

Burke pleads guilty to felonies related to stolen pickup truck

Blue Mountain Eagle

The man accused of stealing a pickup in John Day pleaded guilty to several felony charges Sept. 22.

David Wesley Burke pleaded guilty to unauthorized use of a vehicle, possession of methamphetamine, first-degree criminal mischief and driving under the influence of

intoxicants in Grant County Circuit Court. Sentencing is scheduled for Oct. 13.

Burke was stopped by police Aug. 30 while driving a white GMC pickup that had been reported stolen from the 100 block of Second Avenue in John Day. The passenger of the vehicle, a 26-year-old John Day man, was released without being charged.



Contributed photo

The man who was driving this stolen pickup Aug. 30 pleaded guilty to felony charges.

Bomb squad responds after meth arrests

Blue Mountain Eagle

The Oregon State Police Bomb Squad remotely removed a pipe bomb from a John Day residence after officers entered the home on a search warrant Sept. 19.

Drew Issac Box, 26, and Celeste Don-

na Lee, 24, both of John Day, were taken into custody for possession of methamphetamine, and Lee was later indicted on a charge of felon in possession of body armor.

OSP had received a report of a domestic assault on Sept. 19 and, after in-

terviewing a female victim, obtained a search warrant for the Dayton Street residence. The explosive device consisted of three firecrackers, but OSP Sgt. Tom Hutchison said it was not made as a toy, though no charges related to it have been filed.

Sagaser back in jail after Deschutes County drug crime

Blue Mountain Eagle

Matthew Eric Sagaser is back in the Grant County Jail after pleading guilty to a drug crime in Deschutes County.

Sagaser pleaded guilty Sept. 7 in Deschutes County Circuit Court to possessing methamphetamine after being arrested Aug. 30. He was sentenced to 10

days in jail and 18 months of supervised probation, according to court documents, and fined \$200.

Sagaser was on probation in Grant County after pleading guilty to strangulation, coercion and two counts of fourth-degree assault earlier this year for a 2015 incident. For violating probation by possessing drug paraphernalia, weap-

ons and violating laws, Sagaser received a 35-day jail sanction from Grant County Community Corrections Officer Mike McManus Sept. 15.

Sagaser pleaded not guilty in March to a charge of tampering with a witness and contempt of court and is scheduled for trial on those charges later this year.

COPS & COURTS

Arrests and citations in the Blue Mountain Eagle are taken from the logs of law enforcement agencies. Every effort is made to report the court disposition of arrest cases.

Circuit Court

• Kristopher Michael Goodwin, 25, was convicted of possession of methamphetamine and assault in the fourth degree. Goodwin is sentenced to 20 days in jail with credit for time served, three years of probation, 80 hours community service, fined \$500 and ordered to have no contact with the victim.

Grant County Sheriff

CANYON CITY — The Grant County Sheriff's Office reported the following for the week of Sept. 22:

- Concealed handgun licenses: 4
- Average inmates: 13
- Bookings: 4
- Releases: 7
- Arrests: 4
- Fingerprints: 3
- Civil papers: 12
- Warrants processed: 1
- Asst./welfare check: 2

Justice Court

CANYON CITY — The Grant County Justice Court reported the following fines and judgments:

- Driving with a suspended license: Shawn Colman Kite, 48, Prairie City, Sept. 1, fined \$435.

- Violation of the basic speed rule: Nicole Marie Israel, 38, John Day, 68/55 zone Sept. 2, fined \$160; James Glen McQuown, 62, Pasco, Washington, 75/55 zone, Sept. 13, fined \$135; Austin L. Martin, 21, Hood River, 78/55 zone, Sept. 9, fined \$260; Hailey Dawn Boethin, 39, Canyon City, 70/55 zone, Sept. 9, fined \$135.
- Exceeding the speed limit: Justin Alan Scheidegger, 22, John Day, 75/65 zone, Sept. 2, fined \$160; Menachem Lorber, 73, Oro Valley, Arizona, 52/35 zone, Sept. 9, fined \$160; Alex Taylor, 23, Libertyville, Illinois, 73/65 zone, Aug. 31, fined \$160.
- Violation of the speed limit: Darrel C. Krabill, 41, Christmas Valley, 46/30 zone, Sept. 15, fined \$160; David E. Lieberman, 26, Eugene, 43/25 zone, Sept. 18, fined \$135.

Small Claims

- Ray Klein Inc. v. Heidi Law. Money judgment

awarded to Ray Klein Inc. for \$481.65.

- Ray Klein Inc. v. Cory A. Slayton. Money judgment awarded to Ray Klein Inc. for \$543.00.
- Credit Associates Inc. v. Gregory E. Relling. Money judgment awarded to Credit Associates Inc. for \$417.83.

Dispatch

John Day dispatch worked 164 calls during the week of Sept. 19 through 25. Along with the various traffic warnings, trespassing, injured animals, noise complaints and juvenile complaints, these calls included:

John Day Police

Sept. 20: Received a report of boat battery theft. A man called dispatch to make sure he had not been reported as missing. Dispatch received a report of a possible puppy selling scam. JDPD and OSP served a search warrant and arrested a 24-year-old John Day woman for felon in pos-

session of body armor and methamphetamine.

Sept. 22: Arrested a 41-year-old Prairie City man on a Grant County felony warrant.

Sept. 23: Arrested a man on a Grant County felony warrant in John Day. Dispatch took a report of a stray goat near Figaro's Pizza.

Grant County Sheriff

Sept. 19: Responded to a report of a fight on Washington Street.

Sept. 22: Responded to a report of an intoxicated subject harassing a neighbor.

Sept. 23: Responded to a report of disorderly subjects camping.

John Day ambulance

Sept. 24: Paged for a report of a 76-year-old man who was having trouble breathing.

PORTER

Continued from Page A1

The parole board held the hearing in July 2012 and determined Porter was likely to be rehabilitated and ordered the sentence converted to life with the possibility of parole, the opinion states.

In a November 2012 prison-term hearing, the board set a projected parole release date of June 7, 2013, and required Porter to complete a psychological evaluation and participate in an exit interview.

In February 2013, the opinion states, the board held the exit interview and reviewed Porter's psychological diagnosis of antisocial personality disorder and alcohol dependence in remission before affirming the 2013 release date with an order stating, "Based on the doctor's report and diagnosis ... the inmate does have an emotional disturbance; however the emotional disturbance is not presently so severe as to constitute a danger to the health and safety of the community."

On June 4, 2013, the board issued a new order rescinding the planned release date, reopening the February 2013 decision and reconvening the exit interview.

In September 2013, the board conducted a new exit interview affirming the decision to rescind the release date, reaching the different conclusion that the emotional disturbance was a danger, and extended the release date 24 months. When Porter requested an administrative review of the board's decisions, the board explained it relied in part on information submitted after the February interview, including "the DA submission of documents showing a history of assault" on Porter's ex-wife, according to the opinion.

Supporting its ruling to

reverse the parole board's decision, the Oregon Court of Appeals said in its opinion, once a release date has been set, it can only be postponed if the prisoner has engaged in serious misconduct during confinement, if the prisoner is diagnosed with a severe emotional disturbance that would make him a danger to the community or if the prisoner's release plan is deemed to be inadequate. The appeals court ruled rescinding the release date had the practical consequence of postponing it, and the board did so without making one of the three required determinations.

The appeals court also cited case law demonstrating a valid reason to postpone the release was required before the release was postponed.

The appeals court reversed the parole board's decision and directed the board to reinstate Porter's 2013 release date.

Grant County District Attorney Jim Carpenter, who was elected in 2014, said in a press release the board only considered the psychological evaluation in the February 2013 exit interview, as no other evidence was presented by the state's district attorney.

Carpenter said he presented evidence for the state and argued Porter continued to suffer from a severe emotional disturbance and constituted a danger to the community at Porter's January 2015 exit interview, after which the board extended Porter's release date to 2020, which would be preempted by the appeals court's recent decision.

According to the appeals court opinion, Porter attacked Ward who had responded to a report of domestic violence at Porter's residence. Porter "bludgeoned Ward with his fists and a 10-pound piece of firewood," the opinion states, and the autopsy revealed a skull fracture and contusions in Ward's brain.



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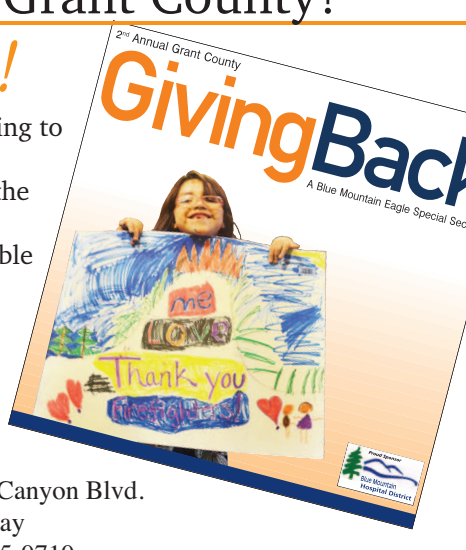
We need your help!

The Blue Mountain Eagle is working to create a master list of nonprofits in Grant County. We are looking for the NAME of the nonprofit, CONTACT PHONE NUMBER, EMAIL, ADDRESS and WEB SITE if available to be added to or updated on the list for this year's Grant County Giving Back section, coming out in October.


Either call the information into the Eagle office at 541-575-0710 or email office@bmeagle.com.




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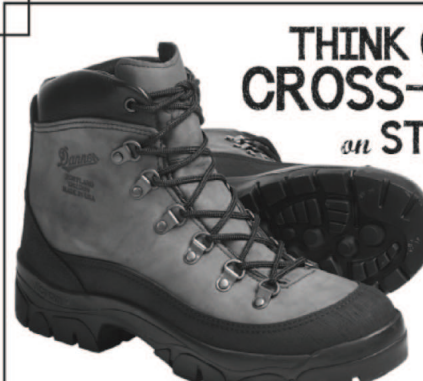
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