

Albert Lloyd Rowland, age 53, was killed by a foreign national illegally present in Oregon on May 13, 2013.

## Oregon Department of Corrections

### Oregon Offender Search

Public Information (Last Updated: 06/12/2012 20:18:25)



SID#  
18467984

Offender Name: LUGOS-PONCE, ALVARO

Age: 25 DOB: 12/1986

Gender: Male Race: Hispanic

Height: 5' 06" Hair: Black

Weight: 130 lbs Eyes: Brown

Caseload: 11005 Bennett, William

Location: [SNAKE RIVER CORRECTIONAL INSTITUTION](#)

Status: Inmate

Institution Admission Date 09/01/2010

Earliest Release Date: 08/13/2017

Docket Number	County	Crime	Sentence Type	Begin Date	Termination Date
100531909/01	MULT	MANSLAUGHTER II	Inmate Sentence	09/01/2010	-
100531909/02	MULT	ASSAULT III	Inmate Sentence	09/01/2010	-

## Driver who rolled truck on I-405 -- killing homeless man -- gets 7 1/2 years; victim remembered

Published: Tuesday, August 31, 2010, 10:33 PM  
Updated: Wednesday, September 01, 2010, 8:00 AM

[Michael Russell, The Oregonian](#)

A drunken driver who flipped a pickup on Interstate 405 and killed a homeless man sleeping under the Burnside Street overpass was sentenced Tuesday to 7 1/2 years in prison.

**Alvaro Lugos-Ponce**, 23, had a blood alcohol level of .18 percent, more than twice the legal limit, when the truck rolled over Albert Lloyd Rowland, 53, about 11 p.m. May 13. Rowland died at the scene.

Members of the [Downtown Chapel Roman Catholic Parish](#), which Rowland attended, plan to honor him Thursday with stories, art and music.

Kelly DiCristina said she met Rowland last year during one of her first days working at the chapel. She said he would often grab a cup of coffee, sit down and talk with her.

"His presense was really, really meaningful to me," DiCristina said. "When I would go home and talk to my husband, it was stories about Al that I would tell."

Rowland, who suffered from mental illness, would bring his acoustic guitar to the chapel's First Thursday art events and often do a pitch-perfect cover of Neil Young's "Heart of Gold," DiCristina said.

"He had guitar skills like you wouldn't believe, and his voice was absolutely amazing," DiCristina said.

Then, one day, Rowland stopped showing up.

DiCristina thought that Rowland was [the homeless man who died near I-405 that she had read about in the newspaper](#), but she wasn't sure. She went to stores that Rowland had frequented, including the [Everyday Music](#), 1313 W. Burnside St., and showed clerks a photo of Rowland. No one had seen him.

Only this week did DiCristina learn for sure that the man with the encyclopedic music knowledge who often wore too much cologne was the same man who died under the overpass that night.

Lt. Kelli Sheffer, a Portland Police Bureau spokeswoman, said she thinks the bureau initially withheld Rowland's name because of some delay in notifying Rowland's family. But the Multnomah County Medical Examiner's Office reported they notified Rowland's sister on May 14, the day after the crash.

Months after his death, DiCristina and other members of the church want to honor Rowland from 5 to 7:30 p.m. this Thursday at an art event at the chapel, 601 W. Burnside St.

Authorities said **Lugos-Ponce** had been drinking beer at a friend's home May 13 before he got in his truck and sped onto I-405. He was going nearly 100 mph when the truck flipped.

One of **Lugos-Ponce's** three passengers, a woman who was seven months pregnant, was ejected from the pickup. Sandy Yamilet Navarrette, who has since given birth, told the court she didn't want him sent to prison. All the passengers appear to have recovered.

Rowland's niece was present for Lugos-Ponce's sentencing in Multnomah County Circuit Court, but she did not speak.

**Lugos-Ponce** declined to make a statement Tuesday. He had **pleaded guilty to drunken driving, second-degree manslaughter and third-degree assault**.

Immigration officials have flagged his case for a hearing once he gets out of prison.



[View full size](#) Courtesy of the Downtown Chapel

Before he died, Albert "Al" Rowland would play his acoustic guitar outside first Thursday events at the Downtown Chapel Roman Catholic Church. He did a mean cover of Neil Young's "Heart of Gold," church worker Kelly DiCristina said.

## REMEMBERING ALBERT "AL" ROWLAND

Those who knew Rowland are invited to a First Thursday art exhibit from 5 to 7:30 p.m. Thursday at the Downtown Chapel Roman Catholic Parish, 601 W. Burnside St.



Alvaro Lugos-Ponce  
Courtesy of Multnomah County

-- [Aimee Green](mailto:aimeegreen@news.oregonian.com) [aimeegreen@news.oregonian.com](mailto:aimeegreen@news.oregonian.com)

-- [Michael Russell](mailto:michaelrussell@news.oregonian.com) [michaelrussell@news.oregonian.com](mailto:michaelrussell@news.oregonian.com)

[http://www.oregonlive.com/portland/index.ssf/2010/08/driver\\_who\\_rolled\\_truck\\_on\\_i-4.html](http://www.oregonlive.com/portland/index.ssf/2010/08/driver_who_rolled_truck_on_i-4.html)

September 1, 2010

# Multnomah County Sheriff's Office

## Public Access to Inmate Data

1.

### Booking Information

[← Back to Search Results](#)

<b>SWIS ID:</b>	746707
<b>Name:</b>	<b>Lugosponce, Alvaro</b>
<b>Age:</b>	25
<b>Gender:</b>	Male
<b>Race:</b>	Hispanic
<b>Height:</b>	5 ft 8 in
<b>Weight:</b>	140 lbs



**Hair:** Black [View](#)  
**Eyes:** Brown  
**Arresting Agency:** Portland Police,  
 Other  
**Arrest Date:** 5/14/2010 12:39 AM  
**Booking Date:** 5/14/2010 4:19 PM  
**Current Status:** Released  
**Assigned Facility:** PERM  
**Projected Release Date:** Unknown  
**Release Date:** 9/1/2010  
 Coffee Creek  
**Release Reason:** Correctional  
 Institution

**Court Case No.** 100531909X    **DA Case No.** 2194187X    **Citation No.** None

Charge	Bail	Status
MANSLAUGHTER II (B Felony)	\$0	Disposed
ASSAULT II (B Felony)	\$0	Disposed
ASSAULT IV (A Misdemeanor)	\$0	Disposed
ASSAULT IV (A Misdemeanor)	\$0	Disposed
DUII (A Misdemeanor)	\$0	Disposed
RECKLESS DRIVING (A Misdemeanor)	\$0	Disposed
MANSLAUGHTER I (A Felony)	\$0	Disposed
ASSAULT III (C Felony)	\$0	Disposed
ASSAULT III (C Felony)	\$0	Disposed

**Court Case No.** None    **DA Case No.** None    **Citation No.** None

Charge	Bail	Status
<b>USI HOLD (U)</b>	\$0	Unsentenced

**Court Case No.** 100531909    **DA Case No.** 2194187    **Citation No.** None

Charge	Bail	Status
RECKLESS DRIVING (A Misdemeanor)	\$0	Disposed
DUII - MISD (A Misdemeanor)	\$0	Sentenced
ASSAULT III (C Felony)	\$0	Disposed
ASSAULT III (C Felony)	\$0	Disposed
ASSAULT II (B Felony)	\$0	State Prison Sentence
MANSLAUGHTER II (B Felony)	\$0	State Prison Sentence

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<http://www.mcso.us/PAID/Default.aspx>

<http://www.mcso.us/public/>

August 31, 2010

# Multnomah County Sheriff's Office

## Public Access to Inmate Data

1.

### Booking Information

[← Back to Search Results](#)

**SWIS ID:** 746707 [18467984]  
**Name:** **Lugosponce, Alvaro**  
**Age:** 23  
**Gender:** Male  
**Race:** Hispanic  
**Height:** 5 ft 8 in  
**Weight:** 140 lbs  
**Hair:** Black  
**Eyes:** Brown  
**Arresting Agency:** Portland Police, Other  
**Arrest Date:** 5/14/2010 12:39 AM  
**Booking Date:** 5/14/2010 4:19 PM  
**Current Status:** Released



[View](#)

**Assigned Facility:** PERM

**Projected Release Date:** Unknown  
**Release Date:** 9/1/2010  
**Release Reason:** Coffee Creek Correctional Institution

**Court Case No.** 100531909X      **DA Case No.** 2194187X      **Citation No.** None

Charge	Bail	Status
ASSAULT II (B Felony)	\$0	Disposed
ASSAULT III (C Felony)	\$0	Disposed
ASSAULT III (C Felony)	\$0	Disposed
ASSAULT IV (A Misdemeanor)	\$0	Disposed
ASSAULT IV (A Misdemeanor)	\$0	Disposed
DUII (A Misdemeanor)	\$0	Disposed
MANSLAUGHTER I (A Felony)	\$0	Disposed
MANSLAUGHTER II (B Felony)	\$0	Disposed
RECKLESS DRIVING (A Misdemeanor)	\$0	Disposed

**Court Case No.** None      **DA Case No.** None      **Citation No.** None

Charge	Bail	Status
<b>USI HOLD (U )</b>	\$0	Unsentenced

**Court Case No.** 100531909      **DA Case No.** 2194187      **Citation No.** None

Charge	Bail	Status
<b>ASSAULT II (B Felony)</b>	\$0	<b>State Prison Sentence</b>
ASSAULT III (C Felony)	\$0	Disposed
ASSAULT III (C Felony)	\$0	Disposed
<b>MANSLAUGHTER II (B Felony)</b>	\$0	<b>State Prison Sentence</b>
MISD DUUI (A Misdemeanor)	\$0	Sentenced
RECKLESS DRIVING (A Misdemeanor)	\$0	Disposed

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<http://www.mcso.us/public/>

Carma Colleen Smith, age 52, was killed by a foreign national illegally present in Oregon on May 11, 2008.

## Oregon Department of Corrections

### Oregon Offender Search

Public Information (Last Updated: 06/12/2012 20:18:25)

Offender Name: ZURITA-LOEZA, LEONEL



Age: 30 DOB: 09/1981

Location: [TWO RIVERS CORRECTIONAL INSTITUTION](#)

Gender: Male Race: Hispanic

Status: Inmate

Height: 5' 08" Hair: Black

Institution Admission Date 08/14/2008

SID# 17045856

Weight: 165 lbs Eyes: Brown

Earliest Release Date: 03/01/2023

Caseload: 14006 Ruffcorn , Phillip

Docket Number	County	Crime	Sentence Type	Begin Date	Termination Date
CR080239/01	YAMH	MANSLAUGHTER I	Inmate Sentence	08/14/2008	-
CR080239/04	YAMH	ASSAULT III	Inmate Sentence	08/14/2008	-
CR080239/05	YAMH	ASSAULT III	Inmate Sentence	08/14/2008	-
CR080239/06	YAMH	ASSAULT III	Inmate Sentence	08/14/2008	-
CR080239/07	YAMH	ASSAULT III	Inmate Sentence	08/14/2008	-

## Letters to the Editor - August 16, 2008

Published: August 16, 2008  
Dangerous policy

**Leonel Zurita-Loeza** has been sentenced in Yamhill County. But Dayton resident Carma Colleen Smith, 52, mother of seven and grandmother of four, is gone. It turns out the accident could have been avoided.

Zurita-Loeza admitted having engaged in a bout of drinking the morning of the fatal crash. His borrowed Ford Taurus became airborne and crashed into an oncoming vehicle. When he was admitted to Legacy Emanuel Hospital in Portland afterward, his blood alcohol content tested at .207, more than twice the .08 marking the presumptive level of intoxication in Oregon.

Zurita-Loeza was arrested last year for DUII and placed in a diversion program for a DUII in Washington County. At that time, did anyone ask whether Zurita-Loeza was a legal immigrant in the U.S.? I assume, because this is Oregon, the question was not asked and Zurita-Loeza was not given over to **Immigration and Customs enforcement**. Deported, he would not have been free to drive drunkenly and take the life of a Dayton woman

It is unforgivable that the authorities, who are elected and appointed to protect us, choose to ignore the law and allow **illegal lawbreakers** to go free.

This sanctuary policy is stupid, dangerous and wrong. It should be changed in every jurisdiction in Oregon immediately.

Michael Hartfield  
Dundee

[http://web.newsregister.com/news/results.cfm?story\\_no=239183](http://web.newsregister.com/news/results.cfm?story_no=239183)

## Fatal wreck nets driver 16 years

**Published: August 12, 2008**

By STARLA POINTER  
Of the News-Register

**Leonel Zurita-Loeza**, driving under the influence of **alcohol** and **cocaine** and **in the country illegally**, was sentenced to 16 years in prison for killing a mother of seven on her way to a Mother's Day barbecue.

**Zurita**, 26, pleaded guilty Tuesday to one charge of first-degree manslaughter in the death of Dayton mother Carma Smith, plus four counts of third-degree assault, involving four victims in another car.

He also pleaded guilty to driving under the influence of intoxicants again. He was already under a DUII diversion program when the fatal crash occurred.

Judge Ronald Stone accepted the plea agreement, saying the case wasn't about a murder, but wasn't about an accident, either.

"It was criminal, reckless behavior; conduct with results that were foreseeable," he admonished Zurita. "Clearly, you were willing to take the risk that you might kill someone."

The manslaughter conviction carries no chance of early release, attorneys said. And since **Zurita is in the US illegally**, he probably will be deported after he serves his sentence.

Smith's husband of 33 years spoke passionately at the 90-minute sentencing hearing. And he was joined by equally passionate friends and relatives.



They told the judge they understood the plea agreement. But they asked that Zurita receive as much time as possible so he can understand how his poor choices have devastated so many people. Speakers also mentioned Zurita's illegal status and asked that he be locked up so he can't hurt someone else.

Deputy District Attorney Alicia Eagan said Zurita spent the evening of May 10 drinking, then rose Sunday morning and had even more beer. Then he got into a 1994 Ford Taurus equipped with a spare tire marked for speeds below 50 mph and roared off toward Newberg at a high rate of speed.

He was driving erratically and passing cars on the right at speeds up to 75 or 85 mph, witnesses said, when he lost control, careened through the grassy area between the north and southbound lanes and speared Smith's 2000 Toyota Avalon. He then bounced into a 2003 Toyota Corolla.

Smith, 51, died at the scene. Four people in the Corolla were hurt, but were all four mobile.

Zurita was seriously injured. Both of his passengers also required medical treatment.

Zurita was taken by Life Flight helicopter to a Portland hospital, where his blood alcohol level measured .207 long after the crash. That's more than twice the legal limit, Eagan noted.

At the hearing, defense attorney Bernt "Al" Hansen read a statement the driver wrote only a few days after the wreck.

"I swear it was not my fault," Zurita began. By that, Hansen said, he meant he had not intended to kill anyone.

"My car was failing me and I couldn't control it," he continued. "I ask you a thousand times for your forgiveness."

Speaking through an interpreter, Zurita reiterated his plea for forgiveness at the sentencing hearing. But in Stone's closing remarks, the judge addressed the Smith family, not Zurita.

"I'm so sorry," Stone said. "There is no rational reason except criminal conduct. I've followed the law in the sentencing, and I'm so sorry."

For a fuller report, see Thursday's print edition of the News-Register.

[http://www.newsregister.com/news/results.cfm?story\\_no=238983](http://www.newsregister.com/news/results.cfm?story_no=238983)

Date : 08/12/2008  
Time : 15:47:58

**YAMHILL COUNTY JAIL**

Booking No... : **2008050154**      File Number : **106177**  
 Inmate Name : **LOEZA, LEONEL ZURITA**  
 Arrest Date .. : **05/12/2008**      Booking Date : **05/12/2008**  
 Offense ..... : **MANSLAUTER I,ASSLT II,ASSLT III,CRIM MISC II,DUII,**  
 Arresting Officer : **37960 MCDUGAL**  
 Scheduled Release Date : **//**



Age... : **26**      Sex... : **M**  
 Height : **5'6"**;      Weight : **175**  
 Hair .. : **BLK**      Eyes : **BRO**

Total Fines : **\$ 0.00**  
 Total Bond : **\$ 0.00**  
 Total Bail.. : **\$1,000,000.00**

CHARGE INFORMATION		
Offense	Disposition	Sentence
MANSLAUGHTER 1 - MEASURE 11 CT. 1	Pending	
ASSAULT 2 - MEASURE 11 CT. 2	Pending	
ASSAULT 3 CT. 3	Pending	
CRIM MISCHIEF 2 CT. 10	Pending	
DUII CT. 4	Not Filed	
RECK DRIVE CT. 9	Pending	
RECK ENDANGER CT.8	Pending	

<http://www.co.yamhill.or.us/sheriff/inmates/icurrent.htm>

<http://www.co.yamhill.or.us/sheriff/index.asp>

## Driver in fatal takes plea deal

**Published: August 5, 2008**

By PAUL DAQUILANTE  
Of the News-Register

**Leonel Zurita-Loeza**, charged with first-degree manslaughter in the death of a mother of seven on Mother's Day, has accepted a plea offer by the Yamhill County District Attorney's office.

The 26-year-old Portland resident will be sentenced at 9:30 a.m. Tuesday, Aug. 12 in circuit court.

Prosecutor Alicia Eagan said last week she would pull the offer off the table if it was not accepted by 3 p.m. Monday, thus possibly sending the case to trial. McMinnville attorney Al Hansen, Zurita's court-appointed counsel, told Judge Cal Tichenor that the defendant would accept the offer.

In addition to first-degree manslaughter, Zurita also is charged with one count each of second-degree assault, second-degree criminal mischief, driving under the influence of intoxicants, reckless driving and recklessly endangering another person, along with five counts of third-degree assault.

Held on \$1 million bail on the charges alone, Zurita also faces an **Immigration and Customs Enforcement hold**.

First-degree manslaughter is a Class A felony and second-degree assault a Class B felony. Both are Measure 11 offenses carrying lengthy mandatory-minimum prison sentence on conviction.

Zurita, allegedly **in the country illegally**, under the influence of alcohol and driving on a temporary spare, crossed the center median at an estimated 80 mph just south of Dundee on Highway 99W.

His borrowed Ford Taurus became airborne and crashed into an oncoming vehicle, killing longtime Dayton resident Carma Colleen Smith, 52. A mother of seven and grandmother of four, she had recently celebrated her 33rd wedding anniversary.

Zurita admitted drinking the morning of the fatal crash. When he was admitted to Legacy Emanuel Hospital in Portland afterward, his blood alcohol content tested at .207, more than twice the .08 marking the presumptive level of intoxication in Oregon.

He was on a diversion program for a DUI in Washington County at the time. He told police he didn't think the 1994 Taurus was safe, running on an emergency spare only rated for 50 mph, but decided to get behind the wheel anyway for a test drive.

Zurita was northbound when he lost control in a 55-mph zone just north of Duck Pond Cellars, propelling his car over the grassy median and into oncoming lanes. He told investigators he was going 60 to 65, but witnesses estimated his speed at 80.

The Taurus crashed into Smith's southbound 2000 Toyota Avalon, killing her, then careened into a southbound 2003 Toyota Corolla driven by Steven J. Marcaccini, 57, of Aurora.

Zurita, flown by Life Flight helicopter to Legacy Emanuel Hospital, had two passengers with him. Neither of them suffered life-threatening injuries.

Marcaccini had three passengers with him. No one in his vehicle was injured. Smith, a longtime rural mail carrier, was alone in the Avalon.

Members of her family have been in the courtroom for each of Zurita's appearances, and they were present again Monday. After it was announced he would accept the plea offer, Eagan consulted with them several times regarding what date would be best for them to attend the plea and sentencing hearing.

[http://web.newsregister.com/news/results.cfm?story\\_no=238768](http://web.newsregister.com/news/results.cfm?story_no=238768)

## Prosecutor demands plea deal

**Published: July 29, 2008**

By PAUL DAQUILANTE  
Of the News-Register

Prosecutor Alicia Eagan has threatened to withdraw a plea bargain offered to **Leonel Zurita-Loeza**, charged with manslaughter in the tragic death of a mother of seven on Mother's Day, if it is not accepted by 3 p.m. Monday.

In addition to first-degree manslaughter, that would potentially send the case to trial on charges of second-degree assault, second-degree criminal mischief, driving under the influence of intoxicants, reckless driving and reckless endangering, along with five counts of third-degree assault.

Held on \$1 million bail on the charges alone, Zurita also faces a **Immigration & Customs Enforcement hold**.

First-degree manslaughter is a Class A felony and second-degree assault a Class B felony. Both are Measure 11 offenses carrying long mandatory-minimum prison sentence on conviction.

Zurita, allegedly **in the country illegally**, under the influence of alcohol and driving on a temporary spare, crossed the center median at an estimated 80 mph just south of Dundee on Highway 99W.

His borrowed Ford Taurus became airborne and crashed through the windshield of an oncoming vehicle, killing longtime Dayton resident Carma Colleen Smith, 52. A mother of seven and grandmother of four, she had just celebrated her 33rd wedding anniversary.

In a Monday appearance in Yamhill County Circuit Court, Deputy District Attorney Eagan expressed frustration with the slow pace of proceedings since Zurita's arrest in connection with the May 11 crash.

She said members of the Smith family want to see the case resolved but also want to see justice served.

"This case has gone nowhere," Eagan said.

Zurita, a 26-year-old Portland resident, was in court for a pretrial conference.

Defense attorney Al Hansen told Judge Cal Tichenor that Zurita wanted him to file a motion for a change of venue in the event the case went to trial. But he said that did not mean Zurita was rejecting the prosecution's plea offer.

Hansen cited a trio of newspaper articles that he said would make it difficult for an impartial jury to be convened in Yamhill County. He said he did not have copies in hand, but could obtain them for the court to review.

Following initial reports of the crash, which circulated widely, only the News-Register and Newberg Graphic have been following proceedings in the case.

Tichenor told Hansen he would have to offer something much more substantial than three newspaper articles for the court to even consider a change of venue. He also called the motion premature, when it still hasn't been determined that the case will actually be going to trial.

"There have been cases in the state, more notorious than this, in which an impartial jury was still assembled," Tichenor said.

He cited the Christian Longo case as an example. A Lincoln County jury convicted him in 2001 of killing his wife and three children after the case drew extensive media coverage around the state.

Zurita admitted having engaged in a bout of drinking the morning of the fatal crash. When he was admitted to Legacy Emanuel Hospital in Portland afterward, his blood alcohol content tested at .207, more than twice the .08 marking the presumptive level of intoxication in Oregon.

He was on a diversion program for a DUII in Washington County at the time. He told police he didn't think the 1994 Taurus was safe, running on an emergency spare only rated for 50 mph, but decided to get behind the wheel anyway for a test drive.

Zurita was northbound when he lost control in a 55-mph zone just north of Duck Pond Cellars, propelling his car over the grassy median and into oncoming lanes. He told investigators he was going 60 to 65, but witnesses estimated his speed at 80.

The Taurus crashed into Smith's southbound 2000 Toyota Avalon, killing her, then careened into a southbound 2003 Toyota Corolla driven by Steven J. Marcaccini, 57, of Aurora.

Beer bottles, beer cans and other debris from Zurita's car ended up strewn about the highway. One of its license plates was discovered in the back seat of Smith's car.

Zurita, flown by Life Flight helicopter to Legacy Emanuel Hospital, had two passengers with him. Neither of them suffered life-threatening injuries.

Marcaccini had three passengers with him. No one in his vehicle was injured.

Smith, a longtime rural mail carrier, was alone in the Avalon.

Friends and relatives of Smith were in the courtroom Monday, as they have been for earlier proceedings in the case. They brought a display of photographs with them, but it was not shown in court Monday.

Eagan conferred with the group several times during the proceeding and again afterward in a hallway outside the courtroom.

[http://web.newsregister.com/news/results.cfm?story\\_no=238589](http://web.newsregister.com/news/results.cfm?story_no=238589)

## Sides work toward deal in DUI case

**Published: July 8, 2008**

Sides work toward deal in DUI case

By PAUL DAQUILANTE

Of the News-Register

Negotiations are ongoing in an effort to resolve the case involving **Leonel Zurita-Loeza** of Portland, the driver of a car that crossed the center median at a high rate of speed on Highway 99W, killing a mother of seven on Mother's Day.

Yamhill County Deputy District Attorney Alicia Eagan told Judge Cal Tichenor on Monday afternoon that the prosecution and the defense are discussing a possible resolution to the case. McMinnville attorney Al Hansen represents Zurita.

The 26-year-old did not attend a pretrial conference in circuit court. Eagan said he was lodged in the Washington County Jail in Hillsboro on a driving under the influence of intoxicants diversion revocation case stemming from an unrelated incident.

He will return to court for another pretrial conference at 3 p.m. Monday, July 21. He has waived his right to a trial within 60 days.

Zurita, who has admitted drinking beer before the fatal crash, is charged with one count each of first-degree manslaughter, second-degree assault, second-degree criminal mischief, driving under the influence of intoxicants, reckless driving and recklessly endangering another person, along with five counts of third-degree assault.

First-degree manslaughter is a Class A felony and second-degree assault a Class B felony. Both Measure 11 offenses, they are punishable by a combined mandatory minimum prison sentence of more than 15 years.

Third-degree assault is a Class C felony and the other counts are Class A misdemeanors.

Zurita is being held in the Washington County Jail on \$1 million bail and a no-bail **immigration hold**.

His blood alcohol content tested at .207 when he was admitted to Legacy Emanuel Hospital in Portland following the crash. That's more than twice the .08 marking the presumptive level of intoxication in Oregon.

He also was **in the country illegally**, on the Washington County DUII diversion and driving an estimated 80 mph, according to witnesses, on an emergency spare tire rated for 50. He told police he didn't think the vehicle was safe, but decided to get behind the wheel anyway. He was not the registered owner, as he said he was test-driving the vehicle.

The May 11 head-on claimed the life of 21-year Dayton resident Carma Colleen Smith, 52. A mother of seven and grandmother of four, she had just celebrated her 33rd wedding anniversary.

Zurita was northbound in a 1994 Ford Taurus when he lost control in a 55-mph zone just north of Duck Pond Cellars, propelling his car over the grassy median and into oncoming lanes. He told investigators he was going 60 to 65.

The Taurus crashed into Smith's southbound 2000 Toyota Avalon, killing her, then careened into a southbound 2003 Toyota Corolla driven by Steven J. Marcaccini, 57, of Aurora.

Beer bottles, beer cans and other debris from Zurita's car were strewn about the highway. One of his license plates was found in the back seat of Smith's car.

Zurita, flown by Life Flight helicopter to Legacy Emanuel Hospital, had two passengers. Neither of them suffered life-threatening injuries.

Marcaccini had three passengers. None of his passengers were injured.

Smith, a longtime rural mail carrier, was alone in the Avalon.

[http://web.newsregister.com/news/results.cfm?story\\_no=236660](http://web.newsregister.com/news/results.cfm?story_no=236660)

## DUII reinstated in Mother's Day fatal crash

**Published: June 10, 2008**

By PAUL DAQUILANTE  
Of the News-Register

A charge of driving under the influence against **Leonel Zurita-Loeza**, driver of a car that crossed the center median at a high rate of speed on Highway 99W, killing a mother of seven on Mother's Day, has been reinstated.

When the charge was initially presented to a grand jury, it was not sustained. However, the District Attorney's Office tried again and carried the day.

The 26-year-old Portland man, who admitted drinking beer before the crash, appeared in Yamhill County Circuit Court for a pre-trial conference Monday afternoon.

Defense attorney Al Hansen of McMinnville told Judge Ronald Stone he was still engaged in preliminary investigative work and needed more time. He said Zurita would waive his right to trial within 60 days.

In addition to driving under the influence, Zurita has been indicted on one count each of first-degree manslaughter, second-degree assault, second-degree criminal mischief, reckless driving and reckless

endangering, along with five counts of third-degree assault.

First-degree manslaughter is a Class A felony and second-degree assault a Class B felony. Both Measure 11 offenses, they are punishable by a combined mandatory minimum of more than 15 years.

Third-degree assault is a Class C felony and the other counts are Class A misdemeanors. Deputy District Attorney Alicia Eagan is handling the prosecution.

The original indictment added four counts of third-degree assault to the initial police filing, but dropped the DUII count.

District Attorney Brad Berry said, "The case can be re-presented to the grand jury to add or change charges and issue a subsequent amended indictment." He said that was the route taken in this instance.

Zurita's blood alcohol content tested at .207 when he was admitted to Legacy Emanuel Hospital in Portland following the crash. That's more than twice the .08 marking the presumptive level of intoxication in Oregon.

He also was **in the country illegally**, on a diversion from a previous DUII and driving at estimated 80 mph on an emergency spare rated for 50. He told police he didn't think the vehicle was safe, but decided to get behind the wheel anyway.

There was no indication why the grand jury dropped the DUII charge on initial consideration. By law, grand jury deliberations are secret.

The May 11 head-on claimed the life of 21-year Dayton resident Carma Colleen Smith, 52. A mother of seven and grandmother of four, she had just celebrated her 33rd wedding anniversary.

Members of her family were in the courtroom Monday, accompanied by victim's advocate Debra Bridges. Bridges said it's a large, close family whose members have attended previous hearings in the case.

Zurita was northbound in a 1994 Ford Taurus when he lost control in a 55 mph zone just north of Duck Pond Cellars, propelling his car over the grassy median and into oncoming lanes. He told investigators he was going 60 to 65 mph, but witnesses said he was going at least 80.

The Taurus crashed into Smith's southbound 2000 Toyota Avalon, killing her, then careened into a southbound 2003 Toyota Corolla driven by Steven J. Marcaccini, 57, of Aurora.

Beer bottles, beer cans and other debris from Zurita's car ended up strewn about the highway. One of his license plates was found in the back seat of Smith's car.

Zurita, flown by Life Flight helicopter to Legacy Emanuel Hospital, had two passengers. Neither of them suffered life-threatening injuries.

Marcaccini had three passengers. None of them were injured.

Smith, a long-time rural mail carrier, was alone in the Avalon.

Zurita's next pre-trial conference is set for 3 p.m. Monday, July 7. He is being held in the Yamhill County Jail on \$1 million bail and a no-bail **immigration hold**.

[http://web.newsregister.com/news/results.cfm?story\\_no=235772](http://web.newsregister.com/news/results.cfm?story_no=235772)

# Suspect admits drinking prior to crash

**Published: May 24, 2008**

By PAUL DAQUILANTE  
Of the News-Register

**Leonel Zurita-Loeza**, the driver of a car that crossed the center median at a high rate of speed on Highway 99W, killing a mother of seven on Mother's Day, admitted he had been drinking beer before the wreck, according to a Yamhill County Grand Jury indictment.

He said he was test driving the car. He thought something was wrong with it, making it unsafe to drive, but decided to give it a try anyway.

The 26-year-old Portland man had a blood alcohol content of .207 when admitted to Legacy Emanuel Hospital in Portland following the crash. That's more than twice the .08 marking the presumptive level of intoxication in Oregon.

He also was **in the country illegally**, on a diversion from a previous DUII and running on an emergency spare rated only for 50 mph.

Zurita has been charged with one count each of first-degree manslaughter, second-degree assault, second-degree criminal mischief, reckless driving and reckless endangering, along with five counts of third-degree assault.

First-degree manslaughter is a Class A felony and second-degree assault a Class B felony. Measure 11 offenses, they are punishable by a combined mandatory minimum of more than 15 years in prison.

Third-degree assault is a Class C felony. The other charges are Class A misdemeanors.

The indictment added four counts of third-degree assault to the original charges, but dropped the DUII count.

"Sometimes we need to amend indictments," said Yamhill County Deputy District Attorney Alicia Eagan, who is handling the prosecution.

The May 11 head-on claimed the life of 21-year Dayton resident Carma Colleen Smith, 52. A mother of seven and grandmother of four, she had just celebrated her 33rd wedding anniversary.

Senior Trooper Mark McDougal of the Oregon State Police gave this account in a probable cause affidavit:

Zurita was northbound in a 1994 Ford Taurus. He said he was going 60 to 65 when he lost control in a 55 zone just north of Duck Pond Cellars, but witnesses said he was going at least 80.

The Taurus struck the grassy median, went airborne and crashed into Smith's southbound 2000 Toyota Avalon. She was pronounced dead at the scene.

Zurita's car then collided with a southbound 2003 Toyota Corolla driven by Steven J. Marcaccini, 57, of Aurora, and came to a stop in the southbound lanes.

Beer bottles, beer cans and other debris from Zurita's car were strewn over an expanse of highway and median. A license plate from his car ended up in the back seat of Smith's car - an indication of the force of the impact.

Zurita was flown by Life Flight helicopter to Legacy Emanuel Hospital.



He had two passengers, neither of whom suffered life-threatening injuries. Marcaccini had three passenger, none of whom suffered injuries. Smith, a long-time rural mail carrier, was alone in the Avalon.

Zurita had a valid driver's license, but was on diversion status out of Beaverton Municipal Court on an August DUII based on a blood alcohol content of .240 - three times Oregon's standard for presumptive intoxication.

He told McDougal he had removed a flat tire the day before and replaced it with the emergency spare. He said he knew he wasn't supposed to drive very fast on the spare, which had a caution imprinted on the sidewall.

Zurita is being held in the Yamhill County Jail on \$1 million bail. **Immigration authorities** have placed him under a **federal detainer** as well, due to his **illegal immigration** status.

He has a pretrial conference scheduled for 3 p.m. Monday, June 9. McMinnville attorney Al Hansen has been appointed by the court to represent him.

[http://web.newsregister.com/news/results.cfm?story\\_no=235356](http://web.newsregister.com/news/results.cfm?story_no=235356)

## DUII, illegal status mark crash suspect

**Published: May 15, 2008**

DUII, illegal status mark crash suspect

By PAUL DAQUILANTE

Of the News-Register

The driver of a car that crossed the center median at a high rate of speed Sunday afternoon between Newberg and Dundee, killing the driver of an oncoming car, was **in the country illegally**, had a previous DUII arrest and was driving on an emergency spare, according to investigators.

**Leonel Zurita-Loeza**, 26, of Portland, was arraigned Tuesday afternoon in Yamhill County Circuit Court on one count each of first-degree manslaughter, second-degree assault, second-degree criminal mischief, third-degree assault, driving under the influence of intoxicants, recklessly endangering another person and reckless driving.

In light of Zurita's **illegal status**, Judge John Collins set bail at \$1 million - \$250,000 more than Deputy District Attorney Alicia Eagan had sought on behalf of the prosecution.

"Bail was set at \$325,000 when he was booked into jail," Eagan said. "I asked the judge to increase the bail to \$750,000, based on factors in the case.

"This wasn't just a crash, this was a very bad crash. There is no way to argue this was an accident. This was a horrific crash."

Collins tacked on another quarter million dollars.

First-degree manslaughter and second-degree assault are Measure 11 offenses, punishable by a combined mandatory minimum prison term of more than 15 years.

Zurita also was placed under a federal **Immigration & Customs Enforcement hold**, ensuring his deportation upon release from the criminal justice system. However, Eagan said Zurita's immigration status would have no bearing on how she handled the case.

"I want to be specific about this," she said. "I don't care, when I'm prosecuting a case like this, if there's an ICE hold or not. The crime that was committed is separate from that issue. It's bad enough. In my mind, it could have been anyone involved. There are a lot of people out there who drive impaired."

Collins appointed McMinnville attorney Bernt Al Hansen to represent Zurita. He scheduled a preliminary hearing for 1:20 p.m. Wednesday.

The Mother's Day crash claimed the life of 21-year Dayton resident Carma Colleen Smith, 52, 6905 Duniway Road. A mother of seven and grandmother of four, she had just celebrated her 33rd wedding anniversary.

Sgt. Brad Hessel of the Oregon State Police gave this account:

Zurita was northbound in a 1994 Ford Taurus at speed estimated by witnesses of 80 mph or more when he lost control in a 55 mph zone just north of Duck Pond Cellars, 23145 N. Highway 99W.

The Taurus crossed the median, became airborne and crashed into Smith's southbound 2000 Toyota Avalon. It then collided with a southbound 2003 Toyota Corolla driven by Steven J. Marcaccini, 57, of Aurora.

Smith was declared dead at the scene. Zurita was flown by Life Flight helicopter to Legacy Emanuel Hospital in Portland.

Zurita had two passengers, neither of whom suffered life-threatening injuries. The Corolla had three occupants, none of whom was injured. Smith was alone in her vehicle.

Eagan cited several aggravating factors:

- Zurita had a blood alcohol content of .207 when admitted to Emanuel. That's more than twice the .08 marking the presumptive level of intoxication in Oregon.
- He was running his car on a small, lightweight emergency spare, sometimes referred to as a donut, not rated for more than 50 mph.
- His car went airborne and hurtled completely across the median, putting seven lives at needless risk.
- Zurita was on diversion status out of Beaverton Municipal Court on an August DUII, based on a blood alcohol content of .240. That's three times Oregon's standard for presumptive intoxication.

Several members of Smith's large family attended Zurita's arraignment. Eagan said she met with them afterward.

"I can't give her back to them," she said. "It was someone going south on the other side of the median. She never expected this."

Eagan prosecutes cases of vehicular homicide, attempting to elude and felony DUII on a regular basis.

Just last week, she handled the case of repeat drunken driver Ignacio Merendon-Zerega of Woodburn, also **in the country illegally**. He was sentenced to 15 years in prison for crashing his van into a car occupied by Craig Cox and his wife, Judyth, killing Judyth Cox.

Merendon's blood alcohol content measured .347 some 2 1/2 hours after the crash. He was convicted of first-degree manslaughter in addition to other charges.

"The support for prosecuting these cases is getting greater," Eagan said, "both from the public and from the judges. What frustrates me on these felony DUIIs is when I hear people say, 'I thought they lost their

license before this happened.' Many of these people don't have licenses."

Zurita did have a valid license, and the car did have valid insurance.

However, the car was not registered to him. He told police he was just taking it for a test drive.

[http://web.newsregister.com/news/results.cfm?story\\_no=234891](http://web.newsregister.com/news/results.cfm?story_no=234891)

## It could happen to anyone, and all too often, it does

**Published: May 15, 2008**

It could happen to anyone, and all too often, it does

Carma Colleen Smith, 52, of Dayton was the eighth person to die on Yamhill County roads this year.

That's eight local fatalities in just 4 1/2 months. That's eight lives lost to grieving mothers, fathers, sons, daughters and friends.

That's eight too many. Keep up this bloody pace and Yamhill County will see 21 deaths over a 12-month period.

We won't even mention the countless other crashes in which those involved were injured seriously. Or the chorus of crashes we hear over the scanner that aren't serious enough to merit our attention. Or the rollovers and other collisions where people escape with minor injuries or walk away unscathed.

Those who walk away are lucky. Carma Colleen Smith wasn't so lucky.

She reminds us that anyone could be in the wrong place at the wrong time.

Smith fell victim to a speeding driver who lost control on Highway 99W between Dundee and Newberg, crossed the grass median, went airborne and crashed into her driving southbound in her Toyota Avalon. He was in the country illegally, on diversion for a recent DUII, driving an estimated 80 mph on an emergency spare rated for 50, and allegedly driving under the influence again. (See story on A1).

Carma Colleen Smith is more than just a statistic.

Her husband didn't know it would be their last wedding anniversary when they recently celebrated their 33rd. Her seven grown children didn't know that this would be the last Mother's Day theirs would be alive.

In a blink of an eye, a life was lost and the others it touched were changed forever.

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[http://web.newsregister.com/news/results.cfm?story\\_no=234875](http://web.newsregister.com/news/results.cfm?story_no=234875)

## Carma Colleen Smith

**Published: May 15, 2008**

1956-2008

Funeral services for Carma Colleen Smith of Dayton will be held at 10 a.m. Saturday, May 17, at the Dayton Church of Jesus Christ of Latter-day Saints. Bishop Kim Bowers will officiate.

Interment will follow at Valley View Memorial Park in Newberg. Arrangements are being handled by Attrell's Newberg Funeral Chapel.

Mrs. Smith died in a motor vehicle crash on Highway 99W between Newberg and Dundee Sunday, May 11, 2008. She was 52.

Born on April 26, 1956, in Oregon City, she was the daughter of David and Colleen (Jeppson) Du Rette. Her family moved to Coos Bay in 1959, then relocated to the Clear Lake area, north of Salem. She graduated from Gervais High School in 1974.

She married Don C. Smith on May 9, 1975, in Keizer. They lived in San Diego for a time before returning to Keizer in 1978. They made their home in Newberg from 1979 to 1989, then moved to Dayton.

She drove a school bus in the McMinnville area for a time. In recent years, she had driven a rural mail route for the Postal Service out of Dayton.

She was a member of the Coast Guard Auxiliary and Dayton Church of Jesus Christ of Latter-day Saints. She enjoyed scuba diving, whitewater rafting, motorcycle riding, traveling and quilting.

The family said she was a dedicated mother and grandmother who was always doing for others and had a great sense of humor.

In addition to her husband, Mrs. Smith is survived by three sons, Thomas K. Smith of Keizer and Don C. Smith Jr. and Andrew J. Smith of Hillsboro; four daughters, Heidi Smith and Christina Smith both of Dayton, Cindy Smith of Salem and Jennifer Smith of Renton, Wash.; her mother, Colleen Jeppson of Keizer; three brothers, Paul Du Rette of Keizer, David Du Rette of Redmond and Jeff Du Rette of Oxnard, Calif.; two sisters, Frances Hague of Coos Bay and Sandra Hachtel of Mercer Island, Wash.; and four grandchildren.

She was preceded in death by her father, David Du Rette; a brother, Jesse Du Rette; and two sisters, Tina and Joyce Du Rette.

Contributions may be made to the Oregon Burn Center at Legacy Emanuel Hospital in Portland, care of Attrell's Newberg Funeral Chapel, 207 Villa Road, Newberg, OR 97132.

[http://web.newsregister.com/news/results.cfm?story\\_no=234858](http://web.newsregister.com/news/results.cfm?story_no=234858)

## **Fatal crash leads to arrest**

***Published: May 13, 2008***

By PAUL DAQUILANTE  
Of the News-Register

DUNDEE - A Portland man was charged with first-degree manslaughter Monday in connection with a three-vehicle Mother's Day crash that claimed the life of a Dayton mother of seven and tied up heavy holiday traffic for more than five hours.

Sgt. Brad Hessel of the Oregon State Police identified the victim as Carma Colleen Smith, 52, 6905 Duniway Road, a 21-year Dayton resident who recently celebrated her 33rd wedding anniversary. He said she was pronounced dead at the scene, between Newberg and Dundee on Highway 99W, shortly after the 3 p.m. crash.

He blamed her death on a mix of alcohol and excessive speed on the part of an oncoming driver.

Arrested was **Leonel Zurita-Loeza**, 26. Trooper Mark McDougal took him into custody Monday, upon his release from Legacy Emanuel Hospital in Portland, and transported him to the Yamhill County Jail where he arrived about 8:30 p.m.

Zurita was booked on first-degree manslaughter, a Measure 11 offense carrying a mandatory minimum prison term of 10 years.

He was also charged with second-degree assault, second-degree criminal mischief, third-degree assault, driving under the influence of intoxicants, recklessly endangering another person and reckless driving. Second-degree assault is a Measure 11 offense carrying a mandatory minimum prison term of 70 months.

Zurita is lodged on \$325,000 bail and will be arraigned in Circuit Court at 1:20 today.

A trooper had been assigned to his hospital room since his Sunday admission.

"This was a serious crash," Hessel said. "We wanted to make sure we got him into custody."

Hessel said Zurita was northbound in a 1994 Ford Taurus at a high rate of speed when he lost control in a 55 mph zone just north of Duck Pond Cellars, 23145 N. Highway 99W. He said witnesses estimated Zurita's speed at 80 mph.

The Taurus crossed the grassy center median, became airborne and crashed into Smith's southbound 2000 Toyota Avalon, Hessel said. It then collided with a southbound 2003 Toyota Corolla driven by Steven J. Marcaccini, 57, of Aurora.

"It looked like he was making a lane change, lost control, hit the median, vaulted and was airborne when he impacted the car coming in the opposite direction," the sergeant said.

Hessel said he doubted Smith had any chance to avoid the crash. In fact, he said she may not have even seen the Taurus hurtling through the air toward her, as it all happened in a split second.

Zurita had two passengers, Beaverton residents Izquierdo Leoza-Jonatan, 21, and Nicholas Ybarra-Contreras, 31.



**Carma Colleen Smith, 52, of Dayton, was driving this Toyota Avalon that was hit Sunday between Newberg and Dundee on Highway 99W. She was the eighth person to die on Yamhill County roads this year.**

Photo courtesy/OSP

Leoza was transported by REACH Air Medical Services to Portland's Oregon Health & Science University. Hessel said his injuries were not life threatening and investigators from the Yamhill County Multi-Agency Traffic Team were scheduled to interview him.

Ybarra was transported by Newberg Fire Department ambulance to the Providence Newberg Medical Center. He was released after undergoing treatment in the emergency room.

Marcaccini had three passengers - Sheryl A. Marcaccini, 50, of Aurora; Brandon Marcaccini, 31, of Portland; and Catlin J. Hefte, 21, of Portland. They all escaped injury.

The Newberg Fire Department, Dundee Fire District, Newberg-Dundee Police Department, Yamhill County Sheriff's Office and Yamhill County District Attorney's Office all joined OSP's McMinnville office in responding to the crash.

Smith, alone in the Avalon, was the eighth person to die on Yamhill County roads this year. Her body was transported to Attrell's Newberg Funeral Chapel, where arrangements are pending.

She had driven a rural mail route out of Dayton for two years. She was a member of the Dayton Ward of the Church of Jesus Christ of Latter-day Saints.

She volunteered with the Cub Scouts and other youth programs. In her free time, she enjoyed quilting and scuba diving.

Members of her family said she loved to serve others. In addition to her husband, they said she left four daughters, three sons and four grandchildren.

[http://web.newsregister.com/news/results.cfm?story\\_no=234842](http://web.newsregister.com/news/results.cfm?story_no=234842)

## Dayton woman dies in crash

**Published: May 12, 2008**

The News-Register staff

DUNDEE — A Dayton woman died about 3 p.m. Sunday in a three-vehicle crash on Highway 99W between Dundee and Newberg. The crash closed the highway for about five hours, snarling Mother's Day traffic.

The Oregon State Police identified the victim as Carma Colleen Smith, 51, who was pronounced dead at the scene.

Sgt. Brad Hessel of the McMinnville OSP office gave this account:

**Leonel Zurita-Loeza**, 26, of Portland, was northbound in a 1994 Ford Taurus at a high rate of speed when he lost control.

His car crossed the grass center median, became airborne and crashed into Smith's southbound 2000 Toyota Avalon. The Taurus then collided with a southbound 2003 Toyota Corolla driven by Steven J. Marcaccini, 57, of Aurora.

Zurita was transported by Life Flight helicopter to Legacy Emanuel Hospital, where he was listed in serious condition Sunday night.

He had two passengers with him, Beaverton residents Izquierdo L. Jonatan, 21, and Nicholas Contreras, 31, both of whom were seriously injured. Jonatan was transported by Life Flight to the Oregon Health &

Science University and Contreras was transported by Newberg Fire Department ambulance to the Providence Newberg Medical Center.

Marcaccini had three passengers, two female and one male. He and his passengers all escaped injury.

Smith was alone in her vehicle.


Hessel said the Yamhill County Multi-Agency Traffic Team was handling the investigation. He said early indications were that both speed and alcohol might have been factors.

See Tuesday's print edition for further details.

[http://web.newsregister.com/news/results.cfm?story\\_no=234773](http://web.newsregister.com/news/results.cfm?story_no=234773)

Date : 06/19/2008 Time : 15:56:07	<b>YAMHILL COUNTY JAIL</b>
Inmate Count : 1	<b>CURRENT INMATE LISTING</b>

1.

Booking No... : <b>2008050154</b> File Number : <b>106177</b> Inmate Name : <b>LOEZA, LEONEL ZURITA</b> Arrest Date .. : <b>05/12/2008</b> Booking Date : <b>05/12/2008</b> Offense ..... : <b>MANSLAUTER I,ASSLT II,ASSLT III,CRIM MISC II,DUII,</b> Arresting Officer : <b>37960 MCDOUGAL</b> Scheduled Release Date : <b>//</b>  Age... : <b>26</b> Sex... : <b>M</b> Height : <b>5'6"</b> ;      Weight : <b>175</b> Hair .. : <b>BLK</b> Eyes : <b>BRO</b>  Total Fines : <b>\$ 0.00</b> Total Bond : <b>\$ 0.00</b> Total Bail.. : <b>\$1,000,000.00</b>	
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CHARGE INFORMATION		
Offense	Disposition	Sentence
<b>MANSLAUGHTER 1 - MEASURE 11 CT. 1</b>	<b>Pending</b>	
<b>ASSAULT 2 - MEASURE 11 CT. 2</b>	<b>Pending</b>	
<b>ASSAULT 3 CT. 3</b>	<b>Pending</b>	
<b>CRIM MISCHIEF 2 CT. 10</b>	<b>Pending</b>	
<b>DUII CT. 4</b>	<b>Not Filed</b>	
<b>RECK DRIVE CT. 9</b>	<b>Pending</b>	
<b>RECK ENDANGER CT.8</b>	<b>Pending</b>	

<http://www.co.yamhill.or.us/sheriff/inmates/icurrent.htm>

<http://www.co.yamhill.or.us/sheriff/index.asp>



Judyth Anne Cox, age 66, was killed by a foreign national illegally present in Oregon on December 3, 2007.

## Oregon Department of Corrections

### Oregon Offender Search

Public Information (Last Updated: 06/12/2012 20:18:25)

Offender Name: ZEREGA, IGNACIO MERENDON



SID#  
7213917

Age: 49 DOB: 11/1962

Gender: Male Race: Hispanic

Height: 5' 04" Hair: Black

Weight: 160 lbs Eyes: Brown

Location: [SNAKE RIVER CORRECTIONAL INSTITUTION](#)

Status: Inmate

Institution Admission Date 05/06/2008

Earliest Release Date: 03/27/2022

Caseload: 11006 Galemore, Matt

Docket Number	County	Crime	Sentence Type	Begin Date	Termination Date
CR070606/01	YAMH	MANSLAUGHTER I	Inmate Sentence	05/06/2008	-
CR070606/02	YAMH	DRIVING UNDER INFLUENCE FELONY	Inmate Sentence	05/06/2008	-
03C42060/01	MARI	FAIL PERF DUTIES DRIV INJURY	Inmate Sentence	03/30/2009	

## Aggravated driving cases need enhanced punishment

Published: May 10, 2008

It's hard not to overreact to the story of **Ignacio Merendon-Zerega**. It's hard to resist using the emotion-mongering description that comes to mind for that sorry excuse of a man: burden on society, **illegal immigrant**, drunken killer.

It's even more difficult not to wonder if limits on "cruel and unusual punishment" are too strict. The reality is, however, that we are going to spend hundreds of thousands of dollars to clothe, house and feed Merendon for 15 years before deporting him to his native **Mexico**.

Perhaps, by then, immigration laws will have evolved in ways that prevent someone like Merendon from returning with impunity. That's what happened when he was deported before.

Perhaps, by then, we will have found a way to remove such people from our roads permanently. That didn't happen during the time that Merendon accumulated six drunk driving convictions and numerous license revocations.

Merendon once registered a .29 blood-alcohol level after a hit-and-run crash. But in December, two and a half hours after he killed Judyth Ann Cox of Newberg, he registered a .347.

Our headline told the story: "Drunk driver leaves hole in family's heart." But actually there was much more to say by members of the Cox family, whose lives were changed forever. In 15 years, when Merendon is 59 years old and free, they still will be mourning the loss of their beloved wife, mother and grandmother.

We don't live in an "eye for an eye" society. But we should authorize our judicial system to "tag" a man like Ignacio Merendon-Zerega early-on as someone subject to enhanced punishment. His charge for killing **Judyth Ann Cox** should have been murder.

[http://web.newsregister.com/news/results.cfm?story\\_no=234681](http://web.newsregister.com/news/results.cfm?story_no=234681)

## DA office program makes impact on crime victims

Published: May 8, 2008

DA office program makes impact on crime victims

Debra Bridges, Director of Crime Victim Services for the Yamhill County District Attorney's Office, says she absolutely loves her job. She hopes that shows in the work she does.

It shows, all right.

She describes herself as a "companion crier." If there is anyone crying within a two-mile radius, she cries, too.

She admittedly became a little teary-eyed this week when Circuit Judge Cal Tichenor sentenced **Ignacio Merendon-Zerega** of Woodburn to 15 years in prison for crashing his van last December into a car occupied by Craig and **Judy Cox** of Newberg.

Judy died, and at the sentencing hearing, her husband, other family members and friends told the court what a wonderful and loving woman she was and how she is missed so much.

Some cases, Bridges said, impact her more than others. They take a greater emotional toll on her. This one did. She had a job to do, however, so she was in the courtroom to offer Judy's loved ones all of her support.

Bridges was at Providence Newberg Medical Center the night of the crash. That's where Judy died and where her husband was taken for treatment of his injuries. She's been available to the family ever since that day.

Judy Cox's daughter, Vicki Peterson, submitted a letter to the court that was read by a family friend. It would have been too difficult for her to stand in front of Merendon and read it herself.

In part, the letter read: "The Crime Victim Services program and Debra have been invaluable." As that part was read, Peterson looked toward Bridges, who was sitting behind her father in the courtroom, and

gave her a nod of thanks.

During the recent Bradley Seifried murder trial, Bridges lended her support to the family of his aunt, Anne Kreder of Dayton, whom he stabbed to death. Bridges sat with Kreder family members throughout the trial and at the hearing when Seifried was sentenced to life in prison.

Bridges had responded to Kreder's rural farm home the night she was murdered to provide family members some comfort and support.

There are four full-time paid advocates, including herself, who work in the office. Bridges also utilizes volunteer help. Three specially trained volunteers are on call during the evening hours to respond to sexual assault, domestic violence, homicide, fatal motor vehicle crashes and suicide calls.

The service people in this department provide to crime victims is invaluable. They're making a difference in the lives of many people.

Individuals interested in volunteering with the department should contact Bridges at 503-434-7510.

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[http://web.newsregister.com/news/results.cfm?story\\_no=234632](http://web.newsregister.com/news/results.cfm?story_no=234632)

## Drunk driver leaves hole in family's heart

Published: May 6, 2008  
By PAUL DAQUILANTE  
Of the News-Register

Exasperated authorities may finally have found a solution to **Ignacio Merendon-Zerega's** penchant for getting behind the wheel drunk and paying no heed to anyone who gets in his way.

The 44-year-old **illegal immigrant** will spend the next 15 years in the state prison system, then be deported to his native **Mexico**.

However, it's too late for the Cox family of Newberg. **Judyth Ann Cox** died in December - leaving her husband of 48 years, 72-year-old Craig, a widower - after Merendon, in a drunken stupor, crashed his Dodge Caravan into their Geo Storm.

About 2 1/2 hours after the crash, Merendon's blood alcohol content still measured .347. That's more than four times the .08 establishing the presumption on impairment in Oregon.

According to statements in court, the Woodburn resident started his day by mixing 10 shots of tequila with his morning coffee, then switched to beer. Thus fortified, he got behind the wheel and took off, driving with a suspended license.

And it was apparently something he had done many times before.

Merendon's record shows six previous drunken driving convictions. It shows a hit and run conviction from a DUII crash in which he registered a blood alcohol content of .29 - almost four times the legal limit. It shows repeated license suspensions and revocations, coupled with a previous deportation to **Mexico**.

But nothing seemed to stop him. After the deportation, he returned to the U.S., returned to the bottle and returned to the road, records show.

Before Yamhill County Circuit Judge Cal Tichenor sentenced him Monday on one count each of first-degree manslaughter, fourth-degree assault, driving while suspended and felony driving under the influence, Merendon told the court, "I'm sorry." But prosecutor Alicia Eagan said he showed no remorse at all at the crash scene.

Eagan said he climbed from his van, leaned against it and lit a cigarette. When informed 66-year-old Judy Cox had succumbed to her injuries, she said, he reportedly responded, "She shouldn't have died. It wasn't that big of a crash."

She said several witnesses reported seeing Merendon weaving all over the road shortly before the crash, alternately crossing the center line and fog line.

"He was drunk, very, very drunk," she told the court. "One officer said he was visibly, obviously intoxicated."

At one point, a fellow motorist rolled down his window and yelled at Merendon, "Get off the road before you kill someone," Eagan said. And minutes later, the unheeding Woodburn resident did just that.

If a murder case could ever be made as a result of a DUII crash, Eagan said, this would be the one. Tichenor seconded that.

"You deliberately killed another human being," he told Merendon as he pronounced sentence under terms of a plea bargain. "You showed no regard for the life of that woman or the lives of anyone else."

Under Oregon sentencing guidelines, Merendon could have gotten as much as 20 years, Eagan said. However, that would have required taking the case to trial, instead of negotiating a plea bargain under which counts of reckless driving and recklessly endangering another were dropped.

"Potentially, he could have gotten 20," she said. "Had we gone to trial and won, and with enhancement factors, I think we could have gotten the 20. But I wasn't going to put the family through a trial."

For members of the family, who filled two rows in the courtroom Monday, the sentencing hearing was a difficult emotional ordeal in its own right.

Cox's daughter, Vicki Peterson, submitted a letter in which she told Tichenor her mother had suffered a permanent brain injury 25 years earlier at the hands of another drunken driver. She told him a family friend had died in that crash.

Retired First Baptist Church Pastor Bernie Taylor of McMinnville, a longtime friend of the Cox family, read the letter on Peterson's behalf as Eagan offered her emotional support.

Peterson said her mom was her best friend. She was an incredible woman whose philosophy was to make the world around you a better place just by being in it.

Laughter was her signature. She found humor whenever she could.

Peterson said she considered herself the luckiest daughter in the world to have had Judy Cox for her mother.

She called Cox an amazing mother-in-law to her husband and an amazing grandmother to her children. Now they all are left with a huge hole and struggling with the senselessness of this tragedy, she said.

Peterson said her parents' marriage was filled with love and strength. It was an inspiration to all. Now she watches her dad carry on alone and it's heart wrenching to see the pain and loneliness he is having to endure.

"It is incomprehensible that this could happen twice to our family," Peterson said, referring back to a March 1980 crash that left her then 39-year-old mother hospitalized for three months.

She said her mom had to have a vega nerve stimulator implant to control her seizures, and still had to take anti-seizure medication the rest of her life. But she said Cox had been doing especially well in the months before the December crash in Newberg.

"She was feeling better than she had since the first crash," Peterson said. "My parents finally had gotten to the point where they could retire and travel to do and see all they wanted to. Ignacio Merendon-Zerega had no right to take that away."

Keith Swanson, a Salem attorney, read a letter from Craig Cox.

He said words weren't sufficient to describe the 48 years they had together. He said there were difficult times, but they worked hard to overcome them.

"Now it's over forever," he said. "This man killed my wife and me. This is a life sentence for me, and he only will get 15 years. I am more alone now than any time of my life."

He said his daughter and son lost the love of their life and their best friend, as he did. He said Merendon "ripped our hearts out."

"I can't even talk about it without crying," Cox said. "All our grandchildren are suffering more than I can say. She won't be there for Christmas or birthdays or any other family get togethers."

Letters were also submitted by Vicki Peterson's husband, Sam; Sam and Vicki's daughter, Hannah; Sam's sister, Judy; cousins Pat Williams and Paul Kinser; and other family members. Turner also submitted a letter, as did Judy Cox's long-time friend, Judy Newton.

Sam Peterson said Merendon had left a black hole in all their hearts - one that would never be filled.

"I'm sorry I couldn't come to court, but I can't see him," Hannah Peterson said. "I can't see the scum who murdered my grandma. I can't. I don't want to."

"Please don't let him hurt anyone else. Please. No one deserves to feel like this."

Eagan said, "Before this hearing, I chose to read all these letters rather than focus on the reports of the crash. I feel as though I know her. This was a lovely woman."

[http://web.newsregister.com/news/results.cfm?story\\_no=234530](http://web.newsregister.com/news/results.cfm?story_no=234530)

## **Judyth Anne Cox**

Published: December 8, 2007  
1941-2007

Memorial services for former McMinnville resident Judyth Anne Cox of Newberg will be held at 10 a.m. Saturday, Dec. 15, at Attrell's Newberg Funeral Chapel. A potluck reception will be held at Newberg Christian Church following the service.

Mrs. Cox died Monday, Dec. 3, 2007, at the Providence Newberg Medical Center of injuries suffered in an automobile accident. She was 66.

Born March 25, 1941, in Des Moines, Iowa, she moved to California in 1943. She worked initially as a school librarian.

She married Craig Allen Cox in 1959. The couple moved to Oregon in 1971 and opened a Yamaha motorcycle shop in McMinnville.

They moved to Arizona in 1979 and opened a Yamaha outlet there. They returned to Oregon in 1984 and opened sandwich shops in Tigard and Lake Oswego.

Upon retirement, she became a full-time caretaker for their aging parents. She enjoyed reading, gardening, camping and spending time with family.

In addition to her husband, Mrs. Cox is survived by a son, Andrew of Portland; a daughter, Vicky Peterson of Newberg; a brother, Richard Grigsby of California; and six grandchildren.

She was preceded in death by a son, Jonathan Cox.

[http://web.newsregister.com/news/results.cfm?story\\_no=229328](http://web.newsregister.com/news/results.cfm?story_no=229328)

## Newberg crash claims life

Published: December 4, 2007

Newberg crash claims life

By STARLA POINTER

Of the News-Register

NEWBERG - Drunk driving is being blamed for a fatal collision Monday morning at Highway 219's Wynooski Road intersection in Newberg.

Killed was **Judyth Ann Cox**, 66, of Newberg, who was southbound on Highway 219 in a 1991 Geo Storm driven by her husband, Craig Allen Cox, 72.

According to Newberg-Dundee police, the Geo was struck by a northbound 2001 Dodge Caravan driven by **Ignacio Merendon-Zerega**, 44, of Woodburn. They said the Caravan swung into the Geo's path as Merendon attempted to turn left onto Wynooski.

Craig Cox was admitted to Providence Newberg Medical Center with injuries not considered life threatening. His wife was taken to the same hospital, but could not be saved.

Merendon, alone in the van, was taken to the hospital for examination, then placed under arrest.

He was booked into the Yamhill County Jail on charges of first-degree manslaughter, driving under the influence and driving while suspended. Bail was set at \$250,000.

Newberg and Dundee firefighters and medics extricated, treated and transported the injured.

The collision occurred in wet and windy conditions, as a severe storm was battering the area at the time. However, police blamed the fatal crash on impaired driver judgment rather than adverse weather.

Newberg-Dundee police are continuing their investigation with assistance from the Yamhill County Multi-Agency Traffic Team. The Yamhill County District Attorney's Office and Yamhill County Medical Examiner

are also assisting.

[http://web.newsregister.com/news/results.cfm?story\\_no=229174](http://web.newsregister.com/news/results.cfm?story_no=229174)

Date : 04/22/2008 Time : 15:51:01	<b>YAMHILL COUNTY JAIL</b> <b>CURRENT INMATE LISTING</b>
Inmate Count : 1	

Booking No... : 2007120021      File Number : 98493  
Inmate Name : **MERENDON, IGNACIO ZEREGA**  
Arrest Date .. : 12/03/2007      Booking Date : 12/03/2007  
Offense ..... : **MAN 1, DUI**  
Arresting Officer : **BOGGS**  
Scheduled Release Date : // Age... : 45      Sex... : M      Race : WHITE  
**Height : 5'4";      Weight : 160**  
**Hair .. : BLK      Eyes : BRO**  
**Total Fines : \$ 0.00**  
**Total Bond : \$ 0.00**  
**Total Bail.. : \$ 0.00**



CHARGE INFORMATION		
Offense	Disposition	Sentence
MANSLAUGHTER 1 - MEASURE 11 CT 1** BAIL 1 MI	Pending	
DUII CT.2	Pending	
DWS/R CT.4	Pending	
<b>ICE</b>	<b>Hold</b>	
ASSAULT 4 CT.3	Pending	
MARI-PVS	Hold	
RECK DRIVE CT.5	Pending	

<http://www.co.yamhill.or.us/sheriff/inmates/icurrent.htm>

<http://www.co.yamhill.or.us/sheriff/index.asp>

Barbara Jean Bier, age 52, was killed by a foreign national illegally present in Oregon on November 21, 2008.

## **Driver enters not guilty plea in fatal crash**

Date Published to Web: 12/23/2008

POLK COUNTY -- **Martin Martinez-Aguilar**, arrested in the Highway 22 car accident that claimed a Dallas woman's life Nov. 21, pled not guilty to charges including manslaughter at his arraignment Dec. 18.

Martinez-Aguilar, 27, attempted to drive his silver 2000 Ford Mustang across the eastbound traffic from the center left-turn lane near the Oak Grove Road intersection. While turning, he was hit by an eastbound Saturn Sedan driven by 52-year-old Barbara Jean Bier. Bier's Saturn veered into westbound traffic and crashed head-on into William Lee Wiedenmann's Ford F-150 pickup.

Bier was pronounced dead at the scene. Martinez-Aguilar and an unidentified passenger were transported to Salem Hospital. Wiedenmann did not require medical treatment.

Martinez-Aguilar was arraigned on charges of criminally negligent homicide, assault in the second degree, driving under the influence of intoxicants, reckless driving, two counts of recklessly endangering, assault in the fourth degree and manslaughter in the second degree.

He pled not guilty to all charges and is being held at the Polk County Jail on \$500,000 bail.

<http://www.itemizerobserver.com/ArcStoryPage.asp?Database=Story&StoryID=14075>

## **11/26 OBITUARIES**

Date Published to Web: 11/25/2008

**Barbara Jean Bier**

**Nov. 3, 1954 - Nov. 21, 2008**





**Barbara Jean Bier**

Barbara Jean Bier, 54, of Dallas died on Nov. 21 as a result of a motor vehicle accident. She was born in Dallas to Connie and Walter Bier.

Barbara worked as a waitress for many years. In Dallas she worked at Baller's Family Restaurant, Berts, and most recently Washington Street Steakhouse. She also worked for Carusso Italian Restaurant in Keizer.

Survivors include Doug Baller; children, Savannah Lacey, Elijah Lacey, Ceasar Lacey, Kurt Grotewold, Briana Grotewold, Jorgie Grotewold and Matt Baller; parents, Connie Barreras and Walter Bier; brothers, David Bier and Danny Bier; sisters, Melody Southwick, Kimberly Draxx and Sara Bier; and five grandchildren.

Celebration of Life service is at 1 p.m. Wednesday, Nov. 26, at the Evangelical Bible Church in Dallas.

Contributions are suggested to a fund that has been established at any Citizens Bank to help in the continued support of the children of Barbara Bier.

Dallas Mortuary Tribute Center handled arrangements. To send an online condolence: [www.dallastrIBUTE.com](http://www.dallastrIBUTE.com).

<http://www.itemizerobserver.com/ArcStoryPage.asp?Database=Story&StoryID=13901>

## Man charged after fatal Highway 22 wreck

Date Published to Web: 11/25/2008

POLK COUNTY -- Drugs may have played a role in a car crash that killed a Dallas woman on Highway 22 west of Salem on Nov. 21, Oregon State Police said.

**Martin Martinez-Aguilar**, 27, was arrested for criminally negligent homicide and driving under the influence of intoxicants and other charges in connection with the incident, which occurred about 5:20 p.m. near the intersection of Oak Grove Road, according to an OSP news release.

Aguilar, driving a silver 2000 Ford Mustang, was in the center left-turn lane and attempted to drive across the eastbound traffic when he was struck by an eastbound 1996 Saturn sedan driven by Barbara Jean Bier, 52.

The Mustang continued onto the right eastbound shoulder after the initial impact, while the Saturn veered left into westbound traffic and crashed head-on into a 2004 Ford F-150 pickup driven by William Lee Wiedenmann, 54, of Dallas, OSP said.

Bier was pronounced dead at the scene. Weidenmann didn't require medical treatment.

Martinez-Aguilar and an injured unidentified passenger in his car were transported to Salem Hospital.

The following day, Martinez-Aguilar was taken into custody and lodged at Polk County Jail. He was also charged with assault in the second- and fourth-degree, reckless endangering, and two counts of recklessly endangering another person.

OSP is continuing its investigation. The Oregon Department of Transportation, Polk County Fire District No. 1, Polk County Sheriff's Office and Salem Police Department assisted.

The crash closed westbound traffic on Highway 22 for more than three hours.

<http://www.itemizerobserver.com/ArcStoryPage.asp?Database=Story&StoryID=13897>

### News

#### Driver arrested in connection with fatal crash

 DOWNLOAD PDF

November 23, 2008

SALEM — State police have arrested one driver in connection with a fatal traffic crash Friday evening on Highway 22 at Oak Grove Road NW, officials said Saturday.

**Martin Martinez-Aguilar**, 27, of Salem was held in the Polk County jail on charges of criminally negligent

homicide, driving under the influence of intoxicants, two counts of assault, reckless driving and two counts of recklessly endangering another person, state police Lt. Gregg Hastings said.

Barbara Jean Bier, 52, of Dallas was pronounced dead at the scene of the crash about 5:20 p.m.

Hastings said a preliminary investigation indicated that Martinez-Aguilar was driving in the center continuous left-turn lane on Highway 22 and tried to turn across both eastbound lanes.

Bier was eastbound on the highway when her vehicle struck the right rear of Martinez-Aguilar's, then veered left into the westbound lanes and ran head-on into a pickup driven by William Lee Wiedenmann, 54, of Dallas.

Martinez-Aguilar and an unidentified passenger were taken to Salem Hospital with injuries. Wiedenmann did not require medical attention. All involved were wearing seat belts, Hastings said.

Westbound Highway 22 was closed for more than three hours, reopening about 8:30 p.m.

State police and the Polk County District Attorney's Office are continuing an investigation.

— *Justin Much*

<http://www.statesmanjournal.com/apps/pbcs.dll/article?AID=2008811230331>

## Update

10:15 A.M.

### Driver in fatal Hwy. 22 crash charged, jailed

 [DOWNLOAD PDF](#) JUSTIN MUCH • STATESMAN JOURNAL

November 22, 2008

OAK KNOLL -- Police have arrested one driver in connection with Friday afternoon's fatal accident on Hwy. 22 near the Hwy. 51 junction.

**Martin Martinez-Aguilar**, 27, of Salem was arrested and charged with criminally negligent homicide, driving under the influence of intoxicants, two charges of assault, reckless driving and two counts of recklessly endangering another person. He is being lodged in the Polk County jail.

Barbara Jean Bier, 52, of Dallas was pronounced dead at the scene.

Oregon State Police said that preliminary investigation indicates that at about 5:20 p.m. Martinez-Aguilar was driving in the center continuous left-turn lane on Hwy. 22 near the Oak Grove Road NW intersection and attempted to turn. Bier was traveling eastbound on Hwy. 22 when her vehicle struck the right rear of Martinez-Aguilar's, then veered left into the westbound lanes and ran head on into a pickup truck driven by William Lee Wiedenmann, 54, of Dallas.

Martinez-Aguilar's vehicle continued onto the shoulder area where it stopped. He and a passenger were transported to Salem Hospital with unidentified injuries. Wiedenmann did not require medical attention. All involved were using safety restraints.

Westbound Hwy. 22 was closed for over three hours, reopening at about 8:30 p.m.

State Police and the Polk County District Attorney's Office are continuing with the investigation.

<http://www.statesmanjournal.com/article/20081122/UPDATE/81122001>

# Arrest made in Salem-area fatal car crash

by Tom Hallman Jr., The Oregonian  
Saturday November 22, 2008, 9:50 AM

A 27-year-old Salem man was arrested early this morning and charged with criminally negligent homicide and driving while under the influence of intoxicants in connection with a Friday evening collision on Oregon 22 just west of Salem.

**Martin Martinez-Aguilar** was lodged in the Polk County Jail after an investigation by Oregon State Police.

Troopers said that at about 5:20 p.m. Friday Martinez-Aguilar -- driving a 2000 Ford Mustang -- was in the center continuous left-turn lane in the westbound lane of Oregon 22 when he attempted to cross both eastbound lanes. His car was struck by a 1996 Saturn driven by Barbara Jean Bier, 52, of Dallas, Ore.

The Mustang continued onto the right eastbound highway shoulder area, and the Saturn veered into the westbound lanes where it crashed head-on with a westbound 2004 Ford F150 pickup driven by William Lee Wiedenmann, 54, of Dallas.

Bier was pronounced dead at the scene. Wiedenmann did not require medical treatment. Martinez-Aguilar and an injured unidentified passenger in his car were taken to Salem Hospital.

He was taken to the jail today. He was also charged with second-degree assault, reckless driving and two counts of recklessly endangering another person.

-- Tom Hallman Jr.; [tomhallman@news.oregonian.com](mailto:tomhallman@news.oregonian.com)

[http://www.oregonlive.com/news/index.ssf/2008/11/arrest\\_made\\_in\\_salemarea\\_fatal.html](http://www.oregonlive.com/news/index.ssf/2008/11/arrest_made_in_salemarea_fatal.html)



## News

### Fatal Traffic Crash - Highway 22W west of Salem

11/22/2008

Lieutenant Gregg Hastings  
Public Information Officer  
Office: (503) 731-3020 ext. 247

Photograph links valid for 30 days - Source: Oregon State Police  
<http://www.flashnews.net/images/news/112108.fatal.hwy22.mp20.7.JPG>

<http://www.flashnews.net/images/news/112108.fatal.hwy22.mp20.1.JPG>  
<http://www.flashnews.net/images/news/112108.fatal.hwy22.mp20.4.JPG>  
<http://www.flashnews.net/images/news/112108.fatal.hwy22.mp20.6.JPG>

Oregon State Police, working in conjunction with the Polk County District Attorney's Office, is continuing the investigation into **Friday afternoon's three vehicle crash on Highway 22W west of Salem that resulted in the death of a 52-year old Dallas-area woman. One driver was taken into custody and is being lodged this morning on multiple charges at Polk County Jail.**

Preliminary investigation indicates on **November 21, 2008 at approximately 5:20 p.m.** a silver 2000 Ford Mustang driven by **MARTIN MARTINEZ-AGUILAR, age 27, from Salem**, was in the center continuous left turn lane on **Highway 22W near the intersection of Oak Grove Road NW near milepost 20.** The Ford Mustang attempted to drive from the continuous left turn lane across both eastbound lanes and was struck in the right rear by an eastbound tan 1996 Saturn driven by **BARBARA JEAN BIER, age 52, from Dallas.**

After the initial impact the Ford Mustang continued onto the right eastbound highway shoulder area. The Saturn veered left into the westbound lanes where it crashed head-on with a westbound white 2004 Ford F150 pickup driven by **WILLIAM LEE WIEDENMANN, age 54, from Dallas.**

**BIER was pronounced deceased at the scene.**

**WIEDENMANN did not require medical treatment.**

**MARTINEZ-AGUILAR** and an injured unidentified passenger in his car were transported to Salem Hospital.

All involved occupants were using safety restraints.

Working in consultation with the Polk County District Attorney's Office, **MARTINEZ-AGUILAR was arrested and is being lodged in the Polk County Jail on the following charges:**

- **Criminally Negligent Homicide**
- **Driving Under the Influence of Intoxicants – Drugs**
- **Assault in the Second Degree**
- **Assault in the Fourth Degree**
- **Reckless Driving**
- **Recklessly Endangering Another Person (2 counts)**

Oregon State Police troopers from the Salem Area Command office and an OSP crash reconstructionist are continuing the investigation. Polk County Fire District I, Polk County Sheriff's Office, ODOT and Salem Police Department assisted.


The westbound lanes of Highway 22W were closed for approximately 3 1/2 hours.

No further details regarding the investigation will be released without approval by the Polk County District Attorney's Office.

### [www.oregon.gov/OSP](http://www.oregon.gov/OSP) ###

[http://egov.oregon.gov/OSP/NEWSRL/news/11\\_22\\_2008\\_fatal\\_hwy22w\\_mp20.shtml](http://egov.oregon.gov/OSP/NEWSRL/news/11_22_2008_fatal_hwy22w_mp20.shtml)

Date : 12/01/2008 Time : 08:41:13	<b>POLK COUNTY JAIL</b>
Inmate Count : 1	<b>CURRENT INMATE LISTING</b>

Booking No... : <b>2008110178</b> File Number : <b>45678</b> Inmate Name : <b>MARTINEZ-AGUILAR, MARTIN</b> Arrest Date .. : <b>11/21/2008</b> Booking Date : <b>11/22/2008</b> Offense ..... : <b>CRIM NEG HOMICIDE,ASSLT II,DUII-CS,RECK                  DRIV,RECK</b> Arresting Officer : <b>OSP HINKLE</b> Scheduled Release Date : <b>//</b>  Age... : <b>27</b> Sex... : <b>M</b> Height : <b>5'6"</b> ;      Weight : <b>140</b> Hair .. : <b>BRO</b> Eyes : <b>BRO</b>  Total Fines : <b>\$ 0.00</b> Total Bond : <b>\$ 0.00</b> Total Bail.. : <b>\$ 500,000.00</b>	
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CHARGE INFORMATION		
Offense	Disposition	Sentence
<b>CRIMINALLY NEGLIGENT HOMICIDE 08P3482</b>	Pending	
<b>ASSAULT 2ND DEG</b>	Not Filed On	
<b>DRIVE UNDER INFLUENCE INTOX 08P3482</b>	Pending	
<b>RECKLESS DRIVING 08P3482</b>	Pending	
<b>RECKLESSLY ENDANGERING 08P3482</b>	Pending	
<b>RECKLESSLY ENDANGERING 08P3482</b>	Pending	
<b>ASSAULT 4TH DEG 08P3482</b>	Pending	
<b>MANSLAUGHTER 2ND DEG 08P3482</b>	Pending	
<b>HOLD (ICE DETAINDER)</b>	<b>Open</b>	

<http://www.polksheriff.net/inmates/ICURRENT.HTM>

<http://www.polksheriff.net/id174.htm>

John Zupan, age 66, was killed by a foreign national illegally present in Oregon on August 30, 2011.

## Oregon Department of Corrections

### Oregon Offender Search

Public Information (Last Updated: 06/12/2012 20:18:25)



SID#  
16599221

Offender Name: REYNOSO-RAMIREZ, EDY

Age: 33 DOB: 10/1978

Gender: Male Race: Hispanic

Height: 5' 04" Hair: Black

Weight: 160 lbs Eyes: Brown

Caseload: 00410 Emery, Georgianna

Location: [EASTERN OREGON CORRECTIONAL INSTITUTION](#)

Status: Inmate

Institution Admission Date 01/20/2012

Earliest Release Date: 02/26/2019

Docket Number	County	Crime	Sentence Type	Begin Date	Termination Date
110833632/01	MULT	MANSLAUGHTER II	Inmate Sentence	01/20/2012	-

## Drunken driver who killed founder of Portland's Zupan's Markets gets 90 months

Published: Friday, January 20, 2012, 1:43 PM

Updated: Friday, January 20, 2012, 4:05 PM

By [Aimee Green, The Oregonian](#)

A drunken driver who steered into oncoming traffic and killed John Zupan — the founder of Zupan's Markets — has been **sentenced to 7½ years in prison.**

Witnesses said **Edy Reynoso-Ramirez** was speeding and recklessly passing other cars with his 1998 Honda Civic when he crashed head-on into a motorcycle driven by Zupan. The incident happened near Marine Drive and 138th Avenue in Portland.

[Zupan, 66, was out for a summer ride at about 8 p.m. Aug. 29.](#) He had decades of experience riding motorcycles, and he owned eight of them. Traffic investigators noted that the speedometer on his 2009 BMW motorcycle was frozen at 44.9 mph. The speed limit was 45 mph.

He died the next day at Legacy Emanuel Medical Center.

“He was out enjoying a summer evening,” said prosecutor Chuck Sparks. “He was doing it all legally, and in the right way. And then this happens.”

**Reynoso-Ramirez had a blood alcohol content of 0.19 percent, more than double the legal limit.**

**Reynoso-Ramirez**, 33, pleaded guilty in Multnomah County Circuit Court Thursday to second-degree manslaughter and driving under the influence of intoxicants. He is not eligible for time off for good behavior.

Little information about Reynoso-Ramirez's history was available. His immigration status also is in question. **Federal officials have placed a hold on him**, saying they want to review his status in this country before he is released.

Reynoso-Ramirez cried and apologized, before deputies escorted him away to jail. He was transported to prison Friday.

[Zupan was born in Austria, and his family immigrated to the United States from Croatia.](#) At an early age, he began selling watermelons outside his parents' home in Klamath Falls. After his family moved to Portland, he began work as a courtesy clerk at Sheridan Fruit at age 16. He spent 11 years working at Fred Meyer as produce manager and produce district manager.

[In 1975, he ventured out to create his own gourmet foods store.](#) Today, there are three Zupan's Markets, on West Burnside Street, Southwest Macadam Avenue and Southeast Belmont Street. According to his obituary, his son took over the "reins" of the business in 2000, but Zupan was often seen chatting with customers, checking the quality of produce and spending time in the stores he founded.



[View full size](#) Edy Reynoso-Ramirez  
Mult. Co. Sheriff's Office



[View full size](#) John Zupan in 1997  
Kathryn Scott/The Oregonian



-- [Aimee Green agreeen@oregonian.com](mailto:agreen@oregonian.com)

[http://www.oregonlive.com/portland/index.ssf/2012/01/drunken\\_driver\\_who\\_killed\\_foun.html](http://www.oregonlive.com/portland/index.ssf/2012/01/drunken_driver_who_killed_foun.html)

examiner.com

National

## Illegal alien charged in deadly DUI crash...Is 'sanctuary' policy to blame?

[Dave Gibson](#) Immigration Reform Examiner

September 1, 2011

Portland, Oregon – On Monday night, Portland police arrested **Edy Porfirio Reynoso-Ramirez**, 32, after he allegedly struck the motorcycle that **John Zupan**, 66, was riding. Reynoso-Ramirez was found hiding a few hundred yards from the scene of the crash.

On Tuesday night, Zupan, the owner of a local chain of grocery stores, died from his injuries at Legacy Emanuel Medical Center.

Reynoso-Ramirez was speeding and riving erratically before his 1998 Honda Civic crossed the center line on Marine Drive into Zupan's 2009 BMW motorcycle, according to police.

At age 16, Zupan began working in the grocery industry when he secured a job as a courtesy clerk at Sheridan Fruit Market. He spent 11 years working for Fred Meyer as a produce manager, eventually striking out on his own with Zupan's Markets in 1975.

**Reynoso-Ramirez** has been charged with second-degree assault, DUI, reckless driving and hit-and-run driving that caused injury and damage to property and will more than likely now be charged with manslaughter. He is currently being held in the Multnomah County Jail on an **immigration detainer**.

This is not the **illegal alien's** first run-in with the law in Multnomah County.

-In November 2003, **Reynoso-Ramirez** pleaded guilty to driving without insurance and paid a fine.

-In October 2006, he pleaded guilty to providing alcohol to minors, but the charge was dismissed by Judge Steve R. Evans two months later.

On Tuesday, Aug. 30, Reynoso-Ramirez faced a Multnomah County judge for the third time, facing charges of DUI and reckless driving.

So, why was this **illegal alien** allowed to stay in the Portland area until it now appears that he has killed someone?

Sgt. Pete Simpson, spokesman for the Portland Police Bureau, answered that question when he told KOIN Local 6: "Under police policy we don't ask people their immigration status unless there is a drug arrest and that's a federal mandate."

In fact, both the city of **Portland and Multnomah County** have had 'sanctuary' policies in place since 1989.

Sgt, Simpson defended the policy, saying: "The other concern in a lot of communities is that if we are seen as asking those questions it may put fear in those communities and they won't cooperate with law enforcement and won't talk to us about domestic violence and gangs or other issues."

Incredibly, even after Monday night's deadly crash, the police did not question Reynoso-Ramirez about his immigration status.

He was only identified as an **illegal alien** due to a routine **Immigration and Customs Enforcement** audit.

Virginia Kice, Western Regional Communications Director for **ICE**, released the following statement to KOIN Local 6:

"On Aug. 30, a U.S. **Immigration and Customs Enforcement (ICE)** officer conducting a routine review of the Multnomah County Jail's electronic inmate roster identified **Edy Porfirio Reynoso-Ramirez** as a potentially **deportable alien**. After interviewing Mr. Reynoso, the **ICE** officer lodged an immigration detainer against him, ensuring he will be turned over to **ICE** for follow-up enforcement action upon his release from local custody. A check of Department of Homeland Security databases indicates Reynoso has no prior immigration arrest history."

[http://www.examiner.com/immigration-reform-in-national/illegal-alien-charged-deadly- dui-crash-is-sanctuary-policy-to-blame?CID=examiner\\_alerts\\_article](http://www.examiner.com/immigration-reform-in-national/illegal-alien-charged-deadly- DUI-crash-is-sanctuary-policy-to-blame?CID=examiner_alerts_article)

## John Zupan, Portland grocery 'maverick,' dies at 66

Published: Thursday, September 01, 2011, 9:57 AM

Updated: Thursday, September 01, 2011, 3:07 PM

By [Laura Gunderson, The Oregonian](#)

A longtime Portland grocer who counted Fred G. Meyer as one of his first bosses, John Zupan worked in a number of the city's better-known independent markets where he fine-tuned his skill at presenting fresh foods in ways that set them apart from much-larger competitors.

Zupan, who died Tuesday night at age 66 from injuries suffered in a traffic accident a day earlier, founded [the store that bears his name](#) in 1975 and soon became a pioneer in the city's now-celebrated foodie scene.

"John Zupan was a grocery store maverick, an innovator, a visionary," said Ron McKnight, a former chairman of the [Northwest Grocers Association](#), for which Zupan also served on the board for many years. "He was bored with what was normal, and he enjoyed the abnormal."

Zupan, who handed daily operations to his son, Mike Zupan, in 2000, remained active in Zupan's Markets. This spring, he helped announce plans for the Vancouver-based chain's fourth location, planned for Lake Oswego. At the time, he talked about a stressful stretch as Zupan's, known for shelves of local, upscale and gourmand offerings, slogged through the recession, and yet he was upbeat about 2011.

"They had a lot of challenges with their stores, their organization, with life in general, but John's attitude was always, 'OK, here are the cards we have. How do we play them?'" said Dirk Davis, vice president of sales in the Northwest for the wholesale cooperative [Unified Grocers](#).

"Independents willing to put everything on the line and open a business to serve the needs of the consumer is rare," he said. "We're blessed that John left the comfort of Fred Meyer to forge out on his

own."

Zupan received an early education in the grocery business, starting at 16 in the produce section at Southeast Portland's [Sheridan Fruit Company Inc.](#) He went on to work for nearby Corno's Food Market, which closed in 1995, and later moved to [Fred Meyer](#), where he spent 11 years and worked up to produce district manager. Although his own retail vision took a much different approach from Meyer's, his friends say, Zupan learned what he wanted to be and helped find the strength to get there while working under Portland's most famous grocer.

At 30, Zupan and another Fred Meyer colleague, Chuck Gaylord, bought Zim's, an independent grocery store near Gresham. He later sold his share of the 35,000-square-foot market and went on to operate Thriftway and Food Pavilion stores before setting eyes on his dream space at Northwest 23rd Avenue and West Burnside.

The location, formerly a Kienow's Food Store, has since expanded, but it provided Zupan a showcase for the food and entertaining lifestyle he loved -- and lived.

Chuck Carlbom, the retired chief executive of [Western Family Foods](#), recalls a conversation with his friend of 30 years.

"He told me, 'If you can smell the fish in the counter, it's too old,'" Carlbom said, laughing. There are two spots in a Zupan's Market where Carlbom says his friend's talents are visible: produce and meat.

"You can't come out of those stores without being impressed," he said. "He wouldn't put anything on the shelf that wasn't first class."

Other former colleagues and competitors said they scouted Zupan's stores for merchandising and layout ideas. At least one was inspired by where Zupan chose to locate a store, specifically his street-front market in an old dairy on Southeast Belmont Street. The public-private partnership, which Zupan's anchored, aimed to bring retail and homes to the struggling street.

"There's no question that this will be the initial revitalizer for Belmont," John Zupan said at the time.

Brian Rohter, founder and co-owner of [New Seasons Market](#), agreed and says that store opened other independent grocers' eyes.

"To go into that neighborhood and to put a grocery store in without obvious parking in front helped the rest of us understand the possibilities of how you might design a store," he said. "That took a lot of vision."

Zupan, who friends said enjoyed classic cars and motorcycles, died after he was hit on his 2009 BMW motorcycle Monday night on Northeast Marine Drive. The driver of the car who hit Zupan faces a number of charges, including DUII, and police said Wednesday he may end up being charged with first-degree manslaughter.

Zupan is survived by two children, his son, Mike, and daughter, Angela.

"There's nobody in the market better on upscale entertainment, in how you can go to the people who put that together in the store and can help you transform that from store to your home -- that's Zupan's," said Davis of Unified Grocers. "That's who John was and who Mike is. The beautiful thing is the legacy lives on."



John Zupan

-- [Laura Gunderson LGunderson@oregonian.com](mailto:LGunderson@oregonian.com)

[http://www.oregonlive.com/business/index.ssf/2011/09/john\\_zupan\\_portland\\_grocery\\_ma.html](http://www.oregonlive.com/business/index.ssf/2011/09/john_zupan_portland_grocery_ma.html)

KOIN  
Local 6  
.com

## **Illegal immigrant** to face manslaughter charges in death of Zupan's founder, police say

Reported by: [Kacey Montoya](#)  
Email: [kmontoya@koin.com](mailto:kmontoya@koin.com)

A 32-year-old **illegal immigrant** suspected of driving the car that hit John Zupan's motorcycle head-on Monday night will likely face a first-degree manslaughter charge in connection with the deadly crash, said Portland Police Bureau.

**Edy Porfirio Reynoso-Ramirez**, 32, was arrested Monday night after Portland police found him hiding several hundred yards from the crash scene.

Police said Reynoso-Ramirez was driving a 1998 Honda Civic erratically along Marine Drive when the car crossed the center line and struck a 2009 BMW motorcycle driven by 66-year-old John Zupan, the founder of Zupan's Markets.

Zupan died Tuesday from injuries sustained in the crash.

**Reynoso-Ramirez** is being held without bail on a federal **immigration hold** as a potentially deportable immigrant.

Monday night's arrest is the third for **Reynoso-Ramirez** in Multnomah County. In November of 2003, **Reynoso-Ramirez** pleaded guilty to driving while uninsured, facing a fine.

In October of 2006, **Reynoso-Ramirez** pleaded guilty to furnishing liquor to minors, a misdemeanor dismissed by Judge Steve R. Evans in December of 2006.

On Tuesday, Aug. 30, **Reynoso-Ramirez** faced a Multnomah County judge for the third time, facing charges of DUII and reckless driving.

Sgt. **Pete Simpson**, a spokesman for the Portland Police Bureau, said he expects the Multnomah County District Attorney to increase Reynoso-Ramirez's charges to include manslaughter.

**Simpson** said when Portland police took Reynoso-Ramirez into custody Monday night, they did not ask him about his immigration status.

"Under police policy we don't ask people their immigration status unless there is a drug arrest and that's a federal mandate," said Simpson.

In 1989, officials from the city of Portland and Multnomah County set out to create safer communities through better relations between police and local community members. The Portland Police Bureau's Manual of Policy and Procedure officially states that they will not be involved in enforcing immigration law.

Simpson said part of the motivation behind the policy is to ensure a trusting relationship between local communities and law enforcement officers.

"The other concern in a lot of communities is that if we are seen as asking those questions it may put fear in those communities and they won't cooperate with law enforcement and won't talk to us about domestic violence and gangs or other issues," Simpson said.

According to ORS 181.850: No law enforcement agency of the State of Oregon or of any political subdivision of the state shall use agency moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship [residing] present in the United States in violation of federal immigration laws.

A spokesman from Multnomah County Sheriff's Office said they also do not ask suspects about their legal immigration status. When criminal suspects are booked into the county jail, they are asked for their country of origin, and the information is entered into their records database. It is up to **U.S. Immigration and Customs Enforcement (ICE)** to determine if an inmate is an **illegal immigrant**. An ICE officer in Multnomah County found Reynoso-Ramirez in the system on Tuesday.

Virginia Kice, Western Regional Communications Director for **ICE**, released this statement to KOIN Local 6:

"On Aug. 30, a U.S. **Immigration and Customs Enforcement (ICE)** officer conducting a routine review of the Multnomah County Jail's electronic inmate roster identified **Edy Porfirio Reynoso-Ramirez as a potentially deportable alien**. After interviewing Mr. Reynoso, the **ICE** officer lodged an immigration detainer against him, ensuring he will be turned over to **ICE** for follow-up enforcement action upon his release from local custody. A check of Department of Homeland Security databases indicates Reynoso has no prior immigration arrest history."

Kice said the **ICE hold** will not interfere will local prosecution.

Some Oregon lawmakers have been trying to change the state's immigration laws.

**Rep. Kim Thatcher**, R-Keizer, **sponsored** several House Bills in the legislative session that ended on June 20, 2011.

**House Bill 2802** introduced pieces of Arizona's immigration law into Oregon, and would have allowed police to ask someone suspected of criminal wrongdoing for their legal status. **House Bill 2803** would

have required all county jails to check inmate's immigration status.

**HB 2802** and **HB 2803** are two of **13 immigration reform bills** that failed to pass last session; only one immigration reform bill got a hearing.

**ICE** activated a new system in 2008 as part of the Secure Communities strategy, using biometric information sharing to quickly identify aliens in custody. In Oregon, **eight out of 36 counties** are currently activated jurisdictions. Since the program's start, **989 illegal immigrants** in Oregon have been booked or arrested into **ICE** custody; 411 removed from the U.S.

<http://www.koinlocal6.com/news/local/story/Illegal-immigrant-to-face-manslaughter-charges-in/g6lfK1hFkUurQonzz8Psoq.csp>

## John Zupan, founder of Zupan's Markets, dies from crash injuries

Published: Wednesday, August 31, 2011, 4:39 AM

Updated: Thursday, September 01, 2011, 9:11 AM

By [Noelle Crombie, The Oregonian](#)

The founder of [Zupan's Markets](#) died Tuesday following [a crash in which his motorcycle was hit head-on by a motorist on Northeast Marine Drive](#), a nursing supervisor at Legacy Emanuel Medical Center said this morning.

John Zupan, 66, was westbound near Northeast 138th Avenue when he was struck by a car driven by **Edy Porfirio Reynoso-Ramirez**, 32, the Portland Police Bureau reported.

Police said the 1998 Honda Civic was speeding in the eastbound lane of Northeast Marine Drive, driving erratically and passing other vehicles.

**Reynoso-Ramirez** was booked into Multnomah County jail and faces allegations of assault in the second degree, failure to perform the duties of a driver, DUII and reckless driving. In addition, U.S. **Immigration and Customs** has placed a **hold** on him.

Zupan worked up the ranks in Fred Meyer's produce department before setting out on his own, operating Zim's in Gresham and later owning stores under the Thriftway and Food Pavilion names. According to a 2007 Oregonian story on Zupan's Markets, John Zupan's son, Mike, oversees the the business, while Zupan oversaw the company's real estate.

-- The Oregonian

[http://www.oregonlive.com/portland/index.ssf/2011/08/john\\_zupan\\_founder\\_of\\_zupans\\_m.html](http://www.oregonlive.com/portland/index.ssf/2011/08/john_zupan_founder_of_zupans_m.html)

## Driver involved in Zupan crash may face manslaughter charge, Portland police say

Published: Wednesday, August 31, 2011, 3:53 PM

Updated: Thursday, September 01, 2011, 9:12 AM

By [The Oregonian](#)

The driver of the car that struck Zupan's Markets founder John Zupan may face a manslaughter charge, police said this afternoon.

[Zupan, 66, of Vancouver died Tuesday night](#) at Legacy Emanuel Medical Center in Portland after he was hit on his 2009 BMW motorcycle Monday night on Northeast Marine Drive.

**Edy Porfirio Reynoso-Ramirez**, 32, originally faced allegations of **second-degree assault, failure to perform the duties of a driver, DUII and reckless driving**. Ramirez **may now face a first-degree manslaughter charge**, said Portland police spokesman Sgt. Pete Simpson.

Reynoso-Ramirez was speeding east on Marine Drive and driving erratically in his 1998 Honda Civic four-door, passing other cars before the crash, Portland investigators said. The car crossed the center line east of 138th Avenue and struck Zupan head-on, police said. Zupan was headed west on Marine Drive.

**Reynoso-Ramirez** was booked into Multnomah County jail. In addition, U.S. **Immigration and Customs** has placed a **hold** on him.

Zupan worked up the ranks in Fred Meyer's produce department before setting out on his own, operating Zim's in Gresham and later owning stores under the Thriftway and Food Pavilion names. According to a 2007 Oregonian story on Zupan's Markets, John Zupan's son, Mike, oversees the business, while Zupan oversaw the company's real estate.



[View full size](#) Edy Porfirio Reynoso-Ramirez  
Multnomah County Sheriff's Office

-- The Oregonian

[http://www.oregonlive.com/portland/index.ssf/2011/08/driver\\_involved\\_in\\_zupan\\_crash.html](http://www.oregonlive.com/portland/index.ssf/2011/08/driver_involved_in_zupan_crash.html)

## John Zupan, founder of Zupan's Markets, dies from crash injuries

Published: Wednesday, August 31, 2011, 4:39 AM

Updated: Wednesday, August 31, 2011, 8:24 AM

By [Noelle Crombie, The Oregonian](#)

The founder of [Zupan's Markets](#) died Tuesday following [a crash in which his motorcycle was hit head-on by a motorist on Northeast Marine Drive](#), a nursing supervisor at Legacy Emanuel Medical Center said

this morning.

John Zupan, 66, was westbound near Northeast 138th Avenue when he was struck by a car driven by **Edy Porfirio Reynoso-Ramirez**, 32, the Portland Police Bureau reported.

Police said the 1998 Honda Civic was speeding in the eastbound lane of Northeast Marine Drive, driving erratically and passing other vehicles.

**Reynoso-Ramirez** was booked into Multnomah County jail and faces allegations of assault in the second degree, failure to perform the duties of a driver, DUII and reckless driving.

Zupan worked up the ranks in Fred Meyer's produce department before setting out on his own, operating Zim's in Gresham and later owning stores under the Thriftway and Food Pavilion names. According to a 2007 Oregonian story on Zupan's Markets, John Zupan's son, Mike, oversees the business, while Zupan oversaw the company's real estate.

-- The Oregonian

[http://www.oregonlive.com/portland/index.ssf/2011/08/john\\_zupan\\_founder\\_of\\_zupans\\_m.html](http://www.oregonlive.com/portland/index.ssf/2011/08/john_zupan_founder_of_zupans_m.html)

## [Driver Arrested Monday for DUII May Face Manslaughter Charge](#)

[Portland Police Bureau](#) - 08/31/11

The motorcycle rider that was involved in Monday night's crash on Northeast Marine Drive, 66-year-old John Zupan of Vancouver, died Tuesday evening at 10:04 p.m. at Legacy Emanuel Medical Center.

Mr. Zupan is the founder of Portland's Zupan Markets.

The vehicle driver, 32-year-old **Edy Porfirio Reynoso-Ramirez**, was originally charged with Assault in the Second Degree, Failure to Perform the Duties of a Driver, DUII, and Reckless Driving. Ramirez was booked into the Multnomah County Jail. Ramirez may now face a charge of Manslaughter in the First Degree.

Investigators from the Portland Police Bureau's Major Crash Team learned that Ramirez was traveling eastbound on Marine Drive and that he was speeding, driving erratically, and passing other vehicles prior to the crash. East of 138th Avenue, Ramirez crossed the center-line and struck Zupan head-on.

Both the vehicle and the motorcycle left the roadway after the crash, with the vehicle ending up some distance away and all the way down a steep embankment. The vehicle is a 1998 Honda Civic 4-door and the motorcycle is a 2009 BMW.

###PPB###

<http://www.flashalertportland.net/press-releases.html>

# Founder of Zupan's Markets critically injured in crash along Northeast Marine Drive

Published: Tuesday, August 30, 2011, 11:12 AM

Updated: Tuesday, August 30, 2011, 12:19 PM

By [Tom Hallman Jr., The Oregonian](#)



The founder of [Zupan's Market's](#) remains in critical condition Tuesday following a crash in which his motorcycle was hit head-on by a motorist on Northeast Marine Drive.

John Zupan, 66, was westbound near Northeast 138th Avenue when he was struck by a car driven by **Edy Porfirio Reynoso-Ramirez**, 32, the Portland Police Bureau reported.

Police said the 1998 Honda Civic was speeding in the eastbound lane of Northeast Marine Drive, driving erratically and passing other vehicles.

**Reynoso-Ramirez** was booked into Multnomah County jail and faces allegations of assault in the second degree, failure to perform the duties of a driver, DUII and reckless driving.

Zupan was taken to [Legacy Emanuel Medical Center](#).

Zupan's family issued a news release, saying they appreciate everyone's wishes but that they did not want to talk to reporters at this time.

They also asked that instead of sending flowers that well-wishers make donations to the Emanuel Medical Center Foundation.



Edy Porfirio Reynoso-Ramirez  
Multnomah County Sheriff's Office

—Tom Hallman Jr. [thallman@oregonian.com](mailto:thallman@oregonian.com)

[http://www.oregonlive.com/portland/index.ssf/2011/08/founder\\_of\\_zupans\\_markets\\_crit.html](http://www.oregonlive.com/portland/index.ssf/2011/08/founder_of_zupans_markets_crit.html)

## Driver, 32, arrested in head-on crash with motorcyclist in Northeast Portland

Published: Tuesday, August 30, 2011, 8:10 AM

Updated: Tuesday, August 30, 2011, 8:18 AM

By [Lynne Terry, The Oregonian](#)

A 32-year-old driver suspected of hitting a motorcyclist head-on in Northeast Portland has been arrested

on suspicion of driving erratically and intoxicated driving.

[Portland police](#) arrested **Edy Porfirio Reynoso-Ramirez** soon after the accident at 7:52 p.m. on Monday. They said he was speeding in the [eastbound lane of Northeast Marine Drive](#) and driving erratically, passing other vehicles. Investigators said his four-door 1998 Honda Civic crossed the center line just east of 138th Avenue and slammed into a 66-year-old motorcyclist on a 2009 BMW.

The motorcyclist was taken to an area hospital in critical condition. His name was not yet released pending notification of his family.

**Reynoso-Ramirez** was booked into Multnomah County jail and faces allegations of assault in the second degree, failure to perform the duties of a driver, DUII and reckless driving.



Edy Porfirio Reynoso-Ramirez

-- [Lynne Terry lterry@oregonian.com](mailto:Lynne.Terry@oregonian.com)

[http://www.oregonlive.com/portland/index.ssf/2011/08/driver\\_32\\_arrested\\_in\\_head-on.html](http://www.oregonlive.com/portland/index.ssf/2011/08/driver_32_arrested_in_head-on.html)

[John Zupan in critical condition](#)  
[Legacy Health](#) - 08/30/11

John Zupan is in critical condition.

Mr. Zupan's family appreciates everyone's well wishes. They do not wish to speak to the media at this time.

Mr. Zupan's family requests donations are made to Emanuel Medical Center Foundation in lieu of flowers.

<http://www.flashalertportland.net/press-releases.html>

[UPDATE #3 Victim Identified: Portland Police Investigating Traffic Crash at NE 138th/Marine Drive](#)  
[Portland Police Bureau](#) - 08/30/11



2011-08/3056/47224/Reynoso-Ramirez.jpg

The motorcycle rider that was involved in last night's crash on Northeast Marine Drive has been identified as 66-year-old John James Zupan of Vancouver. Mr. Zupan is the founder of Portland's Zupan Markets.

Mr. Zupan remains in critical condition at Legacy Emanuel Hospital.

For media, the family does not want any contact at this time.

###PPB###

###ORIGINAL MESSAGE BELOW###

The vehicle driver in last night's crash on Northeast Marine Drive has been identified as 32-year-old **Edy Porfirio Reynoso-Ramirez**. Ramirez was charged with Assault in the Second Degree, Failure to Perform the Duties of a Driver, DUII, and Reckless Driving. Ramirez was booked into the Multnomah County Jail.

Investigators learned that Ramirez was traveling eastbound on Marine Drive and that he was speeding, driving erratically, and passing other vehicles prior to the crash. East of 138th Avenue, Ramirez crossed the center-line and struck the 66-year-old motorcycle rider head-on.

Both vehicle left the roadway after the crash, with the vehicle ending up some distance away and all the way down a steep embankment. The vehicle is a 1998 Honda Civic 4-door and the motorcycle is a 2009 BMW.

The motorcycle rider remains in critical condition at a local hospital. His name will be released after family notifications have been made.

###PPB###

###ORIGINAL MESSAGE BELOW###

The Portland Police Bureau's Major Crash Team is continuing to investigate this evening's crash on Northeast Marine Drive. Investigators have learned that a small sedan driven by a 32-year-old male was traveling eastbound on Marine Drive, East of 138Th Avenue, when it collided with a westbound motorcycle ridden by a 66-year-old male.

Both the motorcycle and the vehicle left the roadway after the crash and ended up on the South side of Marine Drive. The driver of the vehicle fled on foot but was quickly captured by officers responding to the crash.

The motorcycle rider was transported to an area hospital with life-threatening injuries.

Northeast Marine Drive will remain closed for a few hours as investigators work to determine what caused the crash. At this point it is not known if alcohol or drugs played a factor in the crash.

Because this is an ongoing investigation, no names or additional details will be released until at least 9:00 a.m. tomorrow.

###PPB###

###ORIGINAL MESSAGE BELOW###

This evening, Monday August 29, 2011, at 7:52 p.m., Portland Police officers assigned to North Precinct responded to the report of a head-on collision between a car and a motorcycle at Northeast 138th and Marine Drive. Additional information was received that the driver of the car fled the crash on foot.

Arriving officers located a person in the area that they suspect is the driver of the vehicle..

The motorcycle rider was transported to an area hospital with life-threatening injuries.

Northeast Marine Drive is currently closed from 138th to 148th Avenues.

Media staging is at Northeast 138th Avenue on Marine Drive.

PIO is enroute, eta 30 minutes.



2011-08/3056/47224/Reynoso-Ramirez.jpg

**Attached Media Files:** [2011-08/3056/47224/Reynoso-Ramirez.jpg](http://www.flashalertportland.net/press-releases.html)

<http://www.flashalertportland.net/press-releases.html>

**[UPDATE #2 Driver Charged: Portland Police Investigating Traffic Crash at NE 138th/Marine Drive](#)**  
**[Portland Police Bureau](#)** - 08/30/11

The vehicle driver in last night's crash on Northeast Marine Drive has been identified as 32-year-old **Edy Porfirio Reynoso-Ramirez**. Ramirez was charged with Assault in the Second Degree, Failure to Perform the Duties of a Driver, DUII, and Reckless Driving. Ramirez was booked into the Multnomah County Jail.

Investigators learned that Ramirez was traveling eastbound on Marine Drive and that he was speeding, driving erratically, and passing other vehicles prior to the crash. East of 138th Avenue, Ramirez crossed the center-line and struck the 66-year-old motorcycle rider head-on.

Both vehicle left the roadway after the crash, with the vehicle ending up some distance away and all the way down a steep embankment. The vehicle is a 1998 Honda Civic 4-door and the motorcycle is a 2009 BMW.

The motorcycle rider remains in critical condition at a local hospital. His name will be released after family notifications have been made.

###PPB###

###ORIGINAL MESSAGE BELOW###

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Northeast Marine Drive will remain closed for a few hours as investigators work to determine what caused the crash. At this point it is not known if alcohol or drugs played a factor in the crash.

Because this is an ongoing investigation, no names or additional details will be released until at least 9:00 a.m. tomorrow.

###PPB###

###ORIGINAL MESSAGE BELOW###

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Arriving officers located a person in the area that they suspect is the driver of the vehicle..

The motorcycle rider was transported to an area hospital with life-threatening injuries.

Northeast Marine Drive is currently closed from 138th to 148th Avenues.

Media staging is at Northeast 138th Avenue on Marine Drive.

PIO is enroute, eta 30 minutes.



2011-08/3056/47224/Reynoso-Ramirez.jpg

Attached Media Files: [2011-08/3056/47224/Reynoso-Ramirez.jpg](http://www.flashalertportland.net/press-releases.html)

<http://www.flashalertportland.net/press-releases.html>

September 1, 2011

# Multnomah County Sheriff's Office

## Public Access to Inmate Data

1.

### Booking Information

[← Back to Search Results](#)

<b>SWIS ID:</b>	710866 [16599221]
<b>Name:</b>	Reynosoramirez, Edy Porfirio
<b>Age:</b>	32
<b>Gender:</b>	Male
<b>Race:</b>	Hispanic
<b>Height:</b>	5 ft 3 in
<b>Weight:</b>	130 lbs
<b>Hair:</b>	Black
<b>Eyes:</b>	Brown
<b>Arresting Agency:</b>	Portland Police, Other
<b>Arrest Date:</b>	8/29/2011 8:06 PM
<b>Booking Date:</b>	8/30/2011 3:18 AM
<b>Current Status:</b>	In Custody
<b>Assigned Facility:</b>	MCIJ
<b>Projected Release Date:</b>	Unknown



[View](#)

Court Case No. 110833632 DA Case No. 2225721 Citation No. None

Charge	Bail	Status
ASSAULT II (B Felony)	\$250,000	Unsentenced
FAIL PERF DOD INJ (C Felony)	\$5,000	Unsentenced
FAIL PERF DOD PROP (A Misdemeanor)	\$2,500	Unsentenced
DUII - MISD (A Misdemeanor)	\$2,500	Unsentenced
RECKLESS DRIVING (A Misdemeanor)	\$2,500	Unsentenced

Court Case No. None DA Case No. None Citation No. None

Charge	Bail	Status
<b>USI HOLD (U )</b>	\$0	Unsentenced

Court Case No. None DA Case No. None Citation No. None

Charge	Bail	Status
MANSLAUGHTER I (A Felony)	\$250,000	Unsentenced

[Disclaimer Notice](#)

<http://www.mcso.us/PAID/Default.aspx>

<http://www.mcso.us/public/>

Justin Daniel Dougherty, age 23, was killed by a foreign national illegally present in Oregon on March 4, 2008.

## Oregon Department of Corrections

### Oregon Offender Search

Public Information (Last Updated: 06/12/2012 20:18:25)



SID#  
14044953

Offender Name: GUTIERREZ-DUARTE, EDUARDO

Age: 45 DOB: 09/1966

Gender: Male Race: Hispanic

Height: 5' 11" Hair: Black

Weight: 195 lbs Eyes: Brown

Caseload: 11003 Delgado, Jose

Location: [SNAKE RIVER CORRECTIONAL INSTITUTION](#)

Status: Inmate

Institution Admission Date 05/01/2008

Earliest Release Date: 10/30/2015

Docket Number	County	Crime	Sentence Type	Begin Date	Termination Date
200805602/01	LANE	MANSLAUGHTER II	Inmate Sentence	05/01/2008	-
200805602/04	LANE	ASSAULT III	Inmate Sentence	05/01/2008	02/10/2009

## Man to serve 8 years for fatal drunken driving wreck

By Rebecca Taylor

The Register-Guard

Published: April 30, 2008 12:00AM

A Eugene man was sentenced to eight years in prison Tuesday for a drunken driving crash that killed a 23-year-old man who was engaged to be married in June.

**Eduardo Gutierrez**, 41, had a blood-alcohol level of 0.21, more than twice the legal limit for driving, on March 4 when he swerved into oncoming traffic on Highway 99 North and collided with a car driven by **Justin Daniel Dougherty**.

Dougherty was pronounced dead at Sacred Heart Medical Center.

**Gutierrez** was found guilty of second-degree manslaughter, drunken driving, reckless driving and third-degree assault last week in a stipulated facts trial in Lane County Circuit Court.



During trial, he confirmed that he had shared 27 beers with a friend before getting behind the wheel of a pickup truck the evening of March 4, Lane County Deputy District Attorney David Vill told the court. Witnesses said he was driving about 25 mph above the posted 55 mph speed limit on the stretch of highway near Awbrey Lane. According to police, he failed to negotiate a curve in the road, crossed the center line and hit Dougherty's car head-on.

Dougherty's mother, Linda Varvel, told the court that **Dougherty** was raising his 3-year-old son and was planning to be married in June.

"I think that Mr. Gutierrez needs to think about why he was going so fast and drinking in the first place when he could have just had someone else drive or take a taxi," she said. "I forgive Mr. Gutierrez because I'm a Christian, but I don't feel sorry for him because he had a choice."

Gutierrez's attorney, John Volmert, said his client has expressed grief and remorse from the beginning. "He's at a loss at how to help alleviate the pain that this has caused them," Volmert said.

Before the wreck, he had been supporting his pregnant wife and four children as a self-employed auto mechanic. He is likely to be **deported to Mexico** after serving his prison sentence.

"They're going to be adrift as a result of the decisions that Mr. Gutierrez made," Volmert said.

Gutierrez apologized through a **Spanish-language interpreter** and said he accepts the consequences of his actions.

"I never imagined this tragedy would happen," he said. "I feel the pain they feel in their hearts. I ask that they forgive me and that God bless them."

Judge Cynthia Carlson commended Dougherty's mother for forgiving Gutierrez. She said she has seen countless cases where drugs and alcohol have caused otherwise normal people to do horrible things, and the reverberations are felt beyond the immediate family of the victim and out in the wider community. "There is no sentence I can impose that will bring this to a place where justice truly happens," she said.

Gutierrez will be eligible for programs for early release after serving the first 75 months of his sentence. The judge also ordered that his driving privileges be revoked for eight years and that he be placed on three years of postprison supervision — penalties that may prove irrelevant if **Gutierrez is deported as expected.**

<http://www.registerguard.com/csp/cms/sites/dt.cms.support.viewStory.cls?cid=97456&sid=1&fid=1>



## Driver Sentenced to 95 Months Related to March 4th Fatal Crash Near Eugene

**04/30/2008**

Sergeant Ron Martin  
Oregon State Police - Springfield  
Office: (541) 726-2536

The driver of a vehicle that caused the death of a Eugene man on March, 4, 2008, was sentenced in Lane County Circuit Court on Tuesday.

On April 29, 2008, **EDUARDO GUTIERREZ, age 41, of Eugene**, was **sentenced to 95 months in prison after being convicted of Manslaughter in the Second Degree, Assault in the Third Degree, DUII, and Reckless Driving related to a fatal traffic crash on Highway 99 north of Eugene**. The crash occurred when **GUTIERREZ** failed to negotiate a right hand corner, causing his 1988 Dodge Pick-up to enter the southbound lane where it struck a 1988 Honda two-door head-on. The **Honda's driver, JUSTIN DANIEL DOUGHERTY, age 23, from Eugene, was transported to Sacred Heart Hospital in Eugene where he was pronounced deceased.**

The conviction and sentencing in this case is a result of the Oregon State Police investigation done in partnership with the Lane County District Attorney's Office.

Link to original news release:

[http://www.oregon.gov/OSP/NEWSRL/news/03\\_05\\_2008\\_fatal\\_hwy99\\_mp116.shtml](http://www.oregon.gov/OSP/NEWSRL/news/03_05_2008_fatal_hwy99_mp116.shtml)

### [www.oregon.gov/OSP](http://www.oregon.gov/OSP) ###

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Page updated: May 05, 2008

[http://egov.oregon.gov/OSP/NEWSRL/news/04\\_30\\_2008\\_gutierrez\\_sentence.shtml](http://egov.oregon.gov/OSP/NEWSRL/news/04_30_2008_gutierrez_sentence.shtml)

## News



### Update #2: Driver Involved In March 4th Fatal Traffic Crash Arrested - Highway 99 north of Eugene

**03/11/2008**

Sergeant Ron Martin  
Oregon State Police - Springfield  
Office: (541) 726-2536

Secondary Contact:

Lieutenant Gregg Hastings  
Public Information Officer  
Office: (503) 731-3020 ext. 247  
Pager: (503) 323-3195

Photograph links valid for 30 days - Source: Lane County Sheriff's Office  
<http://www.flashnews.net/images/news/Gutierrez.jpg>

An ongoing investigation by Oregon State Police troopers, working in conjunction with the Lane County District Attorney's Office, resulted in the arrest this weekend of the driver of the offending vehicle. **EDUARDO GUTIERREZ**, age 41, from Eugene, was taken into custody and lodged in Lane County Jail on the following charges:

- \* Manslaughter in the Second Degree
- \* Assault in the Third Degree
- \* DUII
- \* Reckless Driving

Investigators initially identified RODRIGUEZ EBIGAEL SANCHEZ, age 29, from Eugene, as the driver but follow-up investigation and interviews with both men and emergency responders led to GUTIERREZ being identified as the driver.

According to Oregon State Police Sergeant Ron Martin, investigators report that on March 4, 2008 at 6:43 p.m. a 1988 Dodge pickup driven by GUTIERREZ was northbound on Highway 99 near Aubrey Lane. According to witnesses the Dodge pickup failed to negotiate a right hand curve, continued through the center divider and into the southbound lanes where it crashed head-on with a 1988 Honda two door car.

The Honda's operator, JUSTIN DANIEL DOUGHERTY, age 23, from Eugene, was transported to Sacred Heart Hospital where he was pronounced deceased. DOUGHERTY was using safety restraints.

SANCHEZ and GUTIERREZ were transported to Sacred Heart Hospital with serious injuries. **GUTIERREZ reportedly has a valid drivers license** and was arrested following his release from the hospital.

Oregon State Police troopers from the Springfield Area Command are continuing the investigation. Alcohol is a contributing factor.

Highway 99 was partially closed for approximately 4 1/2 hours. ODOT, Lane County Sheriff's Office, Lane Rural Fire, and Eugene EMS assisted at the scene.

### [www.oregon.gov/OSP](http://www.oregon.gov/OSP) ###

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Page updated: March 11, 2008

[http://egov.oregon.gov/OSP/NEWSRL/news/03\\_11\\_208\\_update\\_fatal\\_hwy99\\_mp116.shtml](http://egov.oregon.gov/OSP/NEWSRL/news/03_11_208_update_fatal_hwy99_mp116.shtml)

## News

### Fatal Traffic Crash - Highway 99 north of Eugene



**03/05/2008**

Sergeant Ron Martin  
Oregon State Police - Springfield  
Office: (541) 726-2536

Photograph links valid for 30 days - Source: Oregon State Police  
<http://www.flashnews.net/images/news/030408.fatal.hwy99mp116.2.jpg>  
<http://www.flashnews.net/images/news/030408.fatal.hwy99mp116.4.jpg>  
<http://www.flashnews.net/images/news/030408.fatal.hwy99mp116.3.jpg>

(Note: The following is a news release sent out March 6, 2008 correcting previously released information related to the driver of the offending vehicle)

An ongoing investigation by Oregon State Police troopers, working in conjunction with the Lane County District Attorney's Office, reported that the **driver of the offending vehicle in a Tuesday evening head-on crash was actually the person initially thought to be the passenger identified as EDUARDO GUTIERREZ, age 41, from Eugene. Investigators initially identified RODRIGUEZ EBIGAEL SANCHEZ, age 29, from Eugene,** as the driver but follow-up investigation and interviews with both men and emergency responders led to this determination.

According to **Oregon State Police Sergeant Ron Martin**, investigators now report that on **March 4, 2008 at 6:43 p.m.** a 1988 Dodge pickup driven by **GUTIERREZ** was northbound on **Highway 99 near Aubrey Lane**. According to witnesses the Dodge pickup failed to negotiate a right hand curve, continued through the center divider and into the southbound lanes where it crashed head-on with a 1988 Honda two door car.

The **Honda's operator, JUSTIN DANIEL DOUGHERTY, age 23, from Eugene, was transported to Sacred Heart Hospital where he was pronounced deceased. DOUGHERTY** was using safety restraints.

**SANCHEZ** and **GUTIERREZ** were transported to Sacred Heart Hospital with **serious injuries. GUTIERREZ reportedly has a valid drivers license.** Both men are still hospitalized.

Oregon State Police troopers from the Springfield Area Command are continuing the investigation into the cause of the crash.

Highway 99 was partially closed for approximately 4 1/2 hours. ODOT, Lane County Sheriff's Office, Lane Rural Fire, and Eugene EMS assisted at the scene.

### [www.oregon.gov/OSP](http://www.oregon.gov/OSP) ###

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Page updated: March 07, 2008

[http://www.oregon.gov/OSP/NEWSRL/news/03\\_05\\_2008\\_fatal\\_hwy99\\_mp116.shtml](http://www.oregon.gov/OSP/NEWSRL/news/03_05_2008_fatal_hwy99_mp116.shtml)

Kay Blazer, age 26, was killed by a foreign national illegally present in Oregon on October 12, 2008.

## Oregon Department of Corrections

### Oregon Offender Search

Public Information (Last Updated: 06/12/2012 20:18:25)

Offender Name: DEANDA-MORENO, FERNANDO DEJESUS



SID#  
17627417

Age: 25 DOB: 09/1986

Gender: Male Race: Hispanic

Height: 5' 09" Hair: Black

Weight: 150 lbs Eyes: Brown

Location: [EASTERN OREGON CORRECTIONAL INSTITUTION](#)

Status: Inmate

Institution Admission Date 11/24/2008

Earliest Release Date: 10/11/2013

Caseload: 00410 Emery , Georgianna

Docket Number	County	Crime	Sentence Type	Begin Date	Termination Date
CR0801420/01	CLAC	CRIMINALLY NEGLIGENT HOMIC NEW	Inmate Sentence	11/24/2008	-

## Portland man guilty in death of Oregon City mother

by Steve Mayes, The Oregonian  
Friday November 21, 2008, 2:20 PM

**Fernando Deanda Moreno** started the last day of **Kay Blaser's** life splitting a pint of Jose Cuervo tequila with a friend, then buying some beer and heading to a party.

Their paths crossed at an Oregon City intersection on Oct. 11. Deanda blew through a stop sign at 40 mph and smashed into the side of a car driven by Blaser's fiance. Blaser, 26, a new mother who relatives described as happy as she'd ever been, died at the scene.

On Friday, **Deanda**, 22, of Portland **pleaded guilty to criminally negligent homicide, assault and drunken driving in Clackamas County Circuit Court**. His blood alcohol level was 0.16, twice the legal limit. He was

sentenced to 6.5 years in prison.

Although **Deanda** has lived in the United States most of his life, he **is in the country illegally and will face deportation to Mexico when he is released from prison**, authorities said.

Deanda's plea came just 40 days after the crime. The case moved rapidly because he took responsibility, cooperated with authorities and admitted his guilt, said Steven Mygrant, a Clackamas County deputy District attorney.

Kim Blaser told Thom about her daughter and her final days. "She was blossoming and growing. She was a good mommy," she said. "My heart is broken. I don't feel it's going to get better."

Kim Blaser now cares for her 11-month old grandson, Wesley.

Steve Mayes: 503-294-5916; [stevemayes@news.oregonian.com](mailto:stevemayes@news.oregonian.com)

[http://www.oregonlive.com/clackamascounty/index.ssf/2008/11/portland\\_man\\_guilty\\_in\\_death\\_o.html](http://www.oregonlive.com/clackamascounty/index.ssf/2008/11/portland_man_guilty_in_death_o.html)

## Benefit planned for infant son of crash victim

Published: Wednesday, November 05, 2008, 5:06 PM

Updated: Wednesday, November 05, 2008, 5:18 PM

Clackamas County firefighters and an Oregon City pizza parlor are teaming up Thursday to raise money for Kay Blaser, a 26-year-old mother killed last month in an automobile accident.

The event at Jimmy O's Pizza will assist family members who are raising Blaser's 10-month-old son, Wesley. Jimmy O's is donating 30 percent of pizzas sold between 5 p.m. and 8:30 p.m.

Clackamas County Fire District 1's emergency services foundation will make a \$500 donation, said Steve McAdoo, fire district spokesman.

Blaser died Oct. 11 when an SUV ran a stop sign on Linn Avenue in Oregon City and collided with a car driven by Blaser's fiance, who was injured. The driver of the SUV, Fernando Deanda Moreno, 22, is awaiting trial for manslaughter and assault.

-- Steve Mayes: [stevemayes@news.oregonian.com](mailto:stevemayes@news.oregonian.com)

[http://blog.oregonlive.com/clackamascounty/2008/11/benefit\\_planned\\_for\\_infant\\_son.html](http://blog.oregonlive.com/clackamascounty/2008/11/benefit_planned_for_infant_son.html)

## Victim identified in fatal Oregon City accident

by The Oregonian

Sunday October 12, 2008, 3:40 PM

A 26-year-old Oregon City woman who was pregnant was killed Saturday night when a 22-year-old Portland motorist accused of driving drunk ran a stop sign and broadsided her Toyota Camry, Oregon City police said.

**Fernando Deanda Moreno**, 22, of Portland is in custody, **accused of second-degree manslaughter and two counts of second-degree assault**, police said.

**Kay Blaser**, who was two months pregnant and has a 9-month-old son, was pronounced dead at the scene.

At 9:37 p.m. Saturday, Blaser and her fiance, 22-year-old William Sargent, also of Oregon City, were heading home from visiting Sargent's dad in Salem, relatives said. Blaser's son was with a relative.

The couple were in Blaser's Camry, driving south on Linn Avenue, when the car was struck on the passenger side by Moreno's Toyota 4Runner, police said.

Blaser was pronounced dead at the scene. Sargent suffered injuries to his collar bone, neck and back and was taken to Oregon Health Sciences University. Moreno was treated at OHSU for injuries and released, police said.

A woman in Moreno's vehicle suffered injuries and was treated at OHSU. A second passenger in the vehicle, who was not identified, was not injured.

Blaser and Sargent had known each other when they were young and got reacquainted in the Job Corps in 2000, said Gary Blaser, who adopted Kay when she was 6 months old.

He said Milwaukie police came to his home about 4 a.m. Sunday to give him the news.

"I'm a little agitated about a 22-year-old running a stop sign, especially when he's on a road where the speed limit is 25 or 35 mph," Blaser said Sunday.

Blaser said he had worked to help his daughter over the years, buying her the Camry as well as the mobile home where she was living.

A TriMet bus camera apparently caught the accident. Police were working to pull the videotape images from the bus, Gary Blaser said.

-- Maxine Bernstein; [maxinebernstein@news.oregonian.com](mailto:maxinebernstein@news.oregonian.com)

[http://www.oregonlive.com/news/index.ssf/2008/10/1\\_dead\\_3\\_hurt\\_after\\_oregon\\_cit.html](http://www.oregonlive.com/news/index.ssf/2008/10/1_dead_3_hurt_after_oregon_cit.html)

## Police: Drunk driver slams into car, killing woman



A Toyota 4Runner, front, ended up on its side after crashing into a Toyota Camry in Oregon City Saturday night.

Story Published: Oct 12, 2008 at 1:51 PM PDT  
Story Updated: Oct 13, 2008 at 1:31 PM PDT

By KATU Web Staff

 Video

OREGON CITY, Ore. - Police said a drunk driver ran a stop sign and crashed into a car in Oregon City Saturday night, killing a woman.

It happened about 9:30 p.m. when a Toyota 4Runner speeding east on Ave Davis Road failed to stop at the intersection with Linn Avenue and crashed into the passenger side of a Toyota Camry, according to Oregon City police.

The Camry was pushed into a telephone pole while the 4Runner ended up on its side.



The passenger in the Camry, 26-year-old **Kay Blaser**, was pronounced dead at the scene. Police initially said she was two months pregnant but the medical examiner determined she was not.

Her fiance, 22-year-old William Sargent, who was driving the Camry, was taken to Oregon Health and Science University for treatment of neck, back and clavicle injuries, police said. Both were from Oregon City.

The driver of the 4Runner, 22-year-old **Fernando Deanda Moreno** of Portland, as well as another passenger in that vehicle were also taken to OHSU for treatment, police said.

Upon his release at noon Sunday, **Moreno was lodged in the Clackamas County jail on charges of second-degree manslaughter and two counts of second-degree assault**, police said. Investigators determined he was under the influence of alcohol at the time of the wreck, police said.

<http://www.katu.com/news/30867654.html>



**Immigration Customs Enforcement (ICE) Holds**

**November 21, 2008**

1.

**Inmate Information for DEANDAMORENO, FERNANDO DEJESUS**

**SID #:** 17627417

**DOB:** 9/20/1986

**Sex:** Male

**Race:** WHITE

**Height:** 5 ft 9 in

**Weight:** 150 lbs

**Hair:** Black

**Eyes:** Brown

**Arrest Date:** 10/12/2008

**Visiting Hours:** TUE 3:00-4:00 PM THU 7:30-8:30 AM



<u>Charge(s)</u>	<u>Bail</u>	<u>Status</u>
ORS.163.125 - MANSLAUGHTER II	no bail	DISMISSED
ORS.163.175 - ASSAULT II	no bail	DISMISSED
ORS.163.175 - ASSAULT II	no bail	DISMISSED
ORS.163.125 - <b>MANSLAUGHTER II</b>	\$500000	
ORS.163.165 - <b>ASSAULT III</b>	\$0	
ORS.163.165 - <b>ASSAULT III</b>	\$0	
ORS.813.010 - <b>DRIVING UNDER INFL OF INTOX</b>	\$0	

**ORS.000.002 - ICE HOLD**

**no bail**

Total \$500000

<http://web3.co.clackamas.or.us/sheriff/roster/default.asp>

<http://www.clackamas.us/sheriff/jail/>

Kimberly McDaniel, age 23, was killed by a foreign national illegally present in Oregon on July 14, 2006.

## Parents succeed in keeping daughter's hit-&-run killer in jail



Janet Tremain, the mother of Kimberly McDaniel who was killed in a hit-and-run incident, asks a Multnomah County judge Monday that the man who hit McDaniel should not get his prison sentence reduced.

Related Content

[Mother of hit-and-run victim gets some closure](#)

Story Published: Nov 10, 2009 at 12:36 AM PST  
Story Updated: Nov 10, 2009 at 5:41 AM PST

By Thom Jensen KATU News and KATU.com Staff

 Video

PORTLAND, Ore. – A Multnomah County judge agreed Monday with the parents of a woman killed in a hit-and-run incident that the man who killed her should not be released early under a new Oregon law.

A new law passed by the Legislature aimed at saving money allowed 27-year-old **Rosendo Rosales-Corona, a Mexican national**, to come up for parole only a year after being sentenced for hitting Kimberly McDaniel with his car in 2006. **After hitting her in the Columbia River Gorge, he left her for dead, ditched his car and then fled to Mexico.**

**After getting a 58-month prison sentence for the crime he asked Monday for his sentence to be reduced by almost six months.**

The mother of McDaniel spoke out in court against the reduction of Rosales-Corona sentence and pleaded for common sense.

“I’m here to stand and speak for Kimberly because she can’t,” said Janet Tremain, McDaniel’s mother. “He let Kimberly lay there in the bushes suffering and bleeding in pain. All I ask is that you don’t add more time off from his sentence.”

In the end Rosales-Corona’s request for early release was denied but McDaniel’s parents want to know why the man who killed their daughter would get a day in court so soon after his conviction and sentencing.

“He’s looking for another chance, another loophole in the system where he’s going to be able to get out a little earlier,” said Tremain.

Victims’ rights groups said the loophole is Oregon SB 3508 which passed the Legislature earlier this year. It allows prisoners to reduce their sentences by 30 percent for good behavior.

The groups said lawmakers used their power to usurp the voters’ will.

“They told us it was going to be for property crimes and drug crimes, and here we are sitting today listening to violent crimes that have been committed by these people and this isn’t the last you are going to hear of this,” said Steve Doell of Crime Victims United.

Tremain said the Legislature did it in spite of the pain it would put families through.

“If they were in my shoes. If they were having to deal with this situation themselves, how would they handle it?” she said.

A spokesman for Gov. Ted Kulongoski said the governor signed the bill because the law will save taxpayers millions every year in prison costs. The spokesman also said today’s ruling proved violent offenders will not benefit from the law and victims will have a voice.

Even though McDaniel’s parents won a victory Monday when Judge Stephen Bushong ruled **Rosales-Corona** would not get a reduced sentence, they are afraid another new law allowing **illegal immigrants** to have prison time reduced by six months will force them back in court and will open their wounds again.

<http://www.katu.com/news/local/69637342.html>

## Mother of hit-and-run victim gets some closure



Related Content

[Hit-and-run suspect is returned to Mult. County](#)

[Police hope car leads to hit-and-run suspect](#)

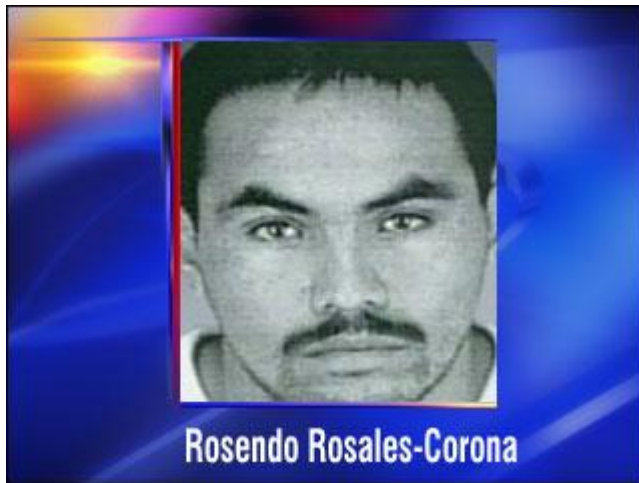
Story Published: Jan 24, 2008 at 2:05 PM PST

Story Updated: Jan 24, 2008 at 7:14 PM PST

By Jeff Jaeger and KATU Web Staff

Video

PORTLAND, Ore. - Though it has been 18 months since her daughter lost her life, Janet Tremain said she finally has a sense of closure after the man who hit her daughter was sentenced to prison.



**Rosendo Corona-Rosales** was sentenced to almost 5 years in prison Wednesday for the death of Kimberly McDaniel, 23.

McDaniel was jogging along a road in the Columbia River Gorge in July 2006 when Corona-Rosales hit her while driving. He was not in the United States legally.

**Corona-Rosales** took no action to help McDaniel and paramedics say that if he had alerted someone to her location, she stood a good chance of being saved.

McDaniel was found by passersby barely alive hours after she was hit and died despite efforts to save her.

A year after the fatal incident, detectives tracked down Corona-Rosales in California. He was then extradited to Oregon.



Janet Tremain says she has been through many emotions, including anger, but after seeing Corona-Rosales in court, she says she realized he was sorry for what he had done to her daughter.

In court, Corona-Rosales asked for forgiveness from the McDaniel family.

Following completion of his prison sentence in the United States, **Corona-Rosales** will be deported to **Mexico**.

Tremain said that once he is back in **Mexico**, she hopes Corona-Rosales' children will also never forget her daughter.

Tremain also thanked detectives for staying on the case when the only clue was a broken side-view mirror from the car that hit Kimberly.

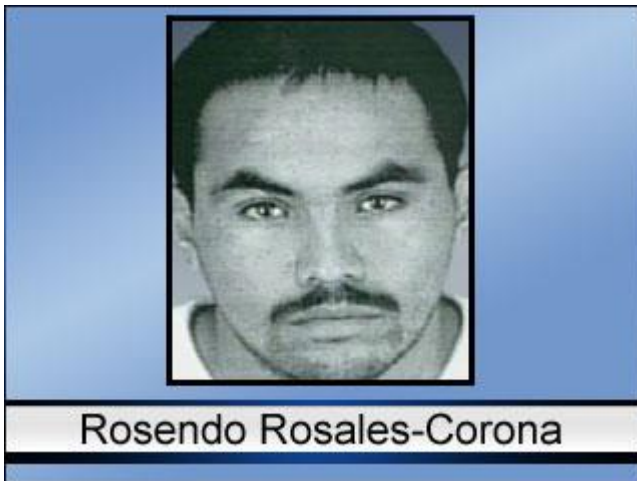
Detectives eventually found the matching car and were then able to locate Corona-Rosales.

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*Note: In previous stories, Kimberly McDaniel has been referred to as Kimberly Powell. According to her family, Powell was her married name and she was in the process of finalizing a divorce when she was killed. The family prefers that she be remembered by her maiden name.*

<http://www.katu.com/news/local/14275087.html>

## Hit-and-run suspect is returned to Mult. County



### Related Content

[Man charged in 2006 hit-and-run that killed jogger](#)

[Police hope car leads to hit-and-run suspect](#)

Story Published: Sep 13, 2007 at 1:53 PM PST  
Story Updated: Jan 24, 2008 at 5:02 PM PST

By KATU Web Staff

 [Video](#)

PORTLAND, Ore. - The suspect in a deadly hit-and-run case from last summer was been booked into a Multnomah County jail.

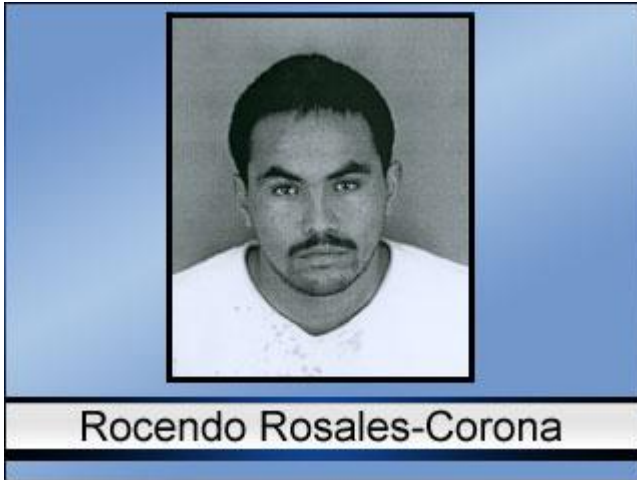
**Rosendo Rosales-Corona** was arrested in California back in July.

Rosales-Corona stands accused of hitting Kimberly Powell while she was running in the Columbia River Gorge and leaving her to die along the side of the road.

He faces charges of criminally negligent homicide and not providing aid to the victim.

<http://www.katu.com/news/8540357.html>

## Man charged in 2006 hit-and-run that killed jogger



Related Content

[Police hope car leads to hit-and-run suspect](#)

Story Published: Jul 16, 2007 at 4:41 PM PST

Story Updated: Jul 17, 2007 at 11:37 AM PST

By Derek Sciba and KATU Web Staff

 [Video](#)

PORTLAND, Ore. - Exactly one year after a jogger was hit and killed by a driver in the Columbia River Gorge, detectives arrested a suspect they had been following for months.

**Rocendo Rosales-Corona**, 25, was arrested in Lodi, Calif., on Saturday, according to the Multnomah County Sheriff's Office.

**Kimberly Powell, 23, died of her injuries after the wreck, which occurred July 14, 2006.**

The driver **did not stop to help the injured woman but instead drove away**, leaving behind the car's sideview mirror and plenty of questions.

"I was thinking that it was going to be one of those unsolved cases," said Kimberly's mother, Janet Tremain. Kimberly is pictured below.



For months, Kimberly's family had tried to research the case themselves and worked to set up a reward.

Janet and step-father Allen Tremain learned of the break in the case this weekend, as they were camping with their church. When they returned to their RV in the evening, the couple saw 11 missed calls on their cell phone, three of which came from the detectives. When they called the detectives back and heard the news, Janet was overjoyed.

"It was a loud scream throughout the campground sort of thing," Janet Tremain said.

Sheriff's officials lauded the work of Detective Jay Pentheny and Gresham Police Detective Jason Servo, who spent hundreds of hours on the case.

According to the sheriff's office, the detectives received a tip from an informant in October that led them to a vehicle believed involved in the hit-and-run.

The informant, who was from the southwestern U.S., also gave them information that led them to finger Rosales-Corona as a suspect.

Deputies said **he is a resident of Mexico** who was working at a farm in Oregon at the time of the wreck. They said he moved back to **Mexico** after the crash then decided to come back to California a few weeks ago to find a new job.

The detectives heard that Rosales-Corona may be in California so they flew to Lodi on Friday to track down new leads. The detectives were nearly out of options Saturday when they decided to follow one last tip, which led them to a store. The sheriff's office said the detectives saw Rosales-Corona go inside, so they waited anxiously as he went into the shop.

"When he came back out, the detectives approached him, identified who they were, and before they said anything else, he just hung his head and said, 'I know who you are,'" said Lt. Jason Gates, a sheriff's office spokesman.





Kimberly's mom and step-dad, pictured above, mourned their daughter on Saturday while marking the one-year anniversary of her death. They received comfort from their church, however. Janet Tremain said on Saturday she was baptized hours before she learned Rosales-Corona had been caught.

"I have been baptized before, but it was within me to be baptized again and re-dedicate myself on the one-year anniversary," she said.

With the arrest, she said, she feels comforted.



"I know that he is going to serve some amount of time, and that he is not going to be continuing his life, knowing that he got away with something," she said.

Janet Tremain said they prefer to call her daughter McDaniel rather than Powell.

She said her daughter's death coincides with the finalization of a divorce, and McDaniel was her maiden name.

Kimberly's step-dad said a peace has come over the home since the arrest.

"Just the tone of the house, and everybody else has just been uplifted, it's just a different level," Allen Tremain said.

Both parents said they were disappointed that Rosales-Corona was in the country at all and able to work in Oregon.

Authorities said **Rosales-Corona has a criminal record in California** but specifics were not available.

"You know I'm thinking, if he wasn't here **illegally**, he never would have been there, and it never would have happened," Janet Tremain said. "But you know, there's nothing that I can do to change that."



<http://www.katu.com/news/8540357.html>

## Police hope car leads to hit-and-run suspect



Story Published: Oct 11, 2006 at 2:27 PM PST

Story Updated: Jan 24, 2008 at 2:06 PM PST

By Shellie Bailey Shah and KATU Web Staff

 Video

PORTLAND, Ore. - The Multnomah County Sheriff's Office announced Wednesday they have a lead in the case of a hit-and-run that left a 23-year-old jogger dead.

Kimberly Powell was struck July 14 while jogging along Northeast Frontage Road near Dodson. She was thrown several feet and was not found until about an hour and a half later. She was taken to the hospital, but died the next day.

At the scene, investigators discovered tire tracks that told them that whoever hit Powell paused briefly and then fled. A side mirror was also found.

Police now have the car they believe hit Powell - a gray, 1987 two-door Nissan Sentra that was found in Wenatchee, Washington. They say they are certain it is the car in question because the passenger-side mirror is a match.



The question now is who does the car belong to and is that person responsible for killing Powell? Police say if you recognize the Nissan and saw it near Dodson back in July, they want to hear from you.

The car's driver's side door is much darker than the rest of the car.

Powell's family has put up a \$10,000 reward in the case.

<http://www.katu.com/news/4375981.html>

## Parents face killer of daughter

### The mother confronts the driver who hit Kimberly McDaniel

Thursday, January 24, 2008

AIMEE GREEN

The Oregonian Staff

**Janet Tremain** drew several deep breaths as the driver who struck her 23-year-old daughter and left her to die in the Columbia River Gorge walked into the courtroom in shackles Wednesday. She shook. She trembled. She buried her face in her hands and sobbed.

But when it was time for her to face the man being sentenced for killing her daughter, Tremain didn't falter. **She told Rosendo Corona-Rosales, 25, how his failure to stop that day had devastated a family.**

"I wonder how can any human being do that to another," she said. "How can he drive away and not give any thought to what he did? He let Kimberly lay there in the bushes, suffering, bleeding and in pain. Kimberly was probably still in shock but was thinking, 'Where is everyone? Why is no one here to help me?' "

Doctors told the family that Kimberly McDaniel might have had a 40 percent to 50 percent chance of surviving had she been flown to the hospital immediately after she was struck on a road near Dodson on July 14, 2006. Instead, McDaniel lay bleeding in the blackberry bushes for nearly 30 minutes until two passers-by spotted her and called for help. She died in a hospital 30 hours later.

**Prosecutors said that Corona-Rosales, an illegal immigrant who was in Oregon picking fruit that summer, had spent the night before the crash drinking and partying.** Deputy District Attorney Chuck Sparks said Corona-Rosales was either drunk or hung over the morning he hit McDaniel, who was on her morning jog.

The only clue left at the scene was a side mirror broken off when the car smashed into the young woman.

Detectives from the Multnomah County Sheriff's Office and the Gresham Police Department pleaded with the public for help in finding the driver. McDaniel's family circulated fliers. Her fiance held a fundraiser to support the search. A few months later a tip led police to a 1987 Nissan Sentra with a badly damaged windshield and a missing side mirror.

**Detectives tracked the driver, Corona-Rosales, to Mexico and began the process of extraditing him. They were told the process could take two to four years.**

Last July, on the one-year anniversary of the crime, detectives learned that Corona-Rosales was in Lodi, Calif. Multnomah County Sheriff's Detective Jay Pentheny and Gresham Police Department's Jason Servo went there to arrest him.

**Wednesday, Corona-Rosales pleaded guilty to criminally negligent homicide and failure to perform the duties of a driver to an injured person.**

McDaniel's family had the opportunity to confront the man who fled from the scene and failed to summon the help that might have saved the young woman.

**McDaniel's stepfather, Allen Tremain, told Corona-Rosales that when family arrived at the hospital, McDaniel's head looked three times larger than normal and they learned surgeons had removed pieces of her skull.**

**Then Tremain told Corona-Rosales of the pain of watching his wife suffer. Tremain said his stepdaughter was so disfigured by her injuries that her mother couldn't bear to see her after she died. She wore a blindfold and was led to her daughter to say goodbye.**

Janet Tremain spent the next three days in bed, cradling a photograph of her daughter and saying "God, no. Please. Not my Kimberly."

The family donated McDaniel's organs to half a dozen people, everything but the eyes, which had been too badly damaged by the impact.

**As part of his plea agreement, Corona-Rosales agreed to spend 58 months in prison. With time off for good behavior, he'll serve about four years. After he serves his sentence, he'll be deported.**

Sparks said Corona-Rosales agreed to a stiffer sentence than he likely would have received if convicted at trial. Wednesday, he turned to the family to say he was sorry.

Lynne Dickison, the attorney for Corona-Rosales, who is married and the father of two, said her client fled because he was afraid. When it came time for Corona-Rosales to speak, he looked at the family.

"I want to apologize," Corona-Rosales said. "I hope to receive your forgiveness. I know what I've done is wrong. And I'm not going to forget it."

Aimee Green:503-294-5119; [aimeegreen@news.oregonian.com](mailto:aimeegreen@news.oregonian.com)

<http://www.oregonlive.com/news/oregonian/index.ssf?/base/news/12011505113080.xml&coll=7>

**Kimberly Powell** (23 yrs old) was killed by a hit-and-run driver on July 14, 2006. The incident took place near Frontage Rd. in Dodson, Oregon which is just east of Multnomah Falls near I-84.

Local news accounts

Dodson woman dies 2 days after being hit by car

[http://www.kgw.com/news-local/stories/kgw\\_071406\\_news\\_hit\\_and\\_run\\_jogger.11454e2f.html](http://www.kgw.com/news-local/stories/kgw_071406_news_hit_and_run_jogger.11454e2f.html)

Dodson woman dies from injuries suffered in hit-and-run

[http://www.localnewsdaily.com/news/story.php?story\\_id=115291271478078100](http://www.localnewsdaily.com/news/story.php?story_id=115291271478078100)

Concert to raise reward money for hit-and-run case

[http://www.localnewsdaily.com/news/story.php?story\\_id=115576428621770700](http://www.localnewsdaily.com/news/story.php?story_id=115576428621770700)

Police ask for public's help to find hit-and-run driver

<http://www.katu.com/>

Large reward offered in Kimberly Powell case

[http://www.localnewsdaily.com/news/story.php?story\\_id=115628345807557000](http://www.localnewsdaily.com/news/story.php?story_id=115628345807557000)

## Hit-run suspect's return to Oregon delayed

Posted by The Oregonian August 03, 2007 11:24AM

The man arrested last month in California in the hit-and-run death of a Dodson woman will not arrive in Oregon until late this month.

**Rocendo Rosales-Corona**, 25, was scheduled to arrive Thursday. However, officials said today that there were no seats available on the U.S. Marshals' bus that was to transport him.

Detectives from the East Multnomah County Vehicular Crimes Team arrested Rosales in Lodi on July 14 on suspicion of one count of criminally negligent homicide and one count of failure to perform the duties of a driver to injured persons.

The arrest came one year to the day after 23-year-old Kimberly McDaniel was struck as she jogged along a highway near Dodson in the Columbia River Gorge. She died the next day.

Rosales, in custody at the San Joaquin County Jail in French Camp, Calif., has waived extradition, said Lt. Jason Gates, spokesman for the Multnomah County Sheriff's Office.

"Right now, he's most likely going to have to wait until late August for the next bus," Gates said.

-- Stuart Tomlinson; [stuarttomlinson@news.oregonian.com](mailto:stuarttomlinson@news.oregonian.com)

**Kimberly Powell Memorial**



**February 14, 2007**

From: **allentremain**

Our daughter Kimberly Powell was killed on July 14 by a hit and run driver while jogging in the Columbia Gorge near Portland Oregon. She was only 23 years old. Kimberly love so many things including her family, friends, children and the outdoors. She was involved in putting out forest fires, environment clean up and other outdoor community services. From her parents, please keep us in your thoughts and prayers as we move and heal from this. More information can be found at [www.justiceforkimberly.org](http://www.justiceforkimberly.org).

<http://youtube.com/watch?v=pnnyTJV1qUI>

## **Suspect in the Hit and Run Death of Kimberly Powell is Arrested on First Anniversary of the Incident**

NOTE: A press conference will be held at the Multnomah County Sheriff's Office (12240 NE Glisan Portland, OR 97230) at 3:00PM on 7/17/07 in the Hansen Building Auditorium. The attendees at the press conference will include Kimberly's parents (Allen and Janet Tremain) and Detectives who worked the case (MCSO Det. Jay Pentheny and GPD Det. Jason Servo).

A year ago last Saturday (7/14/07) Kimberly McDaniel (Formerly Powell; her parents have requested she now be referred to by her maiden name) was jogging along NE Frontage Road in Dodson (approximately MP 36 on the north side of I84). At about 11:00AM she was hit by a west bound car which fled the scene leaving her severely injured and barley visible by the road way. On this sunny day (7/14/06) a passing couple glimpsed the bright colored jogging top that Kimberly was wearing and stopped to investigate at 11:07AM. The couple rendered what aid they could and called 911.

Kimberly was transported by ambulance to Emanuel Hospital with life threatening injuries. She died at 9:02PM the next day (7/15/06) with her family at her side.

Immediately after the incident the Gresham/Multnomah County Vehicle Crimes Team (VCT) began an investigation. Based on the initial VCT findings the East Multnomah County Crime Team was summoned and the case was treated as a possible homicide based on evidence they had at the time. MCSO Det. Jay Pentheny and Gresham Det. Jason Servo took the lead and began an exhaustive process in obtaining information.

With only a non-descript passenger side mirror and the approximate time the incident occurred the detectives had very little to go on. Then, in October 2006, They received credible information from a person in the SW region of the United States that helped them to identify **Rocendo Rosales-Corona (DOB 3/28/82, Male Hispanic, 5'2", 135lbs Resident of Mexico)**. Also from this information they were able to find and seize the vehicle that struck Kimberly. The broken side mirror that had been left at the scene matched the car.

In efforts to locate Rosales-Corona Det. Pentheny and Det. Servo discovered he had fled the U.S. and was in Mexico. In February 2007 Det. Pentheny began the process to have the U.S. Government extradite Rosales-Corona out of Mexico. This process was still being pursued up until last Saturday.

In the past three weeks Det. Pentheny and Det. Servo obtained information that Rosales-Corona had reentered the U.S. and was in an area near Lodi California (just south of Sacramento). Following up on these leads they went to Lodi, CA last Friday (7/13/07). By Friday night they had exhausted all of their leads without success.

On Saturday (7/14/07) Det. Pentheny and Det. Servo followed up on an area Rosales-Corona might be. The information on the area was vague and they didn't have high expectations that it would be fruitful. At

approximately 4:00PM, however, they observed Rosales-Corona walking to a local store. When he came out of the store they approached him and identified themselves as detectives from Oregon. Rosales-Corona looked down and was not surprised to see the detectives.

One year to the day that Kimberly McDaniel's life was cut short due to a hit and run driver, Det. Pentheny and Det. Servo took Rosales-Corona into custody. He has been charged with one count of criminally negligent homicide (Class A Felony) and one count of failure to perform duties of a driver to injured persons (Class B Felony). Rosales-Corona will be extradited to Oregon in the near future.

The exhaustive and patient efforts of Det. Pentheny and Det. Servo and the invaluable assistance of the Lodi Police Department are attributed to the ultimate capture of Rosales-Corona. Law enforcement personnel involved will not discuss any information related to informants in this case.

Photos: 1) Lodi PD Mug Photo of Rosales, 2) Photo of incident scene on 7/14/06, 3&4) suspect vehicle, 5) Kimberly McDaniel memorial at site where she was struck.

Lt. Jason Gates

Public Information Officer

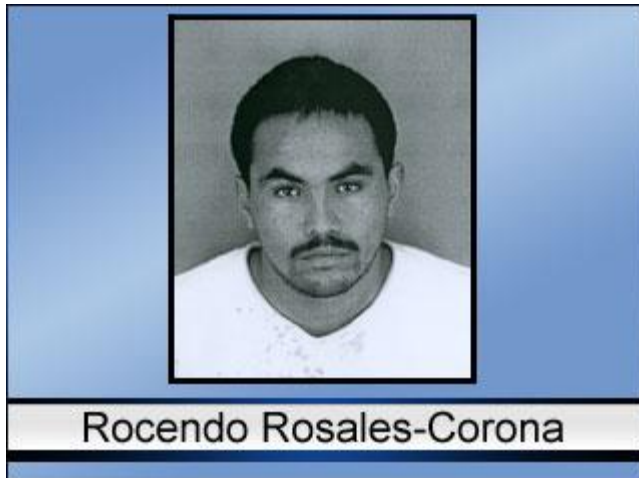
Multnomah County Sheriff's Office

Of. #503-251-2451

Pg. #503-271-0226

[co.multnomah.or.us/sheriff/.../nr2007/071607Suspect\\_in\\_the\\_Hit\\_Run.doc](http://co.multnomah.or.us/sheriff/.../nr2007/071607Suspect_in_the_Hit_Run.doc)

## Man charged in year-old hit-and-run that killed jogger



Story Published: Jul 16, 2007 at 5:41 PM PDT

Story Updated: Jul 17, 2007 at 7:15 AM PDT

By KATU Web Staff

[Video](#)

PORTLAND, Ore. - The Multnomah County Sheriff's Office announced Monday they made an arrest in a year-old hit-and-run case that left a 23-year-old jogger dead.

Kimberly Powell was struck July 14, 2006, while jogging along Northeast Frontage Road near Dodson. She was thrown several feet and was not found until about an hour and a half later. She was taken to the hospital but died the next day. (Powell, whose maiden name was McDaniel, is pictured below.)

Detectives on Saturday - a year to the day of the incident - arrested a man in Lodi, Calif., on charges of

criminally negligent homicide and hit-and-run.

The sheriff's office identified him **as Rocendo Rosales-Corona**, 25, of **Mexico**.

Investigators linked the man to the crime based on a tip they received last October, the sheriff's office said. In trying to locate the man, detectives learned he was in **Mexico**, and in February they began the process to have the U.S. government extradite him out of **Mexico**.

Then earlier this month, detectives learned that Rosales-Corona was in Lodi, which is south of Sacramento. Detectives traveled to the area and on Saturday went to a place where the man was supposedly frequenting. The sheriff's office said they happened to come across him as he left a store. When they identified themselves as detectives from Oregon, the man reportedly looked down and was not surprised to see them, the sheriff's office said.

Rosales-Corona will be extradited to Oregon in the near future, the sheriff's office said.

Powell's parents, Allen and Janet Tremain, were scheduled to attend a press conference on the case on Tuesday. The sheriff's office released the following picture of the memorial at the site where Powell was struck as well as pictures from the scene that day.

<http://www.katu.com/news/8540357.html>





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All charges and bails shown for arrested/in custody persons represent the most recent information known to the Sheriff's Department. As individuals move through the judicial process, charges and bail amounts may change.

**Inmate Information**

Inmate Detail

[Top of Form](#)

<b>Inmate Name:</b>	ROSALES-CORONA, ROSENDO
<b>Aliases:</b>	
<b>Booking Number:</b>	07-18516
<b>Date of Birth:</b>	03/28/1982
<b>Gender:</b>	Male
<b>Height:</b>	5'02"
<b>Weight:</b>	170
<b>Visiting:</b>	24 Hour Lobby Visiting
<b>Mailing Address:</b> Mailing Information	ROSALES-CORONA, ROSENDO / 07-18516 San Joaquin County Jail 999 West Mathews Road French Camp, CA 95231
<b>Booking Date/Time:</b>	07/17/2007 at 06:50 PM
<b>Projected Release Date:</b>	None
<b>Arresting Agency:</b>	LODI POLICE DEPARTMENT
<b>Type of Arrest:</b>	REMAND, WARRANT NON-SJC, WARRANT NON-STATE
<b>Charges/Bail:</b>	<p><b>Case# LF010093A (00) REMAND - No Bail</b>          PC 1551                      Felony          FUGITIVE FROM JUSTICE:WARRANT ARREST</p> <p><b>Case# C061237281 (01) WARRANT NON-STATE - Bail: \$40,000.00 - MULTNOMAH COUNTY, OR</b>          No Charges Found</p> <p><b>Case# AM190663 (02) WARRANT NON-SJC - MERCED COUNTY, CA</b>          No Charges Found</p>
<b>Total Bail:</b>	Bail not Allowed
<b>Next Court Date:</b>	08/14/2007 at 10:00 AM
<b>Court Location &amp; Department:</b>	Lodi Branch Department: L1

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## Kitzhaber's proposed immigration policy puts drivers at risk

10:01 PM, Jun 22, 2012 |

Written by

**David Cross**

**Guest Opinion**

Gov. John Kitzhaber's proclamation dated May 1 revealed his office would work for the issuance of Oregon driver's licenses to undocumented foreign nationals in conjunction with his directive requiring the Oregon State Police to accept Mexican matricula consular cards as identification at traffic stops. Those actions pose an unacceptable public safety risk to Oregonians.

During the past six years, far too many Oregon residents within a 70-mile radius of Salem have lost their lives to illegal aliens driving under the influence.

Judyth Anne Cox, 66, of Newberg — a wife and mother of two adult children — was killed Dec. 3, 2007 by Ignacio Merendon-Zerega, a Mexican national illegally in the country. He lived in Woodburn. He had six drunken driving convictions and his driver's license had been suspended numerous times. He was convicted of manslaughter, assault and felony driving under the influence and sentenced to 15 years in prison.

Carma Colleen Smith, 52, of Dayton — a wife and mother of seven children — was killed May 11, 2008 (Mother's Day) by Leonel Zurita-Loeza, a Mexican national illegally in the country. He lived in Portland.

Possessing a valid driver's license at the time of his arrest, he was on a diversion program related to drunken driving in Washington County. He was convicted of manslaughter and sentenced to 16 years in prison.

Oregon's counties do not have visible borders: neither do they have physical fences of separation when it comes to crimes being committed against Oregonians by illegal alien drunken drivers across the state. Each victim has her or his own story of how life ended violently and prematurely:

- Kimberly McDaniel, 23, was killed by Mexican national Rosendo Rosales-Corona in Multnomah County on July 15, 2006.

- Justin Daniel Dougherty, age 23, was killed by Mexican national Eduardo Gutierrez in Lane County on March 4, 2008.

- Kay Blaser, 26, was killed by Mexican national Fernando Deanda Moreno in Clackamas County on Oct. 12, 2008.

- Albert Lloyd Rowland, 53, was killed by Mexican national Alvaro Lugos-Ponce in Multnomah County on May 13, 2010.

(Page 2 of 2)

- John Zupan, 66, founder of Zupan's Markets, was killed by Mexican national Edy Porfirio Reynoso-Ramirez in Multnomah County on Aug. 30, 2011.

Eventually all of the preceding, if they haven't been already, will be released from the state prison system. Many will be deported. It is highly likely that some will re-enter the U.S. illegally and return to Oregon because of their familial connections to the state and will attempt to drive again with or without a driver's license.

Oregon's governor should realize the Mexican government's issuance of matricula consular cards to its citizens illegally in Oregon doesn't come with strings attached that they not have a prior criminal history; moreover, that they have automobile insurance to drive in the state.

Unfortunately for the safety of law-abiding Oregon drivers, the governor's directive requiring State Police to accept Mexican matricula consular cards as identification undermines current Oregon law, which dictates that only those persons legally present in the U.S. may obtain a driver's license and drive here.

Kitzhaber should not support or work for the issuance of Oregon driver's licenses to illegal aliens. Furthermore, he should withdraw his directive that will allow illegal alien drivers to use Mexican matricula consular cards as identification at traffic stops; identification that amounts to a get-out-of-jail or deportation card in some parts of the state.

David Olen Cross of Salem writes on illegal immigration and foreign national crime. He can be reached at [docfnc@yahoo.com](mailto:docfnc@yahoo.com).



David Olen Cross tracks issues related to foreign national crime and immigration / Special to the Statesman Journal

<http://www.statesmanjournal.com/article/20120623/OPINION/306230018/Kitzhaber-s-proposed-immigration-policy-puts-drivers-risk>