

Deputy on paid leave for more than a year pleads guilty to DUII

More than 13 months of administrative leave costs county more than \$75,000

Blue Mountain Eagle

The Grant County Sheriff's Office Deputy who has been on paid administrative leave for over a year pleaded guilty last week to driving drunk in February.

Deputy Abigail Mobley,

35, of John Day admitted to driving on Highway 26 near Unity Feb. 8 with a blood alcohol content of 0.27%, more than three times the legal limit, in a plea petition filed April 9 in Baker County Circuit Court.

On April 9, Mobley also filed a petition for a driving under the influence of intoxicants diversion — a legal provision that allows a DUII charge to be dismissed after one year if certain conditions are met.

Mobley's signed agreement would require completing an alcohol and drug abuse assessment and any recommended treatment, not using intoxicants, paying required diversion fees and installing an ignition interlock device if ordered by the court.

Circuit Court Judge Matthew B. Shirtcliff accepted the plea petition April 30 and ordered Mobley to be booked and fingerprinted by the Baker County sheriff and

“released promptly thereafter,” according to court documents.

Mobley was arrested Feb. 8 after pulling over to use the restroom and getting stuck in the snow, according to an Oregon State Police report. She stumbled down the roadway and fell down, causing minor abrasions to her face, according to OSP.

Mobley was cited and released to her husband at the Baker County Jail, OSP said.

Mobley was placed on paid

administrative leave by the county almost a year earlier, March 18, 2019. Grant County Human Resources Manager Laurie Wright confirmed May 4 Mobley was still employed by the county and on administrative leave.

Grant County officials have declined to discuss the circumstances surrounding the leave or to provide documents requested by the Eagle, stating the information was part of a “pending criminal investigation being conducted by a

third-party state agency.”

The Oregon Department of Justice confirmed an investigation involving Mobley was still ongoing in December, but Communications Director Kristina Edmunson has not confirmed whether the investigation is still active.

Mobley's wages and benefits cost the county between \$5,600 and \$7,100 per month, so more than 13 months of administrative leave has cost the county between \$75,000 and \$96,000.

Former deputy pleads not guilty to attempted rape, other charges

By Steven Mitchell
Blue Mountain Eagle

The former deputy who was arrested on attempted rape and other charges maintained his innocence Thursday.

Former Grant County Sheriff's Office deputy Tyler Smith pleaded not guilty to seven charges in a Grant County Circuit Court proceeding conducted by teleconference.

Smith, who was discharged by the sheriff's office in Jan-

uary, was indicted Sept. 27 on charges of first-degree attempted rape, a class B felony, and attempted first-degree sex abuse and fourth-degree assault, class C felonies — all constituting domestic violence. The indictment accuses Smith of attempting to engage in sexual intercourse with his spouse on Aug. 31, 2018, “by forcible compulsion” and while knowing she was pregnant.

He also faces four class A



Contributed photo

Tyler Smith

misdemeanor charges of second-degree child neglect, accused of leaving two chil-

dren under the age of 10 unattended at a John Day residence on Sept. 4 and Sept. 5, according to information filed in court Sept. 10 by Grant County Special Deputy District Attorney Gretchen M. Ladd Dobler.

The felony and misdemeanor cases will be tried separately. The six-day felony trial is scheduled to begin Oct. 19. The two-day misdemeanor trial is scheduled to begin Nov. 4.

Hearings for pretrial motions are scheduled for May 14 and Aug. 14.

Senior Judge William D. Cramer Jr. said, should social distancing rules still be in place in October, the trial might need a larger venue, such as the Grant County Fairgrounds, where people can be 6 feet apart. He said he has not yet discussed this with Grant County officials.

Smith worked for the John Day Police Department from

November 2014 until May 2016 when he was hired by the sheriff's office.

Smith was arrested Sept. 9, but he had already been placed on administrative leave Aug. 9 for an unrelated issue, Grant County Human Resources Manager Laurie Wright said. Grant County District Attorney Jim Carpenter said Smith had been placed on leave “for issues related to the performance of his duties as a sheriff's deputy.”

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 29:

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

Grant County Justice Court

Violation of the basic rule: Robert J. Fenili, 33, Bend, March 4, 78/55 zone, fined \$265; Rodd M. Ambrosio, 65, Joseph, Feb. 7, 70/55 zone, fined \$140.

Exceeding speed limit: Juvenile, 16, John Day, Nov. 12, 79/65 zone, fined \$165.

Violation of provisional license restriction: Juvenile, 16, John Day, Nov. 12, fined \$200.

Operating with nonstan-

dard light: Kaleb K. Voigt, 39, Sandpoint, Idaho, Feb. 27, fined \$140; Dereck E. Boggs, 22, Kimberly, March 13, fined \$165.

Failure to properly use safety belt: Nickole E. Dalesio, 28, Mt. Vernon, March 12, fined \$115.

Refusal to drive within lane: Daniel J. Heuston, 41, Richland, Washington, Dec. 10, fined \$265.

Refusal to take a breath test: Daniel J. Heuston, 41, Richland, Washington, Dec. 10, fined \$650.

Oregon State Police

April 28: OSP conducted a traffic stop for speed violation on Highway 26 near milepost 155. OSP contacted a 26-year-old male driver. After further investigation, OSP searched the vehicle and located a firearm and marijuana extract. Andrew S. Ballou of Mt. Vernon was cited in lieu of custody for felon in possession of a firearm and possession of marijuana extract.

April 29: OSP stopped a white Chevrolet pickup displaying a California license plate for violation of posted speed, 48/30 zone on Highway 395C near milepost 2. Daniel R. Cook, 55, was taken into custody on a misdemeanor arrest warrant out of Lincoln County, New Mexico. The

subject was transported to the Grant County Jail and lodged on the arrest warrant. He was issued a citation for violation of the posted speed. The vehicle was secured at the scene, and the vehicle keys were later released to a friend.

April 30: OSP stopped a blue 1991 Mercedes sedan near milepost 1 on Highway 395C for multiple traffic violations. On contact with the driver, Benjamin K. Yocum, 20, of Crooked River Ranch, OSP saw indicators of impairment. Yocum consented to field sobriety tests and displayed additional indicators of impairment. OSP arrested Yocum for driving under the influence of intoxicants. Another trooper found open containers of alcohol in the vehicle. Yocum's vehicle was released to a passenger. OSP transported Yocum to the Grant County Jail. He submitted to a breath test with a blood alcohol concentration result of 0.10%. OSP cited and released the driver for DUII-Alcohol. OSP also issued the driver citations for driving uninsured, open container and MIP-Alcohol.

Dispatch

John Day dispatch worked 66 calls during the week of April 27 to May 3, including:

- John Day Police

Department

April 29: Steven Warrington, 30, of John Day was cited for driving while suspended violations and no insurance.

April 29: Jeffrey Cook, 23, of John Day was cited for driving while suspended violations and no insurance.

April 29: Received a report of a grass fire on Adam Road.

May 1: Cited Devon P. Pace, 19, of Canyon City for driving while suspended and no insurance.

• Oregon State Police
May 1: Along with Oregon Department of Transportation, advised of a disabled vehicle blocking Highway 26.

May 2: Along with JDPD, GCSO, John Day ambulance and Mt. Vernon fire, responded to an accident on Highway 26 between Dayville and Mt. Vernon.

May 3: Advised of livestock on the Highway on Highway 26.

May 3: Advised of an injured animal on the roadway on Highway 395B.

• Grant County Sheriff's Office

April 29: Received a report of theft in Seneca.

May 1: Received a report of burglary on Jenkins Road.

May 2: Received a report of criminal mischief on Ingle Street.

• John Day ambulance

April 30: Along with Prairie City ambulance, responded to a woman with flu-like symptoms on South Johnson Avenue.

May 1: Responded for a 76-year-old woman with intestinal issues on South Johnson Avenue.

May 1: Responded to a 41-year-old woman who was intoxicated.

May 3: Responded for an 84-year-old man who had fallen on South Main Street.

May 3: Responded to a 74-year-old woman with chest pains on North Johnson Street.



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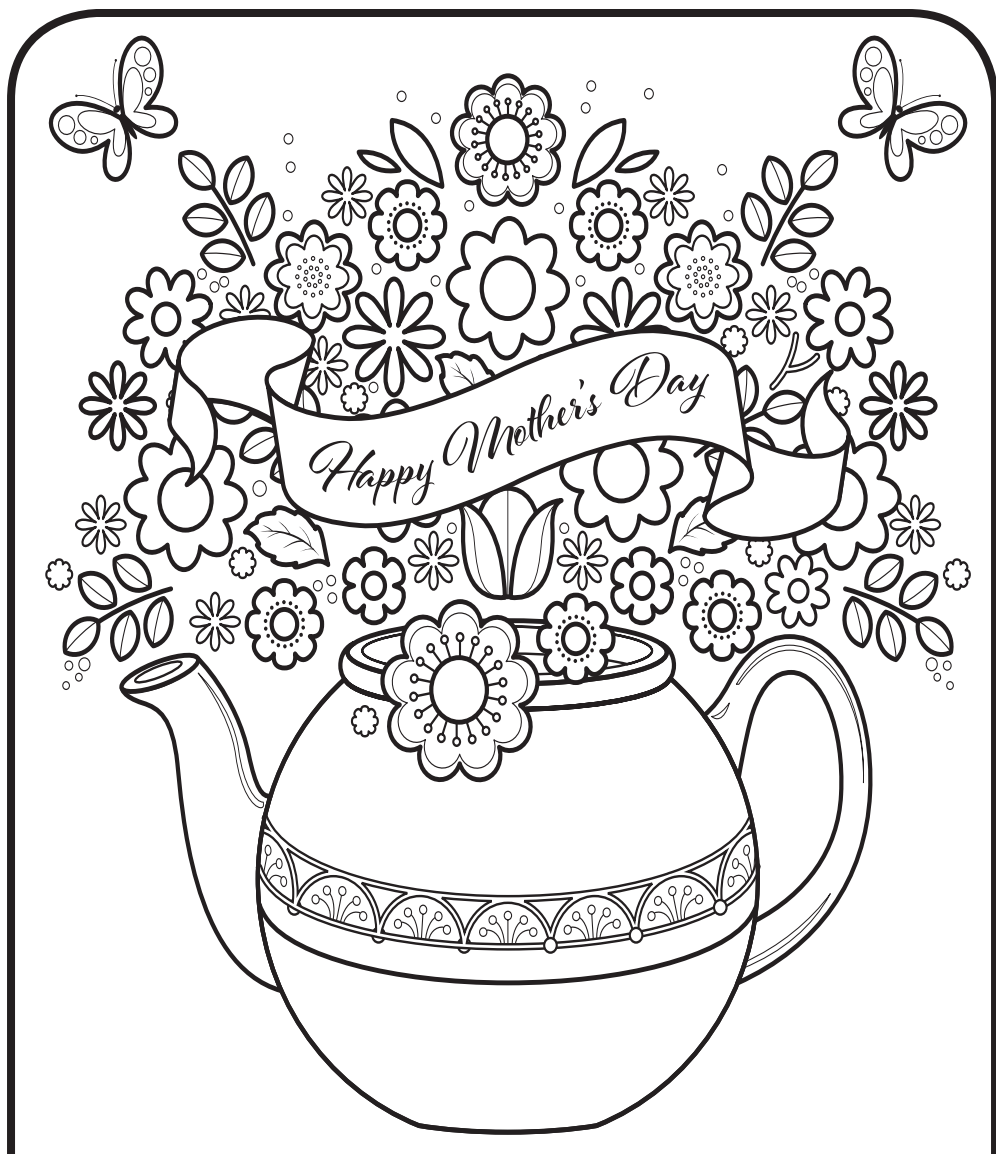
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