff had done a good job in educating the council in the months leading up to the new budget, so that when they reviewed it with the

rest of the budget committee they understood the projects being funded.

"I felt more informed this year than any of the years prior," he said.

On Monday the council also approved a fee increase for towing and storage of vehicles impounded by Hermiston Police Department. Assistant city manager Mark Morgan said the last time the rates were adjusted was 1993.

The rates were increased from \$100 to \$150 for towing. City impound fees remain at \$50, but vehicle storage fees were raised from \$10 per day to \$35 per day for outdoor storage and \$50 per day for indoor storage when police have an interest in preserving evidence.

Contact Jade McDowell at jmcowell@eastoregonian.com or 541-564-4536.

Tuesday Morning

June 14, 2016

Table with columns for Station, Time, and Program. Includes programs like AgDay, Friends, Zoo Clues, The Office, Mother, Good Day, The Price Is Right, etc.

AFTERNOON

Table with columns for Station, Time, and Program. Includes programs like Paid, Pat. Court, Divorce, Judge Mathis, The People's Court, Mike&M, etc.

EVENING

Table with columns for Station, Time, and Program. Includes programs like Modern Family, 2 Broke Girls, Hotel Hell, Coupled, FOX News First at Ten, etc.

Table with columns for Station, Time, and Program. Includes programs like The First 48, Ocean's Eleven, Riv Monsters: Unhook, The Parent Trap, Shark Tank, etc.

Table with columns for Station, Time, and Program. Includes programs like Blade, Watchmen, Seinfeld, The Graduate, etc.

NIGHT OWL

Table with columns for Station, Time, and Program. Includes programs like AngerM., Hot In, CR TV, Loves Ray, TMZ, Dish, etc.

COMING EVENTS

TUESDAY, JUNE 14 ADULT OPEN GYM, 6-7 a.m., Pendleton Recreation Center, 510 S.W. Dorion Ave. Half-court basketball. (541-276-8100).

WALKING FOR WELLNESS, 8:30-9:30 a.m., Pendleton Recreation Center, 510 S.W. Dorion Ave. (541-276-8100).

FLAG EXCHANGE, 9 a.m. to 5 p.m., McKay Creek Estate, 1601 Southgate Place, Pendleton. Exchange your old, worn-out flag for a new one free of charge. A limited number of flags available. Reservations suggested. (541-276-1987).

LEARNING PICNIC, 10 a.m. to noon, Creative Care Preschool, 470 E. Main St., Lone. Children ages 0-6 and their parent or caregiver can explore, learn and build important literacy skills, and play with a purpose. Each child takes home a free book, and participants can enter for a chance to win a child's library to take home. Snacks will be provided. Free, but registration is requested. (Alison Ogden 541-422-7418).

PRESCCHOOL STORY TIME, 10:30-11 a.m., Stanfield Public Library, 180 W. Coe Ave. (541-449-1254).

BOARDMAN SENIOR MEAL SERVICE, 12 noon, Boardman Senior Center, 100 Tatone St. Costs \$4 for seniors 55 or \$5 for adults. (541-481-3257).

MEAL SERVICE, 12 noon, Hermiston Senior Center, 435 W. Orchard Ave. Costs \$4 or free for children under 10. Extra 50 cents for utensils/dishes. Meals on Wheels available. Transportation arranged by donation. (541-567-3582).

PENDLETON SENIOR MEAL SERVICE, 12 noon, Pendleton Senior Center, 510 S.W. 10th St. Costs \$3.50 or \$6 for those under 60. Pool, puzzles, crafts, snacks, Second Time Around thrift store 9 a.m. to 1 p.m. For Meals On Wheels, call 541-276-1926. (541-276-7101).

CRAFTERNOONS, 4 p.m., Pendleton Public Library, 502 S.W. Dorion Ave. Drop in for a group or individual craft project. (541-966-0380).

INSIDE OUTSIDE THE LINES ADULT COLORING, 6-7:30 p.m., Irigoin Public Library, 490 Main St. All materials provided by the library. Bring snacks to share. Free.

PENDLETON KNITTING GROUP, 6 p.m., Prodigal Son Brewery & Pub, 230 S.E. Court Ave. (541-966-0380).

PENDLETON EAGLES BINGO, 6:30-9 p.m., Pendleton Eagles Lodge No. 28, 428 S. Main St. (541-278-2828).

STORY AND CRAFT TIME, 6:30 p.m., Milton-Freewater Public Library, 8 S.W. Eighth Ave. For elementary school-age children. (Lili Schmidt 541-938-8247)