

Deputizing commissioners doesn't appear to violate state laws

Sheriff Palmer refuses to answer questions about authority of non-certified special deputies in interacting with public

By Steven Mitchell
Blue Mountain Eagle



The Eagle/Steven Mitchell
Grant County Sheriff Glenn Palmer said in an email Monday that he has had a longtime policy of not speaking to the media.

Sheriff Glenn Palmer's deputization of two county commissioners does not appear to violate state nepotism and conflict of interest laws.

Grant County Commissioners Sam Palmer, the sheriff's brother, and Jim Hamsher said they have been deputized, though County Clerk Brenda Percy said no record has been filed with her for the appointments.

Glenn Palmer refused to answer questions about the deputies, but Hamsher and Sam Palmer addressed concerns about perceived conflicts of interest because the Grant County Court provides oversight of all county departments, including the sheriff's office, and sets department budgets.

Sam Palmer said he volunteers as a nurse on a tactical team with Undersheriff Zach Mobley and is a search and rescue volunteer.

"I do both for free, and under Oregon law (that) presents no actual or perceived conflict of interest," Sam Palmer said.

State nepotism laws prohibit public employees from directly supervising relatives, but the laws do not apply for someone supervising a volunteer.

Ronald A. Bersin, the executive director of the Oregon Government Ethics Commission, said a conflict of interest only exists in the legal sense if there is a private monetary benefit for the party in question. In terms of a conflict on the sheriff's part, Bersin said a

the sheriff's office before they become problems.

"Jim is privileged to a lot of information and knows the goings-on of my office," Sheriff Palmer said in a Facebook post.

Hamsher said, despite the access to confidential law enforcement databases, he does not enforce the law, make traffic stops or make arrests.

Another concern regarding the role of special deputies within the sheriff's office is the liability to the county. The county's insurer, Citycounty Insurance Services, said in an email forwarded to the Eagle that the coverage agreement covers Grant County elected officials, employees and authorized volunteers — but they did not answer if special deputies, who are not certified by the state, would be covered in the event of a wrongful death or civil rights violation.

The Eagle emailed Sheriff Palmer requesting a phone interview with the questions provided ahead of time to allow him to prepare. The Eagle offered to record the audio and run it alongside the online article to ensure fairness and accuracy in the reporting.

Sheriff Palmer refused to answer questions about the authority of non-certified deputies when interacting with the public, about the sheriff's office's relationship with the COVID-19 emergency operations center and whether other non-certified people had been deputized.

"It has been my policy for quite some time to not respond to media requests of any sort," Sheriff Palmer replied in an email. "From what I have seen it hasn't been fair nor accurate."

Sheriff Palmer has not contacted the Eagle about any inaccurate information. It has long been the Eagle's policy to promptly correct any inaccurate information online and to publish a correction in the next print edition.

benefit for the sheriff's office budget would not amount to a private benefit for the sheriff.

"A conflict of interest only exists if there is a private pecuniary benefit to the sheriff," Bersin said. "Any budget benefit to his office would not qualify as a statutory conflict of interest, because it contains no private pecuniary benefit to the sheriff."

A conflict of interest could occur, for example, if the county commissioners voted to pay emergency operations center volunteers, including themselves, which would provide them with a private monetary benefit.

Hamsher said people concerned about how the situation presents a conflict of interest should also consider that the budget committee consists of the two commissioners, the county judge and three citizens at large, so the commissioners cannot set the budget themselves.

Hamsher said each member of the court serves as a liaison to seven county departments, and he is assigned to the sheriff's office. He said being deputized gives him more access to confidential law enforcement information that allows him to weigh in on personnel issues within

District upholds coach's termination for having drink at dinner with students

By Rudy Diaz
Blue Mountain Eagle

The Grant School Board upheld the termination of a dance coach who was fired for having a drink during dinner with students.

In a hearing April 15, Ashleigh Romero, the former Grant Union High School dance coach, appealed the decision to terminate her employment as a coach due to an incident on Feb. 21.

On the day of the incident, the team traveled to Sherwood, and once they arrived there, the team decided to eat at Red Robin for dinner. While there, Romero ordered a chicken tender salad and a Red's Margarita. After dinner, the team made a quick trip to Target and then departed to the hotel, according to the letter submitted by Romero to the board.

"I wasn't at a dance practice or dance competition so I felt as though (since there was a bus driver and I was not behind the wheel), that one drink wouldn't harm my reputation or job," Romero said. "My intent by ordering one margarita at dinner wasn't to lose my livelihood."

Grant Union Junior-Senior High School Principal Ryan Gerry told the board, Cindy Nelson, the transportation director, contacted him to say her bus driver saw Romero consume alcohol during dinner with the team. Gerry contacted Romero the night of the incident to confirm the statement, and Romero confirmed that she did consume alcohol.

Gerry notified Romero that the team was not going to compete and head back to John Day the following morning.

"At that point, I reached out to Mr. Uptmor to inform him of the situation, and it was determined at that point that she was on administrative leave," Gerry said. "They returned, and I scheduled a

time to meet with Romero on Monday."

Gerry investigated the situation and contacted the bus driver and two of the dance members to confirm the incident and give their sides of the story. After the investigation, Gerry and Romero met on the Monday after the incident.

Romero told Gerry that she did drink during dinner, but stated that she was not aware she was not allowed to drink with students. Gerry told the board he talked to her about the National Federation of State High School Associations fundamentals of coaching, which all coaches have to take for certification. Gerry said the NFHS certification course talks about the code of ethics that coaches must have and the influence they have on students, and it talks about not consuming alcohol or tobacco when in contact with players.

"I understand that there was an online coaching course that mentioned drinking in front of students, but I was more or less under the impression that that meant at practices or events, not dinner the night before," Romero said.

According to the letter Romero submitted, she said Gerry provided her with a coach's manual, which she felt she should have had long before the incident. During the final meeting between Gerry and Romero on Feb. 25, the decision was made to fire Romero.

"Mr. Gerry conferred with me on which direction to go, and we really struggled with this because Ashleigh was somebody who was doing a phenomenal job with our students, and we liked the work she was performing," said Grant School District Superintendent Bret Uptmor. "When we came to the conclusion to terminate her, it was based on the safety need for our students."

Uptmor said Romero sent an email to him to appeal the decision, but according to

board policy, the appeal goes to the board.

Romero told the Eagle after the decision that she felt she was treated unfairly because she has sources who told her that other coaches had both been caught drinking and the administration swept that under the rug as if they didn't know.

Haley Walker, a school board member, asked if similar policies had been followed in the past.

"Since I have been here, to my knowledge, yes," Uptmor said. "If we know about it, that's the direction we will go if there are other incidents that involve a person that was in supervision of our students."

Although the decision was upheld, the board members acknowledged the great work Romero did as a coach and her ability to connect with the students in her team.

"I would like her to know that nothing takes away from our gratitude for her hard work, and it was clear she has a lot of rapport with the students and that's wonderful. She has impacted their lives long-term in a positive way," said Colleen Robertson, a board member. "When we take our mission of protecting students to heart, I have to agree with the termination that we can't put our students in harm's way, and that is essentially what she did."

Romero said she believes she is on good terms with the school officials and she looks toward the future for another chance of being a coach again.

"I also want to reiterate my absolute respect for Mr. Gerry, Mr. Uptmor and Grant Union Junior-Senior High School faculty, staff and students and parents," Romero said. "I have met with both Mr. Gerry and Mr. Uptmor following my termination, and I believe I stand in good terms with both... I sincerely hope that despite my termination they'll consider having me for the job as I am the best, most experienced person for this position."

COPS AND 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.

Grant County Sheriff

The Grant County Sheriff's Office reported the following for the week of April 15:

- Concealed handgun licenses: 0
- Average inmates: 11
- Bookings: 1
- Releases: 3
- Arrests: 1
- Citations: 2
- Fingerprints: 0
- Civil papers: 5
- Warrants processed: 1
- Assistance/Welfare check: 0
- Search and Rescue: 0

Oregon State Police

April 12: OSP received information that Matthew Berna, 38, driving a small burgundy pickup with California plates, had driven at another motorist head on near milepost 10 on Highway 395C to stop them and warn them about a pending nuclear attack. The motorist believed Berna was under the influence of drugs and noted he had blood on his hands. OSP located Berna and his pickup at a gas station in Canyon City. Berna admitted to stopping the other motorist to warn them about the nuclear attack. Berna had an extraditable felony warrant out of California for burglary. OSP saw several indicators of impairment while speaking with the him. Berna consented to field sobriety tests and displayed further indicators of impairment. Berna admitted to smoking marijuana a couple hours before OSP stopped him and later admitted to smoking methamphetamine a couple days earlier. OSP took Berna into custody and transported him to Blue Mountain Hospital for treatment of a pre-ex-

isting injury. Doug's Towing responded and towed the vehicle. Hospital staff drew blood for later analysis. Due to Berna's physical condition, he was unable to participate in a drug influence evaluation. OSP transported Berna to the Grant County Jail where OSP lodged him for DUII-Controlled Substance and for a California warrant.

April 13: OSP learned of a 51-year-old male subject who was out of compliance for failing to register with the Oregon State Police Sex Offender Registration. From interviews, OSP learned the subject had left the John Day area around December 2019. The subject had failed to complete his annual registration on his birthday, along with changing his address of residence. A report is being forwarded to the Grant County District Attorney.

April 17: A criminal search warrant was served on a residence in Mt. Vernon by a local agency. During the search, unlawful game animal parts were located. The residence owner agreed to release the game parts to the game trooper. Several dead heads were seized and placed into evidence at the OSP office in John Day.

Dispatch

John Day dispatch worked 105 calls during the week of April 13 to April 19, including:

- **John Day Police Department**
April 14: Dispatched for an animal complaint on West Main Street.
April 16: Received a report of a missing person on Northwest Canton Street.
April 17: Advised of a hit-and-run crash at a business on West Main Street.
- **Oregon State Police**
April 13: Advised of a burglar alarm on Telephone Drive.
April 15: Advised of pigs

on Highway 26 near milepost 142.

April 16: Advised of a horse on Highway 26 near milepost 156.

April 18: Advised of a complaint regarding motorcycles speeding on Highway 26.

April 18: Advised of a possible drunk driver on West Main Street.

Grant County Sheriff's Office

April 14: Advised of a hit-and-run crash on Cottonwood Road.

April 16: Received a report of theft on Brent Lane.

April 16: Received a report of criminal mischief on Council Drive.

April 16: Received a report of a juvenile problem in South Adams Road.

April 17: Along with OSP, advised of a driving complaint on Highway 26 near Mt. Vernon.

April 17: Received a report of assault on Highway 26.

April 18: Received a report of criminal mischief on Highway 402.

April 18: Received a report of theft on North Main Street.

• **John Day ambulance**
April 13: Responded for a woman who was intoxicated and non-responsive on First Avenue.

April 14: Dispatched for an elderly woman who had to be taken to a hospital.

April 16: Dispatched for a man with high blood pressure and chest pain on Valley View Drive.

April 16: Dispatched for a man with a possible bladder infection on Dog Creek Road.

April 18: Responded to a 65-year-old man with tightness in his chest and difficulty breathing on West Main Street.

April 19: Responded to a 66-year-old woman on Park Avenue.

• **Seneca ambulance**
April 15: Along with John

Day ambulance, responded to a 73-year-old woman with difficulty breathing.

April 18: Along with John

Day, responded for a 1-year-old child having seizures.

Canyon City fire

April 15: Responded to a

car fire on North Adams.

Dispatch

April 17: Assisted a lost hiker in Morrow County.

APRIL IS SEXUAL ASSAULT AWARENESS MONTH

Sexual Assault Awareness Month

www.nsvrc.org/saam #SAAM #IAask
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