

AccuWeather Forecast

TODAY **SUNDAY** **MONDAY** **TUESDAY** **WEDNESDAY**

Breezy and cooler with clearing
Sun and some clouds
Partly sunny and nice
Mostly sunny and nice
Mostly sunny and pleasantly warm

PENDLETON TEMPERATURE FORECAST
61° 33° 60° 36° 65° 40° 74° 47° 75° 47°

HERMISTON TEMPERATURE FORECAST
65° 34° 65° 35° 71° 41° 77° 46° 81° 49°

ALMANAC

PENDLETON

through 3 p.m. yesterday

TEMPERATURE	
HIGH	LOW
Yesterday 66°	39°
Normals 63°	40°
Records 92° (1934)	18° (1927)

PRECIPITATION
24 hours ending 3 p.m. 0.00"
Month to date 1.37"
Normal month to date 0.80"
Year to date 5.08"
Last year to date 7.54"
Normal year to date 4.76"

HERMISTON

through 3 p.m. yesterday

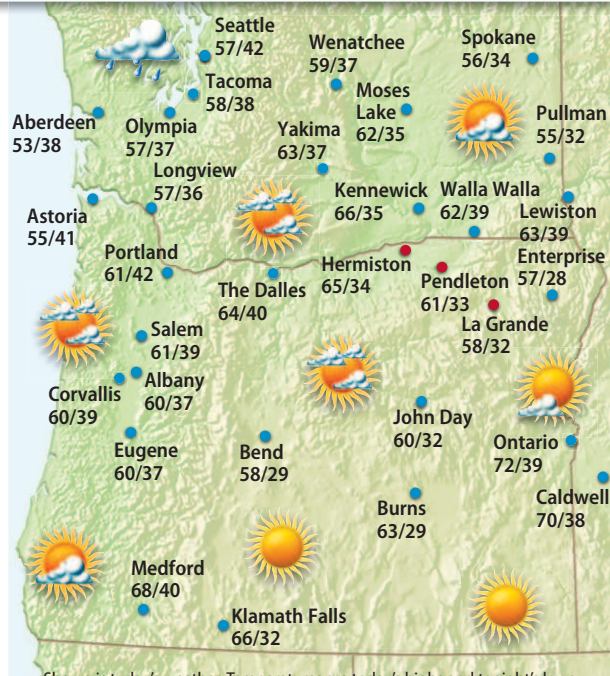
TEMPERATURE	
HIGH	LOW
Yesterday 71°	36°
Normals 66°	40°
Records 90° (1934)	22° (1931)

PRECIPITATION
24 hours ending 3 p.m. 0.00"
Month to date 1.55"
Normal month to date 0.54"
Year to date 3.93"
Last year to date 5.47"
Normal year to date 3.65"

SUN AND MOON

Sunrise today	5:59 a.m.
Sunset tonight	7:49 p.m.
Moonrise today	10:38 a.m.
Moonset today	1:12 a.m.

Phase	Full	Last	New
Apr 22	Apr 29	May 7	May 15



REGIONAL FORECAST

Coastal Oregon: Partly sunny in central parts today; a shower across the north. Sunny in the south.

Eastern and Central Oregon: Clouds and sun today; clearing across the north. Mostly sunny in the south and upper Treasure Valley.

Western Washington: A shower in the morning; otherwise, mostly cloudy today. Partly cloudy tonight.

Eastern Washington: Clearing in the north and near the Idaho border today; a shower in the mountains.

Cascades: Partly sunny today; however, more clouds across the north. Mainly clear tonight.

Northern California: Sunshine today; pleasant in central parts. Mainly clear tonight.

REGIONAL CITIES

	Today			Sun.		
	Hi	Lo	W	Hi	Lo	W
Astoria	55	41	c	59	41	pc
Baker City	61	29	pc	61	31	pc
Bend	58	29	pc	58	29	pc
Brookings	63	45	s	65	48	s
Burns	63	29	s	63	28	pc
Enterprise	57	28	pc	57	30	pc
Eugene	60	37	pc	62	37	pc
Hepner	60	32	pc	58	33	pc
Hermiston	65	34	pc	65	35	pc
John Day	60	32	pc	62	30	pc
Klamath Falls	66	32	s	65	31	s
La Grande	58	32	pc	59	32	pc
Meacham	55	28	pc	56	30	pc
Medford	68	40	pc	69	41	s
Newport	55	39	pc	57	42	pc
North Bend	58	41	pc	59	44	s
Ontario	72	39	s	70	42	pc
Pasco	66	36	pc	65	37	pc
Pendleton	61	33	pc	60	36	pc
Portland	61	42	c	66	44	pc
Redmond	60	29	pc	61	30	pc
Salem	61	39	pc	64	42	pc
Spokane	56	34	pc	57	37	pc
Ukiah	55	25	pc	55	27	pc
Vancouver	58	39	c	64	40	pc
Walla Walla	62	39	pc	62	39	pc
Yakima	63	37	pc	65	37	pc

WORLD CITIES

	Today			Sun.		
	Hi	Lo	W	Hi	Lo	W
Beijing	66	53	r	60	53	c
Hong Kong	82	75	t	84	74	pc
Jerusalem	70	53	pc	64	48	pc
London	75	56	pc	70	47	pc
Mexico City	82	56	pc	82	59	pc
Moscow	65	36	r	42	27	sf
Paris	82	58	pc	79	52	pc
Rome	74	55	s	72	53	pc
Seoul	75	49	s	70	50	r
Sydney	73	65	pc	74	63	pc
Tokyo	76	61	s	78	61	s

WINDS

(in mph)

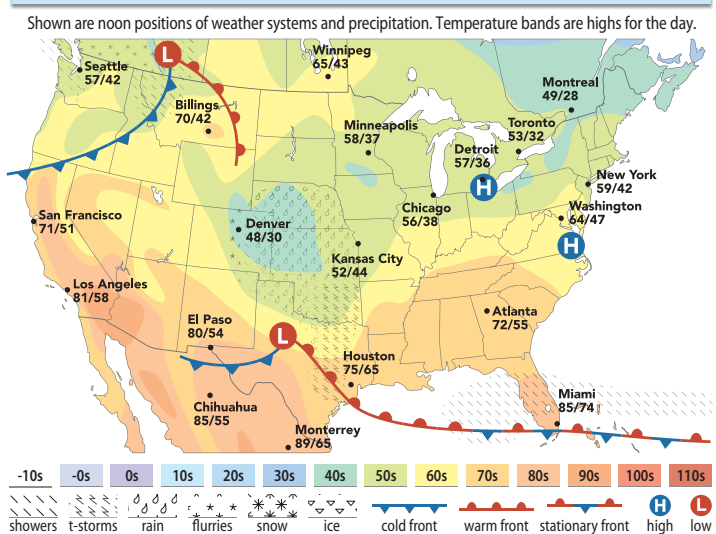
	Today	Sunday
Boardman	WSW 10-20	NE 4-8
Pendleton	W 10-20	NNE 6-12

UV INDEX TODAY



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NATIONAL WEATHER TODAY



National Summary: Rain will soak a large portion of the central and southern Plains as storms rumble across central and eastern Texas today. Showers will dot the Florida Peninsula and the Northwest. Most other areas will be dry.

Yesterday's National Extremes: (for the 48 contiguous states)
High 96° in Presidio, Texas Low 10° in Embarras, Minn.

NATIONAL CITIES

	Today			Sun.				Today			Sun.		
	Hi	Lo	W	Hi	Lo	W		Hi	Lo	W	Hi	Lo	W
Albuquerque	71	44	s	73	53	s	Louisville	68	47	s	68	52	pc
Atlanta	72	55	s	62	55	r	Memphis	72	57	c	62	55	r
Atlanta City	56	42	s	55	40	s	Miami	85	74	pc	83	73	r
Baltimore	62	42	s	63	40	pc	Milwaukee	51	36	pc	51	37	pc
Billings	70	42	pc	63	36	pc	Minneapolis	58	37	pc	62	42	pc
Birmingham	76	58	s	65	56	t	Nashville	74	52	s	61	53	r
Boise	69	41	pc	68	40	pc	New Orleans	76	67	c	77	61	t
Boston	56	38	s	54	39	s	New York City	59	42	s	62	44	pc
Charleston, SC	72	54	s	72	59	pc	Oklahoma City	56	45	r	62	44	pc
Charleston, WV	67	40	s	71	46	pc	Omaha	58	41	c	61	44	pc
Chicago	56	38	pc	59	40	pc	Philadelphia	60	42	s	63	42	s
Cleveland	52	36	pc	57	41	s	Phoenix	90	68	s	95	69	s
Dallas	64	51	r	70	49	s	Portland, ME	51	34	pc	54	35	pc
Denver	48	30	sn	64	37	s	Providence	57	37	s	58	38	s
Detroit	57	36	pc	60	39	s	Raleigh	68	43	s	69	46	s
El Paso	80	54	s	79	58	s	Rapid City	54	35	c	64	39	s
Fairbanks	42	19	c	48	29	s	Reno	77	48	s	79	46	pc
Fargo	60	39	pc	62	44	c	Sacramento	83	50	s	85	51	s
Honolulu	84	74	r	84	73	pc	St. Louis	64	49	pc	64	51	c
Houston	75	65	t	75	54	pc	Salt Lake City	70	49	s	77	53	s
Indianapolis	60	43	pc	64	46	pc	San Diego	71	57	pc	71	57	pc
Jacksonville	70	63	pc	73	65	t	San Francisco	71	51	pc	71	51	pc
Kansas City	52	44	r	58	46	c	Seattle	57	42	r	59	42	pc
Las Vegas	86	67	s	91	67	s	Tucson	85	61	s	90	61	s
Little Rock	70	56	c	67	54	r	Washington, DC	64	47	s	63	47	pc
Los Angeles	81	58	pc	80	56	s	Wichita	50	43	r	61	44	c

Weather (W): s-sunny, pc-partly cloudy, c-cloudy, sh-showers, t-thunderstorms, r-rain, sf-snow flurries, sn-snow, i-ice.

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Documents detail FBI testimony after Finicum shooting

By CONRAD WILSON
Oregon Public Broadcasting

Newly released grand jury transcripts recount the actions of FBI agents on the ground in the minutes, hours and days after an occupier of the Malheur National Wildlife Refuge was shot and killed by law enforcement.

The testimony released Thursday includes statements from four FBI agents — identified by their initials T.S., B.M., I.M. and C.S. — all who were on the scene when Arizona rancher Robert “LaVoy” Finicum was shot and killed by two Oregon State Police SWAT team members at a traffic stop on a remote stretch of Eastern Oregon road in 2016.

The transcripts are significant because they form the basis for the government’s case against FBI special agent W. Joseph Astarita, who worked as a member of the elite hostage rescue team that coordinated the traffic stop.

Prosecutors allege Astarita fired his weapon twice at Finicum’s truck and later failed to disclose those shots when questioned. Investigators ruled the shooting justified, but prosecutors have charged Astarita with several counts of making false statements to investigators and obstructing justice after the shooting.

Astarita — who still works for the FBI — has pleaded not guilty to the charges.

The grand jury testimony and other documents were included in the public court record after OPB and *The Oregonian/OregonLive* filed a legal motion challenging the government’s protective order in the case.

In the portions of the newly unsealed transcripts, none of the FBI agents testified they heard or saw Astarita fire his weapon.

But the special agent identified as I.M. told the grand jury on June 28,



This photo taken from an FBI video shows Robert “LaVoy” Finicum after he was fatally shot by police Jan. 26, 2016 near Burns. On Tuesday, authorities said police were justified in killing Finicum.

2016, that Astarita stood out from his colleagues after the shooting. At the time, I.M. was asking other HRT members if they were OK and if anyone fired their weapon.

“And (Astarita) stood out because he said something to me,” I.M. testified. “Everyone else kind of nodded or gave me a thumbs-up. He said something, I didn’t catch it, and I said, ‘What?’ And he said, ‘Hey, man, you don’t got to ask me that, bro,’ or, ‘I’m good, bro, don’t ask me that,’ which is typical for Joe. He’s just kind of a flippant guy.”

I.M. testified he was “perturbed” because he had other things to do and moved on.

Agent C.S. testified to the grand jury about the same conversation between I.M. and Astarita.

“I interjected, ‘Yeah, he can, and he needs to know if one of our guys shot, there is admin things that have to happen,’” C.S. said. “And by that, I mean, you know, the gun has to — the gun that was used generally gets traded out for another weapon so that the agent isn’t disarmed, but that weapon is segregated so that

it can be examined later.”

Assistant U.S. Attorney Pamala Holsinger asked what Astarita said.

“Then he said, ‘No, bro, we’re good,’” C.S. testified. “That’s my recollection.”

Special agent B.M. told the grand jury on the morning of March 1, 2017, that Astarita was standing in front of him when Finicum’s truck went off the road and hit a snowbank.

“When that truck hit the snowbank and Finicum got out, did you hear any shots fire?” a federal prosecutor asked B.M.

“No. I do not recall hearing shots fired at that time. I do not recall hearing shots fired at that time. I heard shots from the vehicle that came initially around the bank, and then the next shots that I specially recalled were the ones when Mr. Finicum was engaged,” B.M. replied.

B.M. testified he was wearing a noise dampening headset during the shooting. He was Astarita’s direct supervisor on the scene and asked him and other HRT operators if they were OK and if any of them fired their weapons.

“And in terms of your inquiries, Joe Astarita told

you he did not shoot his weapon?” a prosecutor asked.

“That’s right,” B.M. said. “He told me he did not fire his weapon.”

“And in terms of protocol, you were his director supervisor on scene?” the prosecutor asked.

“Yes,” B.M. replied. “I’m his direct — I’m his

team leader, so direct superior on scene —”

“And off scene, everywhere?” the prosecutor asked.

“Correct,” B.M. said.

“And so he’s required, really, to be truthful with you, his supervisor, in that type of dynamic situation or any situation, frankly, I would imagine?” the prosecutor asked.

“Undoubtedly,” B.M. responded.

Investigators say a total of eight shots were fired during the incident. But crime scene investigators did not recover eight shell casings at the scene.

According to court documents, FBI aerial surveillance footage shows what appears to be FBI members using their flashlights in the hour after the shooting searching the roadway in the dark.

During his testimony, B.M. told the grand jury he’s “pretty certain” he saw a shell casing on the road.

Days after the shooting,

B.M. again asked Astarita if he shot, this time at a makeshift headquarters the FBI established at the Burns airport during the 41-day occupation.

“I talked to Joe,” B.M. said. “He was — we were in one of the tents. It was just the two of us. And I said — I told him the nature of the situation. I said, ‘It looks like there’s two rounds that have be unaccounted for or are unattributed at this time.’ You know, ‘Did you fire a weapon?’”

B.M. said Astarita responded, “No, I didn’t fire a weapon.”

B.M. testified that it was a reasonable reply.

On Feb. 6, 2016, Oregon State Police questioned FBI HRT operators at the FBI command post in Burns. All were on the scene when Finicum was shot and killed.

The FBI HRT operators wanted to be interviewed as a group, according to a supplemental report released Thursday.

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Corrections

The *East Oregonian* works hard to be accurate and sincerely regrets any errors. If you notice a mistake in the paper, please call 541-966-0818.