

STANFIELD

Former cop files suit against city

By MAXINE BERNSTEIN
The Oregonian/Oregonlive



Ryan McBride



Bryon Zumwalt (left) and Monte Toombs (right)

A former officer from the Stanfield Police Department in eastern Oregon has filed a lawsuit against the city, contending he was fired in retaliation for his whistleblowing about a lieutenant's misconduct.

Ryan McBride is seeking \$500,000 for the emotional distress, anger and humiliation he suffered, plus about \$3,700 for lost wages, according to the suit filed in Umatilla County Circuit Court.

McBride said the chief extended his period of probation, from 12 to 18 months, shortly after he shared serious concerns he had about the on-duty behavior of his supervisor, Lt. Troy LaMonte Toombs. That included allegations of improper traffic stops and inappropriate sexual solicitations.

The city fired McBride on Oct. 26, 2015, without a termination letter or explanation why, his lawsuit said.

But in a letter to Oregon Department of Justice officials from a former colleague, Toombs placed McBride on leave after McBride showed up drunk while off duty to help a sheriff's deputy, also off duty, pull his truck out of

a ditch that he had driven into after a night of drinking with McBride and another on Aug. 5, 2015. McBride was driven by someone else to the scene, his lawyer Sean Riddell said. Months later, McBride was fired.

Stanfield City Manager W. Blair Larsen said McBride was fired for failing to be forthright on the night of

Aug. 5, 2015, and said his lawsuit mischaracterizes what occurred.

The Justice Department, which investigated Stanfield's four-member police force, reported last spring that the police chief and Toombs failed to properly log evidence and did shoddy work, but their lapses didn't rise to criminal misconduct.

The state, for example, found Toombs failed to document the 2015 seizure of two marijuana plants from a property and the subsequent destruction of the plants. He completed paperwork only after a complaint was raised. He also "inappropriately reported" to a state police certification agent that he had done a full background check to hire a friend as a reserve officer when he hadn't. His "misrepresentation" on the state form raised ethical questions, an assistant attorney general wrote to Stanfield city officials.

Gene Jorgenson, a former Stanfield officer and city councilor who was asked by the chief to do an inquiry before the state Justice Department's investigation began, recommended Toombs' termination, citing concerns about his credibility.

"In the 15 minute chat I had with him, I think that

he does not always tell the truth, and tends to report the problems as not his fault," Jorgenson wrote, according to an exhibit attached to McBride's lawsuit. "Several times I questioned him on items that I knew were true, he told me that they didn't happen at all or happened that way. ... When I called him on this, he stated that he had not been advised of his rights and that this was illegal."

The Stanfield city manager, though, said Jorgenson never concluded his investigation, which was done in a voluntary capacity.

McBride had reported to his police chief in May 2015 that Toombs conducted multiple traffic stops of a young woman but gave her only warnings until he saw a man in her car and then gave her citations and instructed McBride to stop the woman whenever possible, the suit says. It also alleges Toombs solicited married residents in the Stanfield and Echo area to engage in sexual acts with him and his wife.

The lawsuit alleges that the city failed to do a proper background search on Toombs before hiring him in March 2014. It contends that Toombs resigned from an earlier police job in Orofino, Idaho, after a lawsuit filed

against him was settled that alleged he had assaulted a man after responding to a routine call to help resolve the man's dispute regarding his credit union account.

Toombs told the investigator hired by the city that he left the Orofino job for personal reasons, according to court documents.

Though Toombs held a supervisory position on the Stanfield police force and provided field training to McBride, Toombs never received any management or supervisory certification from Oregon's Department of Public Safety Standards and Training, the suit says.

The Stanfield city manager had the city's insurer conducted an internal review and audit of the police department after the Justice Department investigation. Both the chief and Toombs were placed on probation. On Jan. 20, 2016, the chief returned to his job.

On Jan. 29, 2016, Toombs was stripped of his supervisory role and demoted to senior officer, with the understanding that after additional training and evaluations he might regain his supervisory status, Larsen said. Yet Toombs' demotion did not include a drop in pay, the city manager said.

BRIEFLY

Drunk driver almost hits state cop in ice storm

PENDLETON — Oregon State Police reported a drunk driver nearly took out a trooper in his car near Pendleton during the ice storm.

Senior trooper Ryan Sharp was in his police car with lights flashing around 2:30 a.m. Wednesday on the right shoulder of eastbound Interstate 84 near milepost 206 to deal with the multiple semi-trailers that jacked-knifed, slid off or flat out crashed due to the onslaught of freezing rain that covered the region.

The Oregon Department of Transportation was closing the freeway near milepost 202, state police reported, and an ODOT employee set flares across the road and was going to place more when he noticed a white Jeep Cherokee going fast.

The Jeep drove over the flares, into a snowbank and continued east. The ODOT worker grabbed a radio and gave a warning.

Sharp saw the Jeep barreling around the corner. The Jeep began to lose control, slide past the semis and lined up to hit the police car.

"The driver barely regained control and missed my car," according to Sharp's report. "I was able to stop the vehicle."

Sharp contacted the driver, Elwood Lamar Davis, 36, of Richland, Washington, and right off saw indications he was impaired.

"He said he didn't notice ODOT," according to the report, "that it was icy and seemed oblivious to all the (commercial vehicles) across the road."

Sharp took Davis to the Umatilla County Jail, Pendleton, for driving under the influence of intoxicants (alcohol), recklessly endangering highway workers and reckless driving. His blood alcohol level at the jail was .10 percent, above the .08 percent legal limit.

Hermiston lists changes to school calendar

HERMISTON — The snow and ice have wreaked havoc on school schedules throughout the state — but local districts have set their new schedules in light of the past week's closures.

Changes to the Hermiston School District include a new end date for first semester — Friday, Jan. 27 for both middle and high schools. Second semester (and third quarter) will now start Monday, Jan. 30. Third quarter will end Friday, April 7, and fourth quarter will start Monday, April 10. Second semester and fourth quarter will end Wednesday, June 14.

Some dates will remain the same for the district, such as graduation — which will take place Saturday, June 10. Conferences at the middle and high schools are still set for March 20 and 22.

IRRIGON

High schooler steps up to join city council

By JAYATI RAMAKRISHNAN
East Oregonian

Marlina Avila Serratos is no stranger to responsibility. At age 12, her mother was deported to Mexico, and she took care of her younger sister and the family's home while her father worked long days as a farm laborer.

As a high schooler, Avila Serratos has balanced classes, extracurriculars like cheerleading, Key Club and National Honor Society, and two jobs — at Oregon's Potato Company in Boardman, and Washington State University's "Gear Up" mentorship program.

On Tuesday Avila Serratos, 18, took on a new responsibility as she was sworn in to the Irrigon City Council alongside returning councilor Daren Strong and Mayor Sam Heath.

Avila Serratos, who was born in Hermiston and grew up in Irrigon, said she ran for city council because she wanted to be active in her community and get young people excited about doing the same thing.

"I want to have my peers involved and make this small town well-known as a good place," she said.

Avila Serratos plans to attend Blue Mountain Community College after graduation, where she will study to be a registered nurse and continue serving on the city council.

She said while she hasn't visited her mother and family in Mexico for a while, due to school and other obligations, she tries to visit when she can.

"She's really proud," Avila Serratos said of her mother. Two of her friends and her adopted mom were at the swearing-in to support Avila Serratos.

Avila Serratos first became interested in city council when she was moving to a new home and was researching some land use policies.



Staff photo by E.J. Harris

Irrigon's newest city councilor Marlina Avila Serratos listens to Tesia Hunsucker ask a question about marijuana dispensaries on Tuesday in Irrigon.

Council discusses wastewater, marijuana

IRRIGON — Irrigon City Council met Tuesday night to discuss its wastewater treatment system, and hear from a citizen who wants the city to reconsider its ban on recreational marijuana dispensaries.

City manager Aaron Palmquist said the city will apply for a new Mutual Agreement Order with the Department of Environmental Quality, since their old one expired. The city's residential wastewater supply exceeds DEQ's required level of nitrates.

"We need to get a new MAO to keep us moving forward," said Palmquist. "It gives us breathing room to come into compliance with those nitrate levels."

Councilors also heard from Tesia Hunsucker, an Irrigon resident who wants to open a recreational marijuana business — she asked councilors to reconsider the city's ban on such businesses, and consider implementing a tax on recreational pot sales.

"Our part of the state could gain a lot of profit through dispensing marijuana legally," she said.

Councilors said 62 percent of Irrigon citizens had voted to maintain a ban on selling marijuana within city limits.

"As long as the city population votes no, I will always vote no, no matter how much money it makes," said councilor Marty Brown.

Stanfield mint grower aces yield contests for corn, wheat

By GEORGE PLAVEN
East Oregonian

A Stanfield mint grower recently won top honors at two separate contests designed to boost wheat and corn yields.



Dan Mills

Dan Mills, of Mills Mint Farm, took first place in Oregon as well as nationwide at the first National Wheat Yield Contest in the irrigated spring wheat category. The contest was organized by the National Wheat Foundation, based in Washington, D.C.

One week later, it was announced that Mills also took first place for Oregon at the National Corn Growers Association's Corn Yield Contest in the irrigated divi-

sion. Though Mills grows primarily spearmint and peppermint on the family's 3,000-acre farm, he said they use both wheat and corn as rotational crops. Mills credited the region's environment, as well as advances in precision irrigation technology, for his wins.

"With our climate and our soil, we produce some of the highest yields in the country," Mills said.

Mills yielded nearly 320 bushels per acre of corn using a variety developed by DuPont Pioneer. As for wheat, Mills used a variety by WestBred, owned by Monsanto, which yielded an average of 146.5 bushels per

acre. The average yield for irrigated wheat in Oregon in 2013 was approximately 102 bushels per acre, according to the National Agricultural Statistics Service.

In addition to the natural growing environment, Mills said he works with IRZ Consulting in Hermiston to use real-time soil moisture monitors, which helps the farm to irrigate using exactly the right amount of water.

"We've tried to use new technology, and our yields have gotten better and better," he said.

More than 170 farmers participated in the National Wheat Yield Contest, which included categories for spring, winter, irrigated and dryland wheat. The winners are determined based on yield increase over county averages.

The National Corn Yield

Contest has divisions for irrigated, non-irrigated and no-till or strip-tilled corn. There were 343 state titles awarded this year, including Mills.

Mills said the contests do provide a benchmark to shoot for future yields.

"I would suspect a lot of growers in this area have comparable yields," he said. "It's mostly about testing varieties to see where you're at."

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9:00 - 9:15 Workshop Introductions & Overview
Kevin Ochsner, Host Cattlemen to Cattlemen TV; Kersey, CO

9:15 - 10:00 Cattle Market Challenges and Opportunities in 2017
Dr. Derrell Peel, Oklahoma State University, Stillwater, OK

10:00 - 10:45 Genetic Technologies in the Poultry Industry, The Other Protein
Dr. Mitch Abrahamsen, Senior VP Research & Development; Cobb-Vantress, Siloam Springs, AR

10:45 - 11:15 Break (provided by sponsors)

11:15 - 12:00 Ethics, Values & Science. Finding the Right Mix For Building Consumer Trust
Donna Moening, Center For Food Integrity; Gladstone, MO

12:00 - 1:15 Lunch (provided by sponsors)

1:15 - 2:00 Keys to a Successful Heifer Development Program
Dr. Che Trejo, Zoetis Beef Technical Services Veterinarian; Malad, ID

2:00 - 3:00 Navigation Tools for the Cow/Calf Producer
Kevin Ochsner, Host Cattlemen to Cattlemen TV; Kersey, CO

NOTE: For more information, please contact Kim McKague at (541) 562-5129 • <http://oregonstate.edu/dept/eoarcunion>