

PENLAND LAKE CASE

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 Morrow County cabin owners said had been moved and might contain fingerprints.

The cigarette butt, swab and pillowcase were sent to a lab in Pendleton for analysis. While the pillowcase stain was not blood, the swab from the window was; the swab and cigarette butt were then sent to a forensic lab in Clackamas, OR.

The results of the fingerprints on the bottle of wine turned out to be "inconclusive," with matches to the owners and friends, but none to the suspects later believed to be involved.

Meanwhile, deputies Siex and Carter helped process the scene, searching without success for fingerprints and additional forensic evidence. They also went to nearby campsites looking for witnesses but found no one who had seen anything on that dark October night.

Then the waiting began. While the families had several trail cams both inside and outside of the cabin, including some that captured images during the break-in, none of the footage was clear enough to bring in any suspects. A reward was offered but, although it brought information, none of it turned out to be what the police needed to crack open the case.

"We heard different things, rumors, from people who were telling us who they thought the thieves were; the word was out that we'd offered a reward," said Seitz. "The best part was that Morrow County Sheriff's Office kept us informed on the route their investigation was taking."

Morrow County District Attorney Justin Nelson said that was a frustrating time during the investigation; the sheriff's office contacted several individuals in the course of the investigation, but most of the leads were hearsay and turned out to be dead ends. The deputies also took images captured from the trail cams and showed them around, but no one reported recognizing the individuals.

And there was no word on the forensic evidence. While CSI Miami may turn evidence around overnight, it seems things take longer in the real world. In fact, it was nearly a year after the fact, in September of 2013, that Morrow County received the DNA results from the cigarette and blood swab.

"It takes a little bit of time," said Nelson, "and property crimes are low on the priority list (for the forensics lab)."

The blood from the window was a match to Gene Ray Ball, 27. Nelson said Ball had DNA in the system from a previous conviction. The cigarette was linked to Eric Torres, 28, who was by that time already serving an unrelated prison sentence on Umatilla County charges.

Morrow County Detective Karen Dike went to the prison to interview Torres and do a DNA confirmation. Torres, meanwhile, denied involvement. He claimed, for instance, that the cigarette was from a previous, legitimate visit, not from the night of the break-in.

Ball, however, had his back against the wall; his blood was inside the cabin



An MCSO deputy displays the broken window on which was found part of the crucial DNA evidence that solved the 2012 break-in at Penland Lake. -Photo courtesy of Morrow County District Attorney's office

with no good reason to be there.

In the end, both Ball and Torres were convicted for their roles in the Oct. 31, 2012 break-in. In October of 2013, Ball appeared before Justice Daniel Hill and pled no contest to one count of Burglary II and three counts of Theft I, both considered Class C felonies. Hill sentenced Ball to 25 months prison time on the burglary count, as well as 25 months prison time for each theft count; however, the sentences are to run concurrent—at the same time—and Ball will receive credit for time served, which means he'll be out in far less than the eight-plus years that appears on the surface of the conviction. Ball's

sentence will also include post-prison supervision and fines, fees and restitution totaling \$4,095.49.

Meanwhile, in November of 2013, Torres pled guilty to one count of Burglary II and one count of Theft I. Justice Christopher Brauer sentenced Torres to 20 months in prison on each count, though he also will receive credit for time served. His time on the Penland Lake counts will also run concurrent, though Brauer specified that they will run consecutive to his current prison time. Torres was also given one year post-prison supervision and required to pay restitution of \$1,374.

While Ball and Torres are in jail, Nelson said the case had other frustrations,

one of them being the infamous "honor among thieves." Investigators believe there were four suspects involved in the case, which means two are still at large, but Torres and Ball aren't talking.

"(A problem was) the unwillingness of the defendants to rat out the others, especially since Oregon has limitations to what you can sentence people to for property crime," said Nelson.

He said that a defendant is often not likely to turn in his fellows to get a reduced sentence if he knows the maximum sentence he can get is fairly low. However, Nelson added that he was unwilling to do much bargaining since both Torres and Ball are repeat offenders.

"These are not people I want to give probation to just to find out who else was involved," he said.

Morrow County residents may not think of local law enforcement as using high-tech investigation tools like DNA, but Nelson said it is the lack of suitable evidence, not the lack of savvy, that keep them from it.

"If they find it, they try to send it in. A lot of cases don't have DNA lying around," he said, pointing out that, for instance, if the cabin owners had smoked, it would have been more difficult to sort out the convicting cigarette butt.

"They use this cabin quite a bit. That made it easier to focus on time frames. It would have been more difficult if six months had passed," he added.

"The Seitzes, they

did everything they can," Nelson finished, pointing to the trail cams both inside and outside the house, as well as heavy locks. "That's what gets results, too."

The break-ins have spurred more security measures by local cabin owners. Tom Wolff, who sits on the Penland Corporation Board of Directors, says several property owners have installed video trail cams, and he recommends that all mountain property owners do the same. He also said the Morrow County Cabin Owners Association posts a \$500 cash award for information leading to the arrest and conviction of people committing burglary or vandalism against mountain properties, and anyone who becomes a member of the association can be included in that coverage.

Seitz said they have added additional security at their cabin since the incident, including heavier, tougher locks, but that doesn't ease their minds completely.

"Every time we go up there," he said, "the thought in your mind is, 'Has it been broken into?'"

At the same time, he said it made him feel better to know the MCSO is in his corner.

"I just can't say enough on Morrow County Sheriff's Office that, on something this far away, they followed up with the DNA testing and were so professional and so dogged and stayed the course, and in the end they made it happen," Seitz said. "We're lucky to have a small town sheriff's department with a big town feel to it."

June Yard of the Month announced

By Kay Proctor

Butch and Judie Laughlin's home at 265 E. Cannon has been recognized as Yard of the Month for June.

The mid-century modern-style house was built in 1953 by Herb and Betty Hamilton and is fronted by Shobe Creek. The Laughlins purchased it in 1969.

That year and again in 1971, the creek flooded. Water ran through the house and wiped out the yard both years. The determined couple just started over with folks helping out. The yard is now well established and well planned. A major update and overhaul was recently completed.

A walk through shows a wide range of plants, trees and shrubs. Judie's favorite is the herb garden she keeps next to the back deck and kitchen; there is a fenced vegetable garden, too. A

pond was transformed into a woodland setting.

Against the back fence, Butch built a wood lean-to as a spot for his barbecue. Decorated with rustics, collected with a door to nowhere, it is their favorite place to have coffee. A large maple that grew from a sucker provides ample shade. Bird feeders are close by.

Displayed throughout are rocks collected on their travels, pots of colorful annual flowers, and a birdhouse hand carved by son, Shane. There are enough elfish figures that a sign warns of a "Gnomes Crossing."

Years ago, the two bought an adjacent older home, tore it down, and took in some of that lot before selling it. Salvaged wide planked lumber from the house was used as fencing in the Laughlin's yard. Some of it is now being replaced by a cyclone fence.

Their soil is poor and has a tendency to "seal itself off," adding to maintenance. In many years of digging and soil moving, the only found objects have been broken pieces of porcelain. Underground sprinklers and drip lines keep everything

green and growing.

Judie's family moved to Heppner when she was a freshman in high school. After 30 years of working downtown at Heppner TV, she retired. The years spent raising three kids, Lottie, Tami, and Shane, were busy. Her hobbies of quilting and art reflect in their yard's settings, colors and designs.

Butch is a Heppner native and, except for five years when the couple lived near Hinton Creek, he has lived in the same neighborhood all his life. Retired from Morrow County Grain Growers after 30-plus years of



This hand-carved birdhouse made by the Laughlin's son, Shane, is one of the features of their remarkable yard. - Contributed photo

employment, his agriculture background still shows with a backyard weather station tracked on their home computer and with an older, kid-sized red tractor parked along a barked path.

When asked for gardening advice, Butch's response was to "...keep your wife happy." Judie mentioned that she just "...likes a pretty yard." Both recommended to "...not try to do it all in one spring..." as they did with the recent updating project, but followed that advice with a laugh.

Yard of the Month is co-sponsored by MCGG-Green Feed, the City of Heppner and the Heppner Volunteers.

Right: Butch and Judie Laughlin have been awarded Yard of the Month for June. - Contributed photo



Archery shoot planned at OHV park

North East Bow Hunters will hold a 3-D trail shoot plus traditional shoot July 12-13 at the Morrow County OHV Park.

Cost for one day is \$11 for a single person or \$25 for a family; cost for both

days is \$20 for a single and \$40 per family. All shooters are welcome.

Concessions will be available on site.

Camping spots are available but going fast; go to <http://www.morrowcountyparks.org/ohv-park/home> to reserve a spot.

Help is needed setting up and tearing down for the event. Please let event coordinators know if you are able to help.

Pre-register by calling Elizabeth at 541-377-0014. Questions, contact Toby Gangler at 541-314-3292 or Elizabeth Roberts at 541-377-0014.

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For more information, visit www.cdc.gov/Arthritis or call 1-800-CDC-INFO (800-232-4636).

Physical Activity. The Arthritis Pain Reliever

Kassandra and Nathan
 Invite you to celebrate with them as they tie the knot on
July 12, 2014 at 5:30pm
 in the sticks at Penland Lake

Reception to follow at the Morrow County Fairgrounds at 7pm

No local invitations sent out