

EAST OREGONIAN

WEDNESDAY, AUGUST 3, 2016

140th Year, No. 208

WINNER OF THE 2016 ONPA GENERAL EXCELLENCE AWARD

One dollar

FFA releases UAV rules

Pendleton City Council approves 'air park' at Grecian Heights

By **ANTONIO SIERRA**
East Oregonian

What was once the exclusive privilege of the United States military is now legally obtainable for \$5.

As the Federal Aviation Administration slowly opens unmanned aerial vehicle operations to civilians, it has given hobbyists leeway to fly UAVs — provided they follow a set of rules.

Anyone age 13 or older that pays the \$5 to register their UAV can fly a

small drone (55 pounds or less) up to 4,000 feet in the air.

But there are also limitations to what a hobbyist can do. In addition to the weight and height requirements, the FAA forbids flying over groups of people, near airports or stadiums and out of the pilot's line of sight.

Now a group of UAV and remote control enthusiasts want to leverage Pendleton's interest in the drone industry into better public awareness for UAV safety.

In addition to lobbying for a designated area to fly remote control planes, helicopters and quadcopters, Pendleton Props RC Club plans to team up with Pendleton Parks and Recreation to offer a UAV safety class.

Pendleton Props safety officer Kirk Jenson said teaching the public about the do's and don'ts of piloting a UAV is preferable to an outright ban.

See UAV/8A



Staff photo by E.J. Harris
Kirk Jenson, safety officer for the Pendleton Props RC Club, flies an RC helicopter Tuesday at Grecian Heights Park in Pendleton.

"It's easy to be strong for yourself, but it's hard to be strong when it's your child."

— **Tyna Baker**, mother battling leukemia alongside her 3-year-old daughter



Staff photo by E.J. Harris
Tyna Baker shows her PICC line which doctors use to inject cancer-fighting drugs into her system as her daughter, Emma, 3, who also has cancer, looks on at their home in Athena.

Fighting leukemia together

Pendleton mother and daughter receive treatments at different Portland hospitals

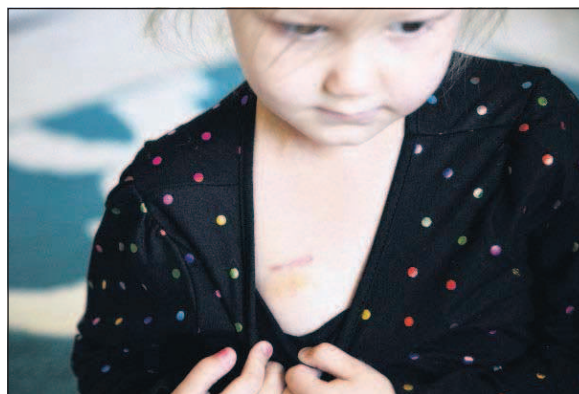
By **KATHY ANEY**
East Oregonian

Bruce Winkler knows the definition of hell — watching the two people he loves most fight for their lives.

For the past three months, the Pendleton man has divided his time between his fiancé, Tyna Baker, and their daughter, Emma, as they battle leukemia.

The family stays at the Ronald McDonald House in Portland while Baker and three-year-old Emma get treatments at separate hospitals. Baker heads to the Oregon Health & Science University Hospital while Emma receives care at Randall Children's Hospital. Winkler goes back and forth, but spends the bulk of his time with his little girl.

See LEUKEMIA/8A



Staff photo by E.J. Harris
Emma Baker, 3, shows the spot where doctors installed a chest port to help treat her leukemia.

Bottle deposit to double in April 2017

State redemption rate under 70 percent last two years

By **TALIA RICHMAN**
The Oregonian/OregonLive

PORTLAND — Oregon's bottle deposit will soon go from a nickel to a dime, an effort to raise redemption rates that have sagged in recent years.

In 1971, Oregon passed a first-of-its-kind "bottle bill," which added 5 cents to the price of canned and bottled beer and soft drinks. To get the money back, a person had to return the bottle or can instead of throwing it away.

A nickel carried real spending power back then. For the first 15 years, return rates exceeded 90 percent, while the amount of litter along Oregon's roads and in its landfills declined. But by 2009, only about three-quarters of bottles were redeemed, according to the Oregon Department of Environmental Quality.

To combat that problem, the 2011 Legislature decreed that if the redemption rate were to fall below 80 percent for two consecutive years, the 5 cent bottle deposit would be doubled.

In July, the Oregon Liquor Control Commission announced the latest numbers: about 68 percent for 2014 and 64 percent in 2015. The provision will kick in April 1, 2017.

The eight-month lag is important, said Christie Scott, the liquor commission's spokeswoman. The state plans to use the time to work with manufacturers, beverage distributors and consumers to prepare for the change.

Cans and bottle labeling must be updated to reflect the 10 cent deposit. Redemption centers need to reprogram their machines. And the state has to educate customers.

"We want to make sure people know this is coming and aren't surprised on April 1 when they take their six-pack up to the counter and it's a 60-cent deposit, not a 30-cent one," Scott said. "That's why it's not just snap your fingers and automatically it's 10 cents."

There's also the issue of ridding shelves of bottles labeled with the 5 cent deposit mark before the change kicks in. Even if someone pays the lower rate, they'll still receive 10 cents back come April 1.

See DEPOSIT/7A

Judge declares mistrial after microphone mishap

Rape case delayed again, trial moved to September

By **PHIL WRIGHT**
East Oregonian

The court was not even through jury selection Monday in Pendleton for Shaun Allen Dick's rape case when defense attorney Robert Klahn forced a mistrial.

This is the second time this summer the trial was on the verge of launching only to fizzle out instead. Klahn said the mistrial was his fault.

Speaking Tuesday, Klahn said he and the state almost finished selecting a jury when he asked "if there was any juror who knew if there was any reason whatsoever they should not sit on this case."

Two people raised their hands, he said, one juror gave a reason, and

Circuit Judge Christopher Brauer excused the person. The second person, though, did not want to voice her reason in public.

Klahn said he, the prosecutor and the juror went with Brauer to his chambers so she could speak in private. But it turned out not to be private.

"I had left my microphone on and defeated the purpose of the people in the courtroom not hearing (the discussion)," he said. "There was something said in that meeting that the jury had no business hearing."

The mics, pinned to lapels, pick up voices for the court's recording system. But they also broadcast what the wearers say through large speakers in the courtroom, even when the recording system is off.



Dick

Klahn said when everyone realized what happened, an irked Brauer declared a mistrial.

Brauer was not available Tuesday, but last week he delayed another trial so the Dick case could move forward. Brauer at that hearing Friday also told attorneys if his courtroom had to "go dark" due to some delay on their part, he would not be pleased.

The case was to go to trial on June 20, but Klahn on that date asked for a continuance. He said the communication company Sprint had not provided cellphone records he sought, and without that evidence he could not proceed.

The Umatilla County District Attorney's Office in March 2015 charged Dick, 38, of Pendleton, with

first-degree sodomy, two-counts of first-degree unlawful sexual penetration, two counts of first-degree sexual abuse, and one count each of coercion and menacing. The state on Monday lowered a first-degree rape charge to attempted rape.

Court records show the state during the trial planned to use two "pre-text calls" as evidence. Those are attempts to solicit information or incriminating statements from a suspect or person of interest. Police had the rape victim talk to Dick at least once, according to a motion from chief deputy prosecutor Jacklyn Jenkins.

And while Dick did not admit to assaulting the woman, Jenkins noted "the defendant never denied the non-consensual sexual acts."

Klahn said he is ready to fight it out in court, but the extra 40 days allows some refining.

"So we'll try it again," he said.

