

Woman charged with DUI had previous record

By JESSICA POLLARD
STAFF WRITER

Michelle Dawn Fry's 2009 Toyota Camry became a dangerous weapon in the eyes of the state Friday night.

Oregon State Police arrested 45-year-old Fry, of Hermiston, on multiple charges including third-degree assault and second and first-degree manslaughter in the wake of a crash that left Alicia Salas, 75, of Hermiston dead and her husband, Elidio Salas de la Paz, 77, injured.

At the time of the crash, Fry allegedly failed to stop at a red light along Highway 396 and East Punkin Center Road while headed northbound at about 10 p.m., colliding with Salas de la Paz who, headed southbound, was preparing to make a left turn.

Alicia Salas, who was a passenger in the vehicle, was declared dead at Good Shepherd Medical Center.

In addition to assault, manslaughter and hit and run charges, Fry was also charged with a DUI. Court documents say she was under the influence of alcohol while driving that night.

It wasn't the first time. In 2005, Fry pleaded guilty to DUI in Washington County. An inactive, related court case states her license was suspended at the time of that incident.

Then last December, Oregon State Police stopped Fry near Highway 395 for displaying fog lights while approaching traffic. When the officer asked for her driver's license, she said she didn't have one, and received



Contributed photo from Oregon State Police
A fatal two vehicle crash occurred on Highway 395 near East Punkin Center Friday night.

a citation.

When Hermiston local Tony Loveday heard about Friday's fatal crash, he sent a thank you note the very officer who initially arrested him for his own DUI back in 2012. Unbelievably, he said, the two are on friendly terms. It's not a relationship that Loveday thought he'd ever entertain.

His experience with driving while intoxicated began at 14 in Idaho, when people would carry him out to the driver's seat after a bout of drinking. Loveday didn't think then that the alcohol would disrupt his focus, and neither did his friends.

"I had a holier-than-thou feeling that I could handle anything," Loveday said.

Later in life, among the strenuous demands of an \$80,000 a year job with UPS Loveday would develop that same attitude in regards to stimulants and narcotics. Caffeine was no longer a match for the long nights

driving to and from Hermiston and Portland, three trailers in tow.

Being intoxicated on the clock led to damaged equipment, and even a flooded residence in Portland after in 2012. Loveday struck a fire-hydrant while driving for UPS.

"I was disregarding all the signs," Loveday remembered. "I guess I almost hit a few people. I was questioned by the company."

In 2012, police pulled Loveday over for swerving in the road near Hood River, but let him go with a warning. He said that exactly a month later, he failed sobriety tests when Oregon State Police pulled him over at a rest stop in The Dalles. He was on the clock.

Loveday said he was surprised that following the arrest he was handed back his driver's license. But it would seem he lost almost everything else.

Loveday was no longer employed by UPS. His late

wife eventually got her own apartment. He started relying on food donations from Agape House and money borrowed from family. But he made it through hours of community service, counseling and treatment classes stipulated by the court following his DUI.

Today, he's in the highest rank of his department at a new trucking job.

It's been years since the DUI, and even longer since he's taken out a fire hydrant or guardrail while driving.

"I really think that we need to look out for people that have issues and problems like that. We need to not be scared to get in their face, do whatever it takes to keep an eye on each other," Loveday said.

In 2014, a report released by the National Highway Traffic Safety Administration showed that 21% of people arrested for driving while impaired in Oregon between 2007 and 2009 had been arrested for the same offense in the past.

Hermiston Police Chief Jason Edmiston said he can't speak to how frequently people who get DUIs in Hermiston end up getting them again, but he knows that recidivism exists in the area.

The number and rate of alcohol-impaired drivers involved in fatal crashes has decreased since 2002 according to the 2014 National Highway Traffic Safety Administration report. But the percentage of fatalities caused by drunk driving remained the same.

Fewer arrests were made in 2010 for driving while intoxicated, but there were

likely still 112 million alcohol-impaired driving episodes that year. The U.S. Department of Transportation attributed the decrease in arrests to burdened law enforcement agencies that can only keep so many eyes on the road at a time.

Edmiston corroborated that suggestion.

The Hermiston Police Department made 101 DUI arrests in 2016, according to department data. This year, police have made 50 such arrests. But calls for service have increased by almost 1,500 within those three years.

"We're getting to a potential saturation point," Edmiston said.

He said the department plans to propose the addition of another traffic officer to crack down on intoxicated driving.

If the police have reasonable grounds to believe someone driving is intoxicated, that person can be taken into custody for a breath test on the intoxilyzer in Hermiston, which is used by multiple agencies. Because Oregon is an implied consent state, refusal

to take a test can result in license suspension.

After that, according to Edmiston, the police will attempt to locate someone that can safely take the intoxicated driver home. This doesn't always happen, he said, and sometimes the person will leave with their car keys in hand.

"Those are the types of people that just don't get it and they need to sit in jail," Edmiston said.

But the department can't always make that happen either, he said, with the jail being half an hour away.

For first-time offenders, fines for DUI can range from \$1,000 to \$10,000 and suspensions can last for a year. Being convicted of a DUI also means probation, drug or alcohol treatment, attendance of a victim impact panel and jail time as well.

According to Oregon law, someone with a blood alcohol level of 0.08% is liable to be charged with a DUI. But someone who exhibits significantly impaired driving, regardless of their blood alcohol level, could get a DUI.

EOTEC neighbors petition county to vacate part of Airport Road

By JADE MCDOWELL
NEWS EDITOR

Residents of East Airport Road are petitioning Umatilla County to vacate a portion of the road's right-of-way.

The county is planning a \$1.2 million rebuild of the road leading to the Eastern Oregon Trade and Event Center, adding an extra lane and other improvements that would better handle traffic during the Umatilla County Fair and other high-volume events.

The plan would impact 13 feet of county-owned right-of-way along the south side of the road that neighbors had previously believed was part of their property, based on a decades-old "witness corner" that was recently discovered to be off from true property lines. County commissioners and staff have met with the neighbors to offer remedies, such as granting conditional use licenses, but the petition's signers are asking that the county give them the land outright.

"I think we came up with a good solution, within the confines of the law, something the county can do," said Chris Waine, who emailed a copy of the completed application to the county Wednesday afternoon.

Waine, the president of



HH file photo

The proposal from Umatilla County is to widen Airport Road to 66 feet to accommodate increased traffic flows. The project could call for the relocation of utility poles and the removal of trees from property along the road.

the Hermiston Airport Road Neighborhood Association, is one of those affected. If the county builds the road's shoulders and swales as wide as planned, he said, he would likely have to move his septic system. Umatilla Electric Cooperative would have to move relatively new power poles and other neighbors could lose trees.

He said the county is following the Oregon Department of Transportation's standards for widths on features, such as the road's shoulders, but state statute allows counties to set their own standards instead. He hopes the county will consider adopting its own standards for road construction in order to create a narrower

project that doesn't need the additional 13 feet.

The area around East Airport Road is a patchwork of property within Hermiston city limits and unincorporated parts of Umatilla County. The application only asks for a vacation of the portions of the right-of-way that about county properties, which Waine said makes the request a bit "chopped up" but allowed him to get the needed signatures.

"We're essentially this island of county within the urban growth boundary," he said.

According to state statute, at least 60% of property owners along the proposed vacation would need to sign the petition ask-

ing the county to vacate the road. Waine said the county originally said he didn't have enough signatures, but he successfully argued that each individual person on the property deeds should be counted as a property owner. He was able to collect signatures from 22 of the 27 affected property owners.

County counsel Doug Olsen said the request would be forwarded to the Board of Commissioners, which will decide what action, if any, to take.

Waine said he appreciated that Olsen, along with Matt Kenny from the surveyor's office, have been helpful and fair to him during the process despite ongoing clashes he has had with the county and city of Hermiston regarding EOTEC. The county even waived the \$500 application fee.

"That was a gesture of good faith, so we appreciate that," he said.

He said if the county declines the request to vacate the right-of-way, he plans to pursue an appeal.

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PET OF THE WEEK

Buddy is looking for his forever home. He is approximately 13 years old and has really blossomed. He loves cuddling and rolling in his blanket. He's a silly old man that LOVES attention. He does get jealous of other dogs when they get attention, however, he barely attempts to bite them at all, it's actually pretty funny. He does have a weak back and his rear legs give out sometimes.

MEET BUDDY

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