

Baker City man charged with arson

By Chris Collins
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A Baker City man was arraigned Monday in Baker County Circuit Court on charges related to using an incendiary device to set fire to another man's pickup truck last summer.



Dinger

A grand jury indicted Jason Lloyd Dinger, 40, on Nov. 20 on charges of first-degree arson, a Class A felony; second-degree arson, a Class C felony; and Class A misdemeanor charges of reckless burning and recklessly endangering another person. Dinger is accused of damaging a 1972 Ford pickup truck owned by Brandon Davis, 33, of 3220 Campbell St. Baker City Police and city and rural fire departments responded to the blaze at 4:57 a.m. on Aug. 18. The investigation was turned over to Detective Zach Downing of the OSP Arson Division because of the suspicious nature of the fire, Baker City Police Chief Ray Duman said at the time. Downing said during the early days of the investigation

that although the pickup truck was not destroyed in the fire, the dashboard was melted before firefighters were able to put the fire out. Downing said in August that it appeared that an incendiary device designed to burn hot and fast was placed under the vehicle in the early morning hours of Aug. 18. The state alleges that damage to the vehicle was \$1,000 or more. Under Oregon law defining first-degree arson, the state alleges that Dinger intentionally damaged Davis' property at 3320 Campbell St., "by starting a fire, thereby recklessly placing protected property of another ... in danger of damage." The charge of second-degree arson alleges that Dinger damaged Davis' truck, in an amount of more than \$750, by intentionally starting a fire. The reckless burning charges accuse Dinger of recklessly damaging Davis' pickup by fire; and the recklessly endangering another person charge accuses him of recklessly creating "a substantial risk of serious physical injury to another person."

Dinger is being held at the Baker County Jail on those charges in lieu of \$50,000 bail. Other charges against him include interfering with a police officer; second- and third-degree criminal mischief; two counts of first-degree burglary and one count of menacing constituting domestic violence. Dinger is being held without bail on the menacing charge, which is alleged to have taken place between June 19 and June 20 in Baker County, court documents state. He is accused of placing his victim "in fear of imminent serious physical injury." Dinger pleaded guilty to the menacing charge on July 16 and accepted deferred prosecution in an agreement with the District Attorney's Office. The agreement called for Dinger to successfully complete 18 month's bench probation and to comply with other terms of the agreement during that time. A motion to show cause for why the agreement should not be revoked was filed by the District Attorney's Office on Sept. 17. Chief Deputy District Attorney Michael Spaulding filed an affidavit citing police reports and court records that al-

lege that Dinger did not comply with the order in the deferred prosecution agreement to have no contact with the victim. In an additional case, which charges Dinger with first-degree burglary and third-degree criminal mischief alleged to have taken place on Nov. 15, bail has been set at \$80,000. Dinger is accused of entering a house in the 3200 block of Campbell Street and ransacking a camp trailer where the victim involved in the domestic violence case was staying, court documents state. Bail has been set at \$50,000 in another case in which Dinger is accused of first-degree burglary, second-degree criminal mischief and interfering with a police officer. The grand jury indicted Dinger on those charges on Nov. 20. The incident allegedly took place in the 2700 block of 12th Street, and the domestic violence victim allegedly was at the residence at the time the crimes happened, court records state. Dinger is accused of entering the dwelling on Nov. 11 to damage property belonging to the victim.



Oregon State Police photo

This bull elk was shot and left to waste on BLM land in the Pine Creek Unit near Halfway on Nov. 28.

Police seek leads in elk poaching

Oregon State Police seek public's help as troopers investigate the recent poaching of a bull elk near Halfway: On Saturday, Nov. 28, an OSP Fish and Wildlife trooper responded to the report of a bull elk that had been shot and left to waste on BLM land in the Pine Creek Unit near Halfway. Troopers believe the elk was killed sometime between daylight and 1:30 p.m. on Nov. 28. If you have any information regarding this case, call the OSP Southern Command Center at 1-800-442-2068 and leave information for Sgt. Isaac Cyr. If you wish to remain anonymous you can call the Turn in Poachers (TIP) hotline at 1-800-452-7888.

LOCAL BRIEFING

Christmas lighting contest underway

The Baker County Chamber of Commerce and Visitors Bureau has announced its inaugural Light Up Baker County contest. People can nominate themselves or a neighbor's home anywhere in the county, and upload a photo of the decorated property. The deadline is 10 a.m. on Tuesday, Dec. 15. Categories include: spirit of Christmas; Griswold award; Santa's favorite, Frosty's recognition; North Pole (decorated city entrance); people's choice; best use of nonlighted decorations. Details available at <https://www.facebook.com/Visitbaker>

4-H Christmas Bazaar goes virtual

This year's 4-H Christmas Bazaar in Baker City has moved to a virtual format due to current restrictions caused by the coronavirus pandemic. "The idea is to keep everyone safe and healthy," said Katherine Hauser, 4-H program coordinator. The traditional bazaar was scheduled for Dec. 4-5 at the Baker County Fairgrounds. An advantage to this year's virtual version, Hauser said, is that she'll keep the online bazaar open for at least a week. "We understand that a virtual event isn't quite the same as an in-person one, but we are still committed to providing customers the opportunity to shop locally and support community members," she said. The bazaar goes live on Dec. 4. The website is <https://hauserk3.wixsite.com/bakerbazaar>. Shoppers can scroll through the vendors and click to contact the seller to arrange payment and pick up of the items. Vendors pay a \$20 fee. The money pays for scholarships and 4-H programs. Items that will be available in the virtual bazaar include jewelry, collectables and handcrafts, home decor and food.

— Lisa Britton

VIRUS

Continued from Page 1A

Shelly Cutler, the Chamber's executive director, said Baker City declined to give the Chamber a permit for the parade. Cutler said she has considered as an alternative a "drive-by" parade, but that option wasn't feasible. Many floats involve people from multiple households, she said, and it would be difficult to restrict people from walking past the floats rather than driving. It would also be challenging to close a street, likely for up to two hours, and have room for floats and vehicles to safely pass on both sides, Cutler said.

State's new 4-category framework

The state's new framework includes four risk levels based on recent COVID-19 case counts and test positivity rates — extreme, high, moderate and lower. Most counties are in the extreme risk category, including three of Baker County's four neighbors, Grant, Union and Malheur. For counties with populations between 15,000 and 29,999 — including Baker, which has about 16,800 residents — two measurements determine the county's risk level. Those are the number of new cases during the previous two weeks, and the test positivity rate for the same period.

For the initial assignment of risk levels, state officials reviewed county statistics for the period Nov. 15-28. Baker County qualified for the extreme risk level in both measurements. The threshold for the number of new cases was 60, and the county had 65 new cases from Nov. 15-28. The threshold for test positivity was 10%, and the county's rate for that period was about 17.7%. Baker County Commissioner Mark Bennett said he's not surprised that the county is in the extreme risk group. "It's going to take a concerted effort by Baker County residents to slow the spread here and drive those numbers down, but we need to do it," Bennett said on Wednesday. "A lot is at stake. The projections for Boise area hospitals, where our residents would normally receive advanced care, are dismal. ICUs there are expected to be out of capacity in December or January at this rate, and if the ICUs are full, hospital personnel will have to make awful choices. Our service industry is hurting badly, and for our economic health, the county needs to get at least to a level where restaurants can serve food indoors and gyms can reopen. The only tool I see to combat the trend we're on is for each of us to take our responsibility to not spread the virus to others seriously. We can't afford to continue on as we are."

State officials will reassess county numbers every two weeks. Baker County's rate of new cases has dropped slightly in the past week or so. The number of new cases for the most recent two-week period, Nov. 18 to Dec. 1, was 55, or eight fewer than for the Nov. 15-28 period that state officials considered in setting the initial risk levels. Baker County has not had a two-week test positivity rate below 10% since the first half of October, however. There is a distinct difference in restrictions between the extreme and high risk categories, notably affecting restaurants and bars, gyms, fitness centers, museums and theaters. **Restaurants and bars**

- Extreme risk: Takeout highly recommended, with outdoor dining limited to 50 people, a maximum of six people, from no more than two households, per table.
- High risk: Indoor dining allowed, up to 25% capacity or 50 people total, including staff and customers, whichever results in fewer people.

Indoor recreation and entertainment facilities (including gyms, fitness centers, theaters, museums)

- Extreme risk: Prohibited
- High risk: maximum of 25% of capacity or 50 people, whichever is less

ARRESTS

Continued from Page 1A

Baker School Board Chairman Chris Hawkins, who is also an Oregon State Police officer, notified school officials of the pursuit and schools in Baker City locked their doors to prevent anyone from entering the buildings for a brief period Tuesday morning, said Greg Mitchell, Baker High School principal. The incident started when Baker City Police learned that the Dial brothers, who had warrants for their arrest, were in Baker City and possibly hiding at a local motel, Duman stated in a press release. Police set up surveillance at the motel about 7 a.m. Tuesday. About 10:30 a.m., detectives spotted Danny Dial driving away from the motel in a green Buick sedan. Unsuccessful officers were in their attempt to stop Dial, Duman said. They followed him, joined by other officers, for about 30 minutes in a pursuit that traveled outside the city limits to West Campbell Loop and Pocahontas Road and then back into the city on 10th Street. The pursuit then continued to the area of Seventh and Carter streets and back to 17th Street and Settler's Park Loop. While traveling outside the city, the pursuit reached speeds of about 90 mph, Duman said. As he returned to Baker City, Danny Dial drove at



Baker City Police/Contributed Photo

Police from multiple agencies responded during a high-speed chase on Tuesday.

speeds at or just slightly above the speed limit, Duman said. Dial returned to Campbell Street and pulled into Jackson's Shell Station near the freeway. He was arrested there without incident about 11 a.m. A spike strip had been placed in the area of Second Street and Auburn Avenue, but didn't flatten the tires on Dial's vehicle. Duman said that was probably because Dial was driving at about 10 mph and didn't have the momentum to cause damage, even though he did run over the spike strip and a portion of it did deploy. Danny Dial was wanted in Lake County in connection with an Oregon State Police investigation of a Nov. 16 robbery, Duman said. Danny Dial and Tyler Brenton Lancaster, 27, are accused of first-degree robbery in which a firearm was used, first-degree burglary, second-degree assault, unauthorized use

of a motor vehicle and drug charges. Lancaster was arrested earlier in the Klamath Falls area, Duman said. A police flier distributed in an attempt to locate Danny Dial and Lancaster cautioned police to consider them armed and dangerous. Danny Dial also is a suspect in a violent crime that took place in Baker City last fall, Duman said. And Joseph Dial is a suspect in a recent incident in which he appeared on a cellphone video pointing a gun at a male juvenile in Baker City, the police chief stated. "That's why we made the decision to continue the pursuit on them," Duman said, despite the danger associated with high-speed chases. "With these two guys in our community we felt it was necessary to continue and to take them into custody because they are dangerous," he said. In an effort to prevent the brothers from leaving the

area, Baker City recruited Oregon State Police officers from John Day to keep an eye out on Highway 7 at Austin Junction, about 50 miles southwest of Baker City. Duman said Danny Dial had started heading south on the highway, but turned around. OSP officers from La Grande were called to watch northbound traffic through North Powder over Highway 30. Local OSP troopers and detectives, Baker County Sheriff's deputies and Parole and Probation officers joined Baker City Police in the pursuit. "There were quite a few people involved," Duman said. Police also had received information that Joseph Dial possibly was hiding out at 2390 19th St. in Baker City. Duman said he had no information about why Dial was at the address or who lives on

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— Baker City Police Chief Ray Duman

the property. After detectives, deputies and state troopers surrounded the house, Joseph Dial came out and surrendered without incident. He arrested about 11:30 a.m. "They have connections here," Duman said. "When the heat gets too bad, they run and hide. Obviously they have connections or feel safe in this county." The brothers were returned to Lake County on the law enforcement shuttle today to face charges there, Duman said. In addition to the robbery related charges, Danny Dial was arrested on Lake County warrants charging him with two counts of violating his probation, one count each of fourth-degree assault and attempting to elude. Baker City Police Department charges include felony pursuit, reckless driving, driving while operator's license suspended and switched vehicle license. Joseph Dial was arrested on a Lake County probation violation warrant and Baker City Police Department charges of felon in possession of a weapon, unlawful pointing of a firearm at another and reckless endangering, in connection with the incident involving the male juvenile and the cellphone video, Duman said. Local charges will be submitted to the Baker County District Attorney's Office for possible grand jury indictment, he said.

Rachel Pregnancy Center

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