

Possible witness in murder case sentenced to 70 months in prison

By Chris Collins

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A Baker City man with a lengthy criminal record who was placed on probation in exchange for agreeing to testify at a murder trial is back in prison for using drugs and committing new crimes just days after his latest probation term had begun.

James Grove, 42, was sentenced to 70 months in prison for failing to keep the deal he'd made with the District Attorney's Office in March.

On March 19, Grove pleaded guilty to first-degree burglary and was sentenced to three years on probation. Additional charges of first-degree burglary, felon in possession of a firearm and third-degree criminal mischief were dismissed.

As part of the deal, Grove had agreed to cooperate with law enforcement in the investigation of Shawn Greenwood, who is being held at the Baker County Jail on multiple charges related to the January shooting death of Angela Parrish of Vale, and the assault with a firearm of Nathaniel Brown of Baker City. Any failure to abide by that part of the agreement also would have led to a probation revocation, court documents state.

However, the deal ended on May 6 in Baker County Circuit Court when Malheur County Judge Lung Hung revoked Grove's probation and sentenced him to prison.

Prior to sentencing, Grove had asked Hung for another chance at probation rather than "burning up another five years of my life and not getting treatment."

Grove's attorney Bob Moon of Baker City pointed out that Grove had never received treatment for his drug addiction during his last five prison terms.

"I'm new to this case," Moon said in response to comments about Grove's long criminal history and lack of compliance on probation from District Attorney Greg Baxter.

"To me, this guy is a drug addict who's never gotten treatment," Moon said. "I feel like when we took his plea on this

case, we set him up to fail.

"He should have gone from the courtroom to an inpatient treatment program," Moon said. "He indicated to me that he thought he could stay clean and sober, so we didn't pursue inpatient treatment."

Moon joined Grove in asking Hung to give his client a chance at treatment.

"I ask you to continue his probation," Moon said. "We can keep him in custody until I can find an inpatient treatment program for him."

"And if he does anything other than complete treatment, it's time to revoke him," Moon said.

Baxter said he would support recommending an Alternative Incarceration Program (AIP), which provides intensive treatment for those in custody with the Department of Corrections.

"When he's high that's when his concerning behavior starts," Baxter told the judge. "He needs help, but we can't have this behavior when he's on probation."

Hung agreed with the prosecutor, pointing to Grove's actions that resulted in the hearing to revoke his probation.

"You used, plus you were terrorizing people in their own homes in the middle of the night," Hung said.

Baker City Police officers Mark Powell and Shannon Regan testified during the May 6 hearing that Karen Bernardy and Jose Yanez reported that Grove had entered the bedroom of their home the morning of March 24 and began yelling obscenities at them and ordering them to leave "his" home.

He later threw a piece of wood through a window of the house as he left.

Grove entered the house through the basement where Bernardy's daughter and his former girlfriend, Raeganne Terrell, was staying. Terrell testified that Grove was "throwing a fit." She told police that he had towered over her and prevented her from leaving the room, but in court she testified that she wasn't concerned for her safety.

"He was being an idiot and off the hook," she said.

Lt. Ryan Downing of the Baker County Parole and Probation Department said that when he interviewed Grove at the jail later that day Grove admitted having used methamphetamine the day before.

Downing told Hung that Grove's history of probationary supervision with the department dated back to 1995 and that Grove had been supervised on 22 separate cases.

Downing said that over the years Grove had followed the same pattern that he had in this instance.

"He gets out of jail, signs an agreement and we don't see him again until he's arrested again," Downing said.

At the time of his most recent sentencing, Grove was under supervision on six cases, Downing said.

Grove had been offered treatment over the years, but had never enrolled in a program, Downing said.

The state sought revocation of Grove's probation on the three-year probation term because of his failure to follow the action plan developed as part of the plea agreement. The plan required that he abstain from using drugs or alcohol, commit no new crimes and check in every Wednesday with Parole and Probation, which he had not yet been able to do because he was sentenced on a Thursday (March 19) and arrested again on the following Tuesday (March 24).

Based on information presented during the hearing, Judge Hung found that Grove had violated his probation. As the judge announced his decision, Grove stormed out of the room where he had been sitting for a video hearing from the jail.

Hung said Grove would receive credit for time served and could earn good time and other opportunities for early release. Grove also was ordered to complete a 36-month probation term upon release from prison. Because Grove left the room before the sentencing had ended, Moon agreed to inform Grove that he would have 30 days to appeal Hung's decision.

LOCAL BRIEFING

Ladies shooting group schedules initial meetings for next week in Baker City

Initial meetings for the Pistolettes, a ladies shooting group, are scheduled for May 26 and May 28 from 7 p.m. to 9 p.m. both nights at the Powder River Sportsmen's Club clubhouse, 2690 Broadway St. More information is available by contacting instructor Vern Trowbridge by email, hoka6hey@hotmail.com. The Powder River Sportsmen's Club will resume its monthly meetings, and its range near Virtue Flat remains open to individual members.

Community Connection has money available for food and shelter programs

Baker County will receive \$6,792 from the Federal Emergency Management Agency and \$9,683 from the CARES Act's emergency food and shelter program. Organizations that provide those services to Baker County residents can apply for some of the money through Community Connection of Baker County.

To request an application, call Joe Hayes at 541-523-6591, extension 11, or email to joe@ccno.org. Application deadline is June 12 at 4 p.m.

Harvest Christian Academy has open enrollment for all grades for the fall

Harvest Christian Academy in Baker City is enrollment students in all grades for this fall. The school is open for students age 3 through 12th grade. The school uses the Abeka curriculum for all grades.

Costs and other information are available at www.bakercityharvest.org

Applications available for Baker County Livestock Producers scholarship

Applications are available for the Baker County Livestock Producers Foundation scholarship for the 2020-21 school year. Applicants must be residents of Baker County and either attending or been accepted for a second year or higher at an accredited college or vocational school. Additionally, applications must be pursuing an agriculturally related course of study. Applications are available at the Baker County Extension Office, 2600 East St., and are due by July 15.

More information is available by calling the Extension Office at 541-523-6418 or Kay Markgraf at 541-519-2203.

New At The Library

The drive-in window has reopened, and patrons can reserve materials in advance online or by calling 541-523-6419. Only local materials are available, as the Sage Interlibrary Loan system is closed. Drive-in hours are Monday through Friday, 9 a.m. to 5 p.m., and Saturday and Sunday from noon to 4 p.m.

FICTION

- "The 20th Victim," James Patterson
- "Secrets of Bones," Kyle Logan
- "Big Summer," Jennifer Weiner
- "Close Up," Amanda Quick
- "Camino Winds," John Grisham

NONFICTION

- "Magnolia Table [V.2]," Joanna Gaines
- "Barron's ACT premium study guide," Brian Stewart
- "Official Impeachment report," U.S. House
- "Untamed," Glennon Doyle
- "The Splendid and the Vile," Erik Larson

DVDS

- "The Aspern Papers" (Drama)
- "Bombshell" (Drama)
- "Color Out of Space" (Sci-Fi)
- "PBS Masterpiece: Howards End" (Drama)
- "Up in Smoke" (Comedy, 1978)

Police: Attempted kidnapping didn't happen

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A day-long effort to track down an alleged kidnapper ended with the 11-year-old victim recanting his story that he had been abducted from his yard early Thursday morning.

The investigation began after the boy reported that he had been grabbed from the yard of his home in the 900 block of Elm Street when he stepped outside about 2 a.m. Thursday. In his original report, the boy said he was carried off by his abductor

but was able to get free and returned home safe. A bicycle, which was later recovered, also was reportedly taken from the yard by a second man.

As the investigation got underway, Police Chief Ray Duman stated that he did not believe the incident was cause for community alarm.

Lt. Ty Duby and detective Shannon Regan spent the day canvassing the area, viewing video footage from the nearby Elm Street Laundry and talking with the boy's father several times.

Late Thursday afternoon, the child's father called police to report that his son had admitted that he had not been abducted. Instead, the boy said he had gone for a ride on the bicycle about 2 a.m., saw a man walking in the area and became spooked. The boy ditched the bike and ran home.

"Nobody touched him or attempted to grab him," Duman said. "It turned out to be nothing."

Duman said Friday morning that the department was satisfied with the effort ex-

pected in getting to the truth of the matter. Through the investigation, officers learned that the boy has had some recent issues. They will work to help the family obtain assistance.

"Sometimes it's almost as good disproving a crime has occurred as it is proving a crime occurred," Duman said.

In conferring with the District Attorney's Office, the decision was made not to pursue charges against the boy.

"Why charge somebody criminally if you can get them help?" Duman said.

IRRIGATION

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But this spring the lack of rain, combined with frequent strong winds that leach water from the top layer of the soil, prompted farmers to start calling for irrigation water in April.

Colton said he has had to release water from the reservoir at a rate as high as 298 cubic feet per second (cfs).

That's almost as much water as was flowing into the reservoir from the Powder River and its tributaries, he said.

The volume of water stored in the reservoir reflects that nearly equal balance between inflows and outflows.

When the spring is soggy, allowing Colton to capture almost all the inflow, the reservoir can rise by several hundred acre-feet per day.

(1 acre-foot of water would

Spring Snow

Some parts of North-eastern Oregon missed out on the rainstorm earlier this week.

They got snow instead.

An automated snow-measuring station near Aneroid Lake, in the Eagle Cap Wilderness south of Wallowa Lake, recorded 13 inches of new snow Wednesday.

Snow depth at the station, elevation 7,400 feet, increased from 41 inches to 54 inches.

Mount Howard, above Wallowa Lake, recorded 14 inches of snow, and at Moss Springs, in the Wallows east of Cove, about 7 inches of snow fell.

cover one acre of flat ground to a depth of 1 foot. An acre-foot equals about 326,000 gallons.)

But this spring the reservoir has added an average of about 76 acre-feet per day since mid-April. And on several days during the past month the reservoir level has actually dropped slightly.

As of Friday, Phillips was holding about 32,600 acre-feet of water; at full pool it impounds about 73,000.

When rain started falling

Wednesday morning, Colton cut back the volume of water flowing from the reservoir.

That was at 8 a.m.

Two hours later, with the rain continuing, he clamped down a second time.

And finally, on Thursday, Colton reverted to the minimum allowed release, about 20 cfs.

Although the rain had ceased, Colton said demand for irrigation water will be significantly lower for the next couple of weeks as farmers let their alfalfa fields dry in preparation for the first cutting of hay.

"The timing is perfect," he said. "It gives us a chance to stop using water for a while."

The Powder River continued to rise through much of Wednesday even as Colton was releasing less water from the reservoir.

One reason, he said, is that it takes about 12 hours for changes in the release volume from the dam to have an effect on the river level in Baker City.

Another is that the rainstorm swelled Powder River tributaries, such as Elk and Denny creeks, that are below the dam.

The river, measured at a gauge near Wade Williams Field, rose from 200 cfs early Wednesday to a peak of 382 cfs around 1:15 p.m. that day.

By midnight Wednesday the river had receded to 154

cfs. At noon Friday the Powder was down to 60 cfs.



Infectious disease control has always been a top priority for Oregon's hospitals. With extra CDC and Oregon Health Authority safety measures in place, our teams are ready to welcome back patients and address health needs. Rest assured that behind those masks are smiles from the same people who've always been there, ready to take care of you and your loved ones.

Oregon Association of Hospitals and Health Systems

NEWS OF RECORD

DEATHS

Leon 'Shorty' Welch: 75, of Richland, died May 20, 2020, at his home. Arrangements are under the direction of Tami's Pine Valley Funeral Home & Cremation Services. Online condolences can be made at www.tamispinevalleyfuneralhome.com