

# Man sentenced for sex abuse

By **JAYSON JACOBY**  
jjacoby@bakercityherald.com

A former Durkee man will spend about 10 months in prison after pleading no contest on Sept. 13 to two charges involving sexual abuse of a child whom he knew. Cecil Allen Sangston, 61, of 2341 Plum St. in Baker City, pleaded no contest to two counts on Sept. 13 — attempted first-degree unlawful sexual penetration, a Class B felony, and third-degree sexual abuse, a Class A misdemeanor. A no contest plea has the same effect as a conviction.



Sangston

The state alleged the crimes took place between Jan. 1, 2012, and Dec. 31, 2018, in Baker County. Two counts of first-degree sexual abuse, and one count of first-degree unlawful sexual penetration, each of which on conviction carry mandatory minimum prison sentences, were dismissed as part of an agreement with the district attorney's office. The three counts that were dismissed are all Measure 11 offenses in Oregon, which carry mandatory minimum prison sentences on conviction.

The mandatory minimum sentence for first-degree unlawful sexual penetration is 100 months, and for first-degree sexual abuse is 75 months. Visiting judge Robert Raschio sentenced Sangston to 17 months on the felony count, but Sangston had been in the Baker County Jail since his arrest on July 31, 2020, and with a reduction for good behavior he has served the full sentence for that charge, Baker County District Attorney Greg Baxter said on Tuesday, Sept. 28. Raschio sentenced Sangston to 10 months in prison

on the third-degree sexual abuse count. Baxter said during the sentencing hearing on Sept. 13 that he decided not to proceed with a trial because he would have been limited, in the evidence he could present, because Baker City Police Detective Shannon Regan was the lead investigator in the Sangston case. In late August, Baxter, in court records, said he would not call Regan as a witness in the first-degree murder case against Shawn Quentin Greenwood, who was accused of fatally shooting Angela Parrish in Baker City in January 2020.

Baxter cited a forensic investigation by the Oregon Department of Justice which concluded that Regan's police department computer was used in September 2020 to listen to five phone calls between Greenwood and his attorney, calls that were protected by the attorney-client privilege. After hearings in Baker County Circuit Court on Aug. 13 and Aug. 24, Judge Matt Shirtcliff ruled that Regan, who was the lead investigator in the Greenwood case, would not be allowed to testify during any trial of Greenwood due to the phone call issue. On Sept. 3 Greenwood

pleaded no contest to three lesser charges and was sentenced to 90 months in prison. Baxter said that although there is no evidence that Regan acted improperly in investigating the charges against Sangston, the "taint" from the allegations against her in the Greenwood case would have weakened the prosecution's case against Sangston had there been a trial, which had been scheduled for early December 2021. Baxter said Sangston's female victim, whom he knew, and her family were involved in discussions about the settlement and were satisfied with the outcome.

## COUNCIL

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be ahead of any legal challenge Baker City might file, such as asking a judge to issue an injunction temporarily blocking the mandates. "The other thing I took away from all of this, is there are other legal paths that we could take that are smarter and cheaper because if we go straight for the injunction, then the burden of proof is on us as a city and we'll very likely lose and it will be very expensive," McQuisten said. Councilor Joanna Dixon said that in regard to the mandate that health care workers, including city firefighters, be vaccinated by Oct. 18 if they are to keep working, she favors the city using the religious exception that's an option in lieu of vaccination. "The Tyler Smith town hall, one of the biggest things that I took from that was on the religious exemption," Dixon said. "Essentially, if you are pro-life, if you are opposed to abortion, I think two of the three vaccines

use fetal cells — aborted fetal cells — in development and I feel that that would be a valid basis for a valid religious exemption." McQuisten agreed, saying employees could "get really religious really, really fast here," and the state would have to prove they aren't. According to Oregon Health Authority (OHA) guidelines, employees who claim a religious exception must fill out a form "stating that the individual is requesting an exception from the COVID-19 vaccination requirement on the basis of a sincerely held religious belief and including a statement describing the way in which the vaccination requirement conflicts with the religious observance, practice, or belief of the individual." Cities and other employers, not officials at the OHA or another state agency, will review and verify both medical and religious exception forms, said Jonathan Modie, a spokesman for OHA. "It's not like the city is going to review each and every one, because that's really not our forte,

religious exemptions," Councilor Johnny Waggoner Sr. said. McQuisten said that in the past two weeks, 23 of Oregon's 36 counties, including Baker, have passed declarations stating that the vaccine mandate could result in enough health care workers quitting or being fired that the counties' ability to respond to traffic crashes and other emergencies would be jeopardized. McQuisten also said she believes the resolution the Council passed in March 2021, declaring an "economic, mental health, and criminal activity crisis" due to the governor's COVID-related mandates, has "more teeth" than she originally thought. Baker City's resolution, the mayor said, has been something of an inspiration for other communities that are objecting to the vaccine mandate, which the governor announced in August. "The idea behind that is to overwhelm the system once again so it's kind of like exactly what we did, but overwhelm with requests that they cannot meet because of the mandates and hope that those will be

pushed back," McQuisten said. Dixon said she believes that if cities and counties band together, with resolutions or declarations opposing Brown's mandates and highlighting the potential problems the vaccine mandate could cause with emergency responders, it will put them in a good position. "Everybody's going to overwhelm them and if it does go to lawsuits, then we're going to have all these other counties, cities, involved also," Dixon said. "They're going to be in the same boat that we are and we'll be in it together." Councilor Shane Alderson pointed out that it's possible that the state, confronted with many cities and counties declaring emergencies, would simply seek federal money to provide the resources the local communities say they might be short of due to the mandate. "That's something else that we should consider and think about because it may not overwhelm (the state)," Alderson said. Waggoner said he understands Alderson's point.

But Waggoner said that if the city were to take a more aggressive approach with a lawsuit, the burden would then fall on the city. "All we're doing is kind of playing chess with a bigger dog," Waggoner said. "And I get the federal part of it, but ... if they want to send the national guard or whoever out to us, that's totally up to them. But while this goes on, these things are still going to be playing out in court." **Council vacancy** Councilors tried, and for the second straight meeting failed, to appoint someone to fill the vacancy created by Lynette Perry's resignation, due to health issues, in August. During the Sept. 14 meeting, the six remaining councilors reached a voting deadlock when three voted for one candidate, Thomas Hughes, and three voted for another, former councilor Randy Daugherty. During Tuesday's meeting, Alderson made a motion to appoint Daugherty. Alderson and councilors Jason Spriet and Heather Sells voted yes. Those

three also voted for Daugherty during the Sept. 14 meeting. But Alderson's motion failed, as McQuisten, Dixon and Waggoner voted no. Each of those three voted for Hughes during the Sept. 14 meeting. Perry sent a letter to the city saying she felt guilty for retiring, and urging councilors to appoint Daugherty to replace her. McQuisten said she had heard, from residents, that Daugherty allegedly referred to the current councilors as unqualified and inexperienced. "I didn't make those comments," said Daugherty, who attended Tuesday's meeting. Dixon said she had talked to a local merchant, whom she didn't name, who also claimed to hear Daugherty make similar comments. Daugherty again denied saying such things. Councilors voted 5-1, with Sells opposed, to remove two other applicants from consideration, Michael Meyer and Kara Strutz, as neither received any votes during the Sept. 14 meeting.

## COVID

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Nancy Staten, director of the Baker County Health Department, said she isn't convinced that the county is on the downward trend from the surge, driven by the more contagious delta variant, that started in late July. "I'm looking forward to seeing that, but I haven't really seen that drop yet," Staten said. **Vaccinations** Baker County's vaccination rate, as of Tuesday, Sept. 28, was 51.4% among residents 18 and older, according to the Oregon Health Authority (OHA). That's tied with Umatilla County for the sixth-lowest rate among Oregon counties. As of Sept. 27, a total of 632 vaccine doses had been given in Baker County, just one fewer than were administered during the whole of August. Both months have had a significant increase in vaccine doses given compared with July, when 398 doses were given. Staten said nurses at the Health Department have noticed that more people are asking about, and asking for, vaccination since the number of cases started to rise. She said some people have been waiting because they wanted to learn more about the vaccines, and decided to be inoculated. Others know someone who became severely ill after contracting COVID-19, she said, while others are being vac-

inated because they're among the employees covered by Gov. Kate Brown's vaccine mandate, which applies to school and health care workers, and some state employees. She said vaccines, as well as precautions such as wearing masks and staying home if you feel ill, are the county's best weapons in the fight against the virus. **Breakthrough cases** Breakthrough cases are infections in people who are fully vaccinated. These have been less common in Baker County than in Oregon as a whole. From Aug. 1 through Sept. 19, Baker County has had 60 breakthrough cases out of 604 total cases, a rate of 9.9%. In the most recent week for which numbers are available, Sept. 12-18, the county's breakthrough case rate was 10.8%. Statewide, the breakthrough case rate has been 20.2% since Aug. 1, according to OHA data. **Age breakdown** A majority of the county's cases during September — 69.2% from Sept. 1-27 — were people younger than 50. The younger age ranges that have accounted for the bulk of Baker County's cases during September also have lower vaccination rates than among older county residents. Following are statistics for age ranges, starting with the group with the highest share of cases from Sept. 1-27. **Ages 10 to 19** This group, which numbers

about 1,350 in Baker County, accounted for 21% of cases from Sept. 1-27 — the highest among age groups for that period — and 14.3% from Aug. 16-31. The vaccination rate for this group is 27.6, up from 26.5% on Sept. 14. That includes only residents 12 and older, as younger residents are not eligible to be vaccinated. The statewide average is 60.5%. The vaccination rate for the age range in adjoining counties — Grant, 22.6%; Malheur, 31.8%; Union, 31.3%; Wallowa, 40.8%. **Ages 30 to 39** This group of about 1,950 people had 18.4% of the county's cases from Sept. 1-27, and 18% from Aug. 16-31. The vaccination rate among county residents in their 30s is 34.6%, up from 33.1% on Sept. 14. The statewide average for that age group is 72.5%. The vaccination rate for the age range in adjoining counties — Grant, 43.5%; Malheur, 32.5%; Union, 50.4%; Wallowa, 52.3%. **Ages 50 to 59** There are about 2,300 residents in this age range in Baker County, and they accounted for about 11.2% of cases from Sept. 1-27, and 13% from Aug. 16-31. The vaccination rate for this age group is 46.7%, compared with 45.4% on Sept. 14. The statewide average of 74.6%. The vaccination rate for the age range in adjoining counties — Grant, 41.9%; Malheur, 46.7%; Union, 49.8%; Wallowa, 57.2%.

**Ages 40 to 49** There are about 1,650 residents in this age range in Baker County, and they accounted for about 10.9% of cases from Sept. 1-27, and 11.8% from Aug. 16-31. The vaccination rate for this age group is 46.8%, up from 45% on Sept. 14. The statewide average is 74.9%. The vaccination rate for the age range in adjoining counties — Grant, 42.7%; Malheur, 42.3%; Union, 49.8%; Wallowa, 59.9%. **Ages 9 and younger** There are about 3,000 residents in this age category in the county, and they are not eligible for COVID-19 vaccinations. This age group accounted for about 11.4% of cases from Sept. 1-27, and 3.7% of cases from Aug. 16-31. This group has had the biggest increase in percentage of cases during September, compared with the second half of August. **Ages 60 to 69** There are about 3,100 residents in this age range. They accounted for 9.8% of cases from Sept. 1-27, and 14.3% from Aug. 16-31. The vaccination rate for this age group is 55.7%, up from

55.2% on Sept. 14. The statewide average is 78.8%. The vaccination rate for the age range in adjoining counties — Grant, 47%; Malheur, 59.5%; Union, 64.1%; Wallowa, 66.9%. **Ages 20 to 29** This group, which numbers about 1,300 in Baker County, accounted for 7.4% of cases from Sept. 1-27, and 14.3% from Aug. 16-31. This age group had the largest drop in percentage of total cases in September, compared with the second half of August. The vaccination rate for residents in their 20s is 37.1%, up from 34.6% on Sept. 14. The statewide average is 67%. The vaccination rate for the 20-29 age category in adjoining counties — Grant, 49.6%; Malheur, 28.2%; Union, 47%; Wallowa, 62.8%. **Ages 70 to 79** There are about 2,200 residents in this age group, and they accounted for 7.2% of cases from Sept. 1-27, and 5.6% from Aug. 16-31. The vaccination rate for this age range is 68%, up from 67.3% on Sept. 14. The statewide average of 87.2%. The vaccination rate for the age range in adjoining coun-

ties — Grant, 55.7%; Malheur, 60.3%; Union, 72.5%; Wallowa, 81.6%. **Ages 80 and older** There are about 1,100 residents in this age category, and they accounted for 2.7% of cases from Sept. 1-27. There were no cases in this age range from Aug. 16-31. The vaccination rate for people 80 and older is 70.1%, up from 69.7% on Sept. 14. This is the highest rate for any group in the county. The statewide average is 80.2%. The vaccination rate for the age range in adjoining counties — Grant, 46%; Malheur, 61.6%; Union, 59.5%; Wallowa, 64.4%.

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