

Fired deputy's rape trial delayed

By **BENNETT HALL**
Blue Mountain Eagle

CANYON CITY — The trial of a former Grant County sheriff's deputy accused of attempted rape and two additional counts of domestic violence toward his wife in 2019 has been postponed for a third time.

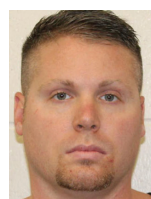
Initially scheduled to begin in October 2020 and rescheduled for April of this year before being continued yet again, the trial of Tyler Smith finally got underway briefly on Mon-

day, Oct. 25, in Grant County Circuit Court with jury selection.

On Tuesday morning, however, the proceedings were continued once more after the defense asked for more time to prepare, citing the large amount of material recently made available by the prosecution through the discovery process.

A new trial date has not yet been scheduled.

Smith was arrested in Sept. 2019 and indicted on charges of attempted first-degree rape, attempted first-



Tyler Smith

degree sexual abuse and fourth-degree assault constituting domestic violence. He has pleaded not guilty to those charges. Smith was placed on paid administrative leave for unspecified reasons by the Grant County Sheriff's Office on Aug. 9, 2019, and was fired on Dec. 17 of the same year. The county has declined to state the reason for his dismissal.

In a whistleblower lawsuit filed last December in federal court, Smith claims his firing and the criminal charges he is now facing are part of a plot to retaliate against him for reporting allegations that another former deputy, Abigail Mobley, had a series of sexually explicit phone conversations with a county jail inmate.

The lawsuit names Mobley, former Sheriff Glenn Palmer, Under-sheriff Zach Mobley, District Attorney Jim Carpenter and Grant County as defendants.

The county has disputed those allegations in court filings.

After reviewing the "sex talk" allegations against Mobley, the Oregon Department of Justice declined to file criminal charges against her.

Smith's rape case is being heard by Klamath County Circuit Court Judge Dan Bunch, and the Oregon Department of Justice is handling the prosecution.

Smith is represented by defense attorneys Andrew Coit and Andrea Coit of Eugene.

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 Circuit Court

Oct. 26: Leo Baker Buzzard III, 57, of John Day pleaded no contest to first-degree criminal trespass, strangulation and menacing, all misdemeanors. An additional charge of fourth-degree assault was dismissed. Buzzard was sentenced to 18 months of supervised probation, 20 hours of community service or work crew time and 15 days in jail, with credit for time served. He was also ordered to pay \$300 in compensatory fines to the victim in the case. As conditions of his probation, Buzzard must obtain an anger management assessment and mental health evaluation, complete any recommended treatment program and take medications as prescribed.

Oct. 27: Jeffrey Carl Cook, 25, of John Day pleaded guilty to one count of first-degree theft and two counts of third-degree criminal mischief. On the theft charge, he was sentenced to two years' probation, 40 hours of community service or work crew time and 10 days in jail, with credit for time served. On one criminal mischief count, he was sentenced to 18 months' probation and 10 days in jail, with credit for time served. On the other criminal mischief count, he was sentenced to 12 months' probation and 10 hours of community service or work crew time. All three sentences are to be served concurrently. In addition, Cook was ordered to pay \$300 in fines and \$2,795.71 in restitution. Additional charges of first-degree theft, second-degree burglary and unlawful entry into a motor vehicle were dismissed.

Grant County Sheriff

The Grant County Sheriff's Office reported the following for the week ending Oct. 27:

Concealed handgun licenses: 4
Average inmates: 11
Bookings: 3
Releases: 5
Arrests: 1
Citations: 0
Fingerprints: 0
Civil papers: 11
Warrants processed: 2
Asst./welfare check: 0
Search and rescue: 1

Justice Court

The Grant County Justice Court reported the following activity for the week ending Oct. 27:

Traffic citations filed: 9
Violations filed: 3
Misdemeanors filed: 3
Small claims/civil filings: 1
Hearings held: 4
Persons on probation: 39
Community service hours: 7
Warrants issued: 2
• Violation of basic rule: Wayne L. Faw, 66, Baker City, Sept. 7, 80/55 zone, fined \$225; Daniel Lee Graber, 46, Sedro Woolley, Washington, Sept. 16, 77/55 zone, fined \$225.
• Hunting a game mammal in a prohibited area: Glen Orlin Johnson, 69, Damascus, Oct. 5, fined \$115.
• Failure to wear a helmet (motorcycle): Miranda Joe Adams, 38, Park City, Montana, Sept. 23, fined \$115; Ellis Reid Adams, 45, Park City, Montana, Sept. 23, fined \$115.

Oregon State Police

Oct. 28: Shortly after 11 a.m., OSP received a report of a partially wasted bull elk carcass in the Murderers Creek unit. Investigation is ongoing to identify potential suspects.
Oct. 28: Around 10 p.m. a trooper stopped a Toyota Tacoma pickup just west of John Day on Highway 26 after observing several possible traffic violations. The driver reportedly admitted to having drunk three beers and consented to field sobriety tests. The driver was arrested and taken to the Grant County jail, where a breath test reportedly measured his blood alcohol level at 0.15%. Travis J. Majors, 39, of Mt. Vernon was cited for driving under the influence of intoxicants.

Dispatch

John Day dispatch worked 173 calls during the week ending Oct. 29, including:
• Oregon State Police
Oct. 23: Advised of an erratic driver on Highway 26 near milepost 158.
Oct. 25: Responded to a report of a hazard on Highway 395 South near milepost 11C.
Oct. 27: Responded to a driving complaint on Highway 26 near milepost 168.
Oct. 27: Advised of a disabled vehicle on Highway 26 near milepost 185.
Oct. 27: Responded to a non-injury accident involving

a vehicle and a cow on Highway 395 North near milepost 75.

Oct. 28: Responded to a road hazard on Highway 19 near milepost 109.

Grant County Sheriff's Office

Oct. 22: Responded to a report of suspicious circumstances on North Mchaley in Prairie City.
Oct. 22: Responded for a possible abandoned vehicle on Carpenter Pond Road.
Oct. 22: Responded to a trespassing report on Rudio Road.
Oct. Assisted a motorist on Highway 395B near milepost 74.
Oct. 23: Responded to Adams Drive and arrested Jonathon William Boyd, 45, of Canyon City on suspicion of fourth-degree assault and attempted strangulation.
Oct. 23: Performed a welfare check at Step Forward.
Oct. 23: Responded to Lone Elk Market for a report of theft of services.
Oct. Traffic stop at West Bench and Eastside Lane. Driver warned for failure to maintain lane.
Oct. 23: Traffic stop, highway 26 near milepost 164. Driver warned for speeding.
Oct. 23: responded for a harassment report on Fifth Avenue.
Oct. 23: Advised of a trespassing complaint on Trout Road.
Oct. 23: Warned a driver for defective lighting near the Snaffle Bit on South Canyon Boulevard, John Day.
Oct. 24: Removed a traffic hazard from South Canyon Boulevard.
Oct. 24: Advised of a trespassing issue at dDyville Community Church.
Oct. 24: Assisted member of the public with removal of a downed tree on Humbolt Street, Canyon City.
Oct. 25: Responded to suspicious circumstances report on Northwest Aslin Avenue.
Oct. 25: Responded to reports of shots fired near Fifth Avenue and Canton Street in John Day. The noise was caused by a vehicle backfiring.
Oct. 25: Responded to a report of suspicious circumstances on West Main Street in John Day.
Oct. 26: Responded to a trespass in progress on West Main Street in John Day.
Oct. 26: Responded to a report of stranded motorists on Lookout Mountain Road.
Oct. 27: Responded to a report of criminal mischief at

Grant Union High School.

Oct. 28: Responded to a report of an abandoned vehicle on Highway 26 near Kee-ney Fork Road.

Oct. 28: Responded to reports of a calf on the roadway on Highway 26 near milepost 173.

Oct. 28: Responded to a domestic violence report at Eve's Sweets.

Oct. 29: Christopher Boyer, 32, of John Day was arrested for probation violation at Chester's Market in John Day.

Oct. 29: A caller on East main Street reported her neighbor was feeding chicken bones to her dog.

Oct. 29: responded to the Sugar Shack for a welfare check.

Oct. 29: Advised of a restraining order violation on Industrial Park Road.

John Day ambulance

Oct. 22: Responded to Valley View Drive for a female with a dislocated knee.
Oct. 22: Responded to Lemons Trailer Park for as possible overdose.
Oct. 23: Responded to Valley View Drive for a female with a fever.
Oct. 24: Responded to Northwest Bridge Street for a medical call.
Oct. 24: Responded to Chester's Market for a medical call.
Oct. 24: Patient transfer at the airport.
Oct. 24: Responded to Northeast Seventh Avenue for a lift assist.
Oct. 25: Responded to Malheur Lumber for a medical call.
Oct. 25: Patient transfer at the airport.
Oct. 25: Patient transfer at the airport.
Oct. 26: Responded to Harper Creek Road for a medical call.
Oct. 26: Responded to Northwest Bridge Street for a medical call.
Oct. 27: Responded to Valley View Drive for a medical call.
Oct. 27: Patient transfer at the airport.
Oct. 28: Responded to Val-

ley View Drive for a female with face drooping, slurred speech and tingling in the legs.

Oct. 28: Dispatched to Highway 26 for a female with possible diabetic issue.

Oct. 29: Dispatched to La Costa Avenue for a lethargic man with a fever.

John Day Fire

Oct. 24: Responded to Southwest Brent Drive, with assistance from the Grant County Sheriff's Office, for a report of downed power lines.

Richard Hanners is a reporter for the Blue Mountain Eagle. He can be contacted at rick@bmeagle.com or 541-575-0710.

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