

No charges for Morrow County deputy

By PHIL WRIGHT
STAFF WRITER

Morrow County District Attorney Justin Nelson said a grand jury found no criminal wrongdoing in deputy Aaron Haak's Sept. 22 shooting of an armed man.

The grand jury Monday afternoon watched police video footage from the shooting that took place along Interstate 84 near Boardman. The grand jury also heard testimony from the state police detective who investigated the case. After reviewing the evidence, Nelson said he asked the jury if it wanted his office to pursue charges against Haak.

"And their response was no," Nelson said.

Nelson said the shooting victim, Efrén Hurtado Jr., 26, of Boardman, is recovering at a Portland hospital, and was well enough to talk to police, in spite of taking a bullet to the head.

Haak, of Heppner, parked his police car behind an older Chevy Tahoe on the westbound side of Interstate 84 near the exit for Boardman in the early morning hours of Sept. 22. Nelson said other officers the day before noticed the vehicle, and Haak was going to make sure state police tagged it for towing.

As Haak approached, Nelson said Haak did not expect anyone to be inside. That's when Hurtado opened the rear passenger door, looked out and pointed a gun at the deputy.

Haak quickly fired two rounds, Nelson said. One missed and the other struck

Hurtado in the side of the head, dropping him. The bullet, however, did not penetrate the man's skull.

Haak rushed back to his car for cover, Nelson said, called dispatch and waited until other police arrived minutes later.

Police approached the SUV, he said, and found Hurtado unconscious with a revolver next to his hand.

Nelson confirmed that the investigation followed the Morrow County Sheriff's Office protocol for police shootings. That includes waiting at least 48 hours before questioning the officer in-depth and allowing the deputy to have an attorney present. Nelson said he knows the delay is controversial among some law enforcement reformers and the practice has come under fire in Portland.

Morrow County Sheriff Ken Matlack defended the protocol, explaining an officer's "excited utterances" at the scene are not always helpful to figure out what happened.

Matlack said the best practice in the immediate wake of a traumatic event is to ask an officer questions "for basic clarity," such as: Are people injured? Should police look for a suspect? Pushing an officer to give details in the moments after a shooting can cloud recollections because, he said, "they're full of adrenalin and full of all the emotions."

The waiting period allows an officer to "decompress," he said, and provide better information during later questioning.

Matlack also said be-

cause the shooting involved one of his deputies, he wanted an outside agency to handle the investigation to avoid conflicts of interests.

"I can use anybody I want and feel is appropriate to investigate this," he said.

Oregon State Police made the most sense, he explained, because the agency is a member of the major crime team for Morrow and Umatilla counties, so those officers responded to the shooting. While state police took the lead, Matlack said the detective still had to adhere to the sheriff's office plan for investigating the shooting.

Nelson said his office has not decided about charging Hurtado, who told police he knew when Haak approaching the vehicle that he was a police officer, but otherwise gave guarded answers. Circuit court records show Hurtado pleaded guilty to methamphetamine possession in December 2015 in Morrow County and November 2016 in Umatilla County and is serving five years probation, which includes a provision not to possess weapons, firearms or dangerous animals.

Matlack said Haak has been on leave during the investigation, per the officer-involved shooting plan, which is in the process of review.

The plan does not provide a timeframe for when an officer should return to work after a shooting, Matlack said, while most agencies specify a period of 48 or 72 hours.

COURT REPORT

SENTENCES

The following sentences have been imposed in Umatilla County courts:

MISDEMEANOR

- Jesse Allen Salisbury, 30, Irrigon, pleaded guilty to Theft II: sentenced to 180 days jail-suspended, 2 years probation, 40 hours community service, \$100 fine and \$900 fine-suspended, plus court costs and fees.
- Wendy Lynn Long, 47, Umatilla, pleaded guilty to Criminal Trespass II: sentenced to 30 days jail and \$100 fine.
- Kenneth Harold Cox III, 24, Hermiston, pleaded guilty to DUII: sentenced to 30 days jail, 150 days jail-suspended, 2 years probation, 80 hours community service, \$1,255 fine, \$2,000 fine-suspended and 1 year driver's license suspension, plus court costs and fees.
- Roni Lee Castillo, 23, Hermiston, pleaded guilty to Failure to Appear II: sentenced to 180 days jail-suspended, 2 years probation, 40 hours community service, \$100 fine and \$900 fine-suspended, plus court costs and fees.

SUITS FILED

The following suits have been filed in Umatilla County courts (interest, court costs and fees not listed):

- Credits Inc. vs. Denise McNaughton of Hermiston: seeks \$18,092.42.
- Credits Inc. vs. Tiffany C. Schiefelbein of Irrigon: seeks \$1,201.50.
- Credits Inc. vs. Eric Carlson of Hermiston: seeks \$1,822.84.
- Credits Inc. vs. Isidora and Horacio Villarreal of Umatilla: seeks \$880.51.
- Jefferson Capital Systems LLC vs. Wonetta I. Litzinger: seeks \$851.68.
- Credits Inc. vs. Dawn and Abel Viesca of Umatilla: seeks \$1,554.30.
- Credits Inc. vs. Karmen M. Hauner of Hermiston: seeks \$980.68.
- Credits Inc. vs. Mary Hegar of Boardman: seeks \$6,996.22.
- Credits Inc. vs. Leticia Madrigal of Umatilla: seeks \$645.16.
- Credits Inc. vs. Jessica and Jordan Esparza of Irrigon: seeks \$2,058.05.
- Credits Inc. vs. Brandon Jacobs of Irrigon: seeks \$1,711.85.
- Credits Inc. vs. Maria C. and Eric Garcia of Umatilla: seeks \$465.45.
- Credits Inc. vs. Gary L. Klingler Jr. and Janet R. Klingler of Boardman: seeks \$3,761.58.

- Credits Inc. vs. Jake and Carol Fagan of Echo: seeks \$1,144.48.
- Credits Inc. vs. Brittne Williams of Hermiston: seeks \$4,658.65.
- Credits Inc. vs. Sharmalee Fraser (Olney) and Naythan A. Olney of Hermiston: seeks \$2,264.89.
- Credits Inc. vs. John G. and Karan Piening of Hermiston: seeks \$2,759.34.
- Ray Klein Inc. dba Professional Credit Service vs. Rodney L. and Teresa Harris of Hermiston: seeks \$645.08.
- Midland Funding LLC vs. Serena Lopez: seeks \$2,923.22.
- Midland Funding LLC vs. Tara Hart: seeks \$802.19.
- Midland Funding LLC vs. Melissa Johnson: seeks \$769.41.
- Midland Funding LLC vs. Steven Steffen: seeks \$778.66.
- Midland Funding LLC vs. Timothy Coggins: seeks \$813.27.
- Midland Funding LLC vs. Carmen Arellano (Arellano Campos): seeks \$2,655.52.
- Midland Funding LLC vs. Lindsey Evans: seeks \$750.37.
- Sterling Jewelers inc. dba Kay Jewelers vs. Faith Johnson: seeks \$1,522.31.
- Sterling Jewelers inc. dba Kay Jewelers vs. Faith and Brian Johnson: seeks \$6,123.18.
- Troy Capital LLC vs. Steven Schoen: seeks \$6,384.25.
- Nora L. and James F. Kramer vs. Leobardo Jacquez III: seeks \$523,082.61.
- Christopher Lee Barnes of Umatilla vs. Larry Lytle and Elizabeth Fairley: seeks \$1.150 million.
- Bank of America N.A. vs. Cynthia R. McEver of Hermiston: seeks \$4,990.83.
- Synchrony Bank vs. Priscilla Ortega of Hermiston: seeks \$811.93.
- Vencen Emerald Page of Umatilla vs. Oregon Dept. of Corrections: seeks \$3,700.
- BJ Truck Parts LLC and Linda Eidson of Hermiston vs. Reser Mechanics and James Reser of Hermiston: seeks \$6,315.78.
- Rosa Duarte De Dios of Kennewick, Wash. vs. Martha Echeveria of Hermiston: seeks \$1,000.
- Ray Klein Inc. dba Professional Credit Service vs. Vicki J. Taylor of Stanfield: seeks \$636.42.

- Jefferson Capital Systems LLC vs. Whitney S. Ellison of Hermiston: judgment for \$963.33.
- LVNV Funding LLC vs. Sherrie Koenig of Hermiston: judgment for \$1,495.66.
- Progressive Universal Insurance Company vs. Luis Perez Avila of Hermiston: judgment for \$3,276.34.
- Credits Inc. vs. Antonio Garcia Cardenas of Hermiston: judgment for \$662.10.
- Credits Inc. vs. Kelly J. Marshall of Hermiston: judgment for \$2,925.08.
- Bonneville Billing & Collections Inc. vs. Annette L. Kruckenberg of Hermiston: judgment for \$884.50.
- Merchants Acceptance Corp. vs. Mayra Alvarez of Hermiston: judgment for \$38,581.16.
- LVNV Funding LLC vs. G. Moreno Espinoza of Umatilla: judgment for \$544.21.
- Credits Inc. vs. Joann M. Curtis and Billy Curtis Sr. of Hermiston: judgment for \$3,832.39.
- Credits Inc. vs. Jessica L. Taylor (Masterson) of Heppner: judgment for \$2,272.87.
- Credits Inc. vs. Joseph Gehring of Hermiston: judgment for \$2,851.79.
- Bonneville Billing & Collections Inc. vs. Annette L. Kruckenberg of Hermiston: judgment for \$884.50.
- Credits Inc. vs. Elsa G. Bedolla of Hermiston: judgment for \$2,914.64.

DIVORCES

Divorce decrees were signed in Umatilla County Courts for:

Jason Wesley Blankenship and Melissa Marie Blankenship of Stanfield.

MARRIAGES

Marriage licenses have been registered in Umatilla County for:

Jacob Kyle Burns, 31, and Lindsey Rae Gibbs, 34, both of Hermiston.

Jesus Daniel Fuentes Cardenas, 37, and Hilda Leon Ortiz, 45, both of Boardman.

Matthew James Gunter, 22, and Leslie Sofia Gutierrez, 20, both of Hermiston.

Logan Allen Phillips, 32, and Kristy Elizabeth Hill, 36, both of Umatilla.

Andrew Paul Spears, 34, and Elsy Beatriz Velasquez, 31, both of Hermiston.

Kyle Robert Wilson, 21, and Ayla Monique Osborn, 23, both of Stanfield.

Lauro Ybarra, 52, and Blanca Ortiz Martinez, 49, both of Irrigon.

PUBLIC SAFETY LOG

TUESDAY, SEPT. 26

1:37 p.m. — A man came to the Hermiston Police station to report that his father threatened to beat him up and kill him, at West Tamarack Avenue, Hermiston.

3:29 p.m. — A missing person was reported at West Sunland Avenue, Hermiston.

7:49 p.m. — A runaway was reported at Northwest Seventh Street, Hermiston.

9:59 p.m. — A caller reported her passenger side window was broken out, at West Theater Lane, Hermiston.

11:42 p.m. — A caller reported juveniles throwing bell peppers at cars on East Jennie Avenue, but officers couldn't locate the incidents.

WEDNESDAY, SEPT. 27

6:46 p.m. — A drunk driver was reported at Harrison Park on West Madrona Avenue and Northwest 13th

Street, Hermiston. A white female and male were drinking in the parking lot and yelling at people.

FRIDAY, SEPT. 29

12:03 p.m. — A missing person was reported at North First Street, Hermiston.

5:54 p.m. — A male was laying down at the entry between Walmart and McDonalds, in the middle of the road, on North First Street, Hermiston.

SATURDAY, SEPT. 30

2:03 p.m. — Two men were reported fighting at East Diagonal Boulevard, Hermiston.

3:35 p.m. — Three juveniles were reported climbing on top of the train at Hodge Park.

9:52 p.m. — A suicidal subject was reported at West Division Avenue, Hermiston.

11:46 p.m. — A man and a woman were fighting, and the man was chasing the woman on foot outside the trailer across the street.

SUNDAY, OCT. 1

1:49 a.m. — A prowler was reported at Southwest 11th Street, Hermiston.

5:04 a.m. — A woman reported a burglary at West Ridgeway Avenue, and said there was a man in her house.

4:33 p.m. — A car hit and killed a dog at West Hermiston Avenue, and then left.

6:22 p.m. — A drunk driver was reported at East Autumn Avenue, Hermiston.

MONDAY, OCT. 2

6:12 p.m. — A man was crouched down behind an air conditioning unit on West Orchard Avenue, and appeared to be hiding from someone.

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The family of Kenny Nichols


would like to take a moment to extend a heartfelt **THANK YOU** to everyone who joined us to celebrate the life of our Kenny. Your Love, Laughter, Tears and Stories will continue to hold us up as we work to find our new normal.

To those Family and Friends who went above and beyond to make our tearful goodbye bearable - we can't thank you enough. There are no words to express our Gratitude.

We would like to leave all of you with Kenny's wish in life....

Love Each Other, Live a Good Life Filled with Laughter, Pranks, Hugs and Good Deeds. Find that Stranger and make them a friend....SEE THE GOOD IN ALL!!

Garrett, Kylie and Madison Nichols
Shannon Nichols
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Russ and Sue Nichols
Jason and Tandy Cleaver & Family
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