

# CityRegion

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## Bad-ballot list becomes hot item

County workers use the weekend to get names to the incumbent after his request falls through the cracks

By SAUL HUBBARD  
The Register-Guard

Several top Lane County employees helped incumbent County Commissioner Jay Bozievich's political campaign obtain a list of approximately 500 voters with ballot signature problems last Saturday outside of normal county business hours.

The list became hot prop-

erty last week for the political campaigns involved in the still-undecided East Lane and West Lane county board races. Bozievich is running to keep the West Lane seat.

The affected voters were given until 14 days after that May 20 primary election — Tuesday of this week — to contact the county elections office and fix their signature problem or see their ballot go uncounted. Be-



Jay Bozievich

cause of a new state law passed last year, the voters' names, addresses and party affiliations become a public record eight days after an election — in this instance on Wednesday, May 28. That gave candidates a small window of time to contact those voters, urge them to fix the signature problems and potentially affect the razor-thin margins in the two races.

A Bozievich campaign volunteer, Jacob Daniels, made a request on Tuesday, May 27, for the list of voters with challenged ballots. He made the records request to Steve Dingle, the county's lead attorney, rather than to the county clerk, Cheryl Betschart, whose elections office handles the challenged ballots, according to emails obtained by The Register-Guard through a public records request.

Contacted by staff from the county's public records office, Betschart sent a form for Daniels to complete and submit to

her office once the records became public the following morning, the emails show.

Staff at the records office passed along the form to Daniels the next day, but told him they would provide a cost estimate once the records were available, the emails show. That didn't happen, according to Bozievich's campaign and county officials, and Daniels didn't follow up last week.

Meanwhile, on Wednesday the elections office began pro-

Turn to **VOTERS**, Page B2

## Petition asks UO for action on sexual violence

Alumni sign the online criticism of the university's response

By JOSEPHINE WOOLINGTON  
The Register-Guard

Nearly four dozen University of Oregon alumni have signed a petition that criticizes the university's response to recent sexual assault allegations against three UO basketball players.

Shin Shin Tang — who earned her doctoral degree from the UO in 2009 — created the online petition last week. Tang works as a clinical psychologist in Eugene and helps people who have been traumatized from sexual assault, war and childhood abuse.

Tang said that after reading news reports about how the university handled the alleged sexual assault, she felt she "had to do something."

"This was the first petition I've ever made in my life," Tang said. "It was important to me."

The petition, which had 44 signatures as of Thursday evening, asks UO President Michael Gottfredson and other university officials to address demands from the UO Coalition to End Sexual Violence — a group made up of dozens of professors and graduate students.

The coalition has listed five specific demands to UO administrators, ranging from surveying students about their experiences with rape to apologizing publicly "for lying."

Turn to **PETITION**, Page B2

To see the petition, visit [ignews.com/Sc08wv](http://ignews.com/Sc08wv)



BRIAN DAVIES/The Register-Guard

Dressed as conservationist John Muir, third-grader Jonah Haberman (right) chats with Cody Reuter, whose stoic portrayal of pioneering landscape architect Frederick Law Olmsted brought history to life at Adams Elementary School Thursday afternoon.

## LIVING HISTORY

Third-graders take on "wax museum" lives of famous people

By ALANDO BALLANTYNE  
The Register-Guard

About 70 influential American figures descended on Eugene Thursday afternoon — from Benjamin Franklin to Rosa Parks to Steve Jobs — at the Adams Elementary School cafeteria to remind students about their respective place in history.

The event was put on in a "wax museum" format. Third-graders dressed the part of the historical figures they had researched, and then

adopted an appropriate pose.

Parents and other guests then took turns pressing a button whereupon the historical figure — Henry Bergh, for example — would spring to life and explain his or her contributions to society.

"I founded the American Society for the Prevention of Cruelty to Animals," said Bergh, who officially died in 1888 but was successfully channeled on Thursday by student Kanan Collins.

Misty Copeland, a world-renowned African-American ballet dancer who

regularly performs at the Metropolitan Opera House with the American Ballet Theatre, also dropped by to visit.

"You should never give up on your dreams," said Copeland, whose friends know her better as third-grader Breanna Davis.

Breanna has performed ballet herself since she was 3. Now 9, she said she doesn't plan on giving up on her own dreams any time soon.

"I (want to) do the splits and be a ballerina," she said.

Turn to **HISTORY**, Page B3

## Court dismisses complaint against four police officers

Matthew Waggoner had sued for damages, saying police used excessive force on him

By JACK MORAN  
The Register-Guard

A federal jury has rejected a man's claims that four Cottage Grove police officers used excessive force against him and subjected him to false arrest while investigating a burglary report in 2010.

The six-person jury ruled against Matthew Waggoner after hearing evidence in a trial this week in U.S. District Court in Eugene.

Bob Wagner, a Portland attorney representing police in the case, told jurors in an opening statement that Waggoner was drunk and uncooperative and fought with officers who approached him after they were called to in-

vestigate a possible burglary at a home in the 1000 block of Adams Street on the afternoon of Dec. 15, 2010.

In an interview Thursday, Wagner said the trial arose from "a frivolous lawsuit" that included accusations that "never should've gotten in front of a jury."

Police "did what they were trained to do, and what we pay them to do, and what they are supposed to do," Wagner said of the officers involved in Waggoner's arrest.

Waggoner claimed that police had grabbed and tackled him, causing him a serious knee injury that was worsened when one of the officers

Turn to **VERDICT**, Page B2

## Driver in fatality guilty of DUII

Bar manager Kiyallah Heatherstone's vehicle hit a man on a Springfield street last year

By JACK MORAN  
The Register-Guard

A Lane County jury on Thursday found a Eugene bar manager guilty of driving under the influence of intoxicants, in connection with his arrest on the night his car struck and killed a man in Springfield.

Jurors who heard evidence in a trial on Wednesday deliberated for about six hours before returning a verdict in Kiyallah Heatherstone's misdemeanor case.

Heatherstone, 34, of Fall Creek, will be sentenced Monday in Lane County Circuit Court. Springfield police initially arrested Heatherstone on preliminary charges of intoxicated driving and first-degree manslaughter, after his car collided with 24-year-old Springfield resident Travis

Alverson at the intersection of the Highway 126 Expressway and 52nd Street on May 25, 2013.

Prosecutors later reviewed the investigation and declined to formally charge Heatherstone with causing Alverson's death, saying that they didn't think it could be proved that Heatherstone had been negligent or reckless.

Police said they uncovered evidence that Alverson had been suicidal, a notion that his family disputed.

A blood sample taken from Heatherstone on the night of his arrest showed his blood alcohol content to be 0.16 — twice the presumed "legal limit" for intoxicated driving under Oregon law.

Police officer Matthew Bohman testified that while he was certain Heatherstone was intoxicated, he did not have slurred speech or display a



Kiyallah Heatherstone

number of other signs of being under the influence of alcohol. Heatherstone's attorney, Laura Fine Moro, had argued to the jury that the blood test result was unreliable.

Heatherstone is the bar manager and a co-owner of Rye, a restaurant in Eugene. Police said he told investigators that he had consumed just one drink at work before the wreck. A state Liquor Control Commission inspector testified that Heatherstone acknowledged having two drinks. The investigator said he found no evidence to conclude that Heatherstone had been drinking while on the job.

Moro and Alverson's father, Keith, both declined to comment Thursday but said they would talk about the case after Heatherstone is sentenced.

FOR THE RECORD

Births

PEACEHEALTH SACRED HEART MEDICAL CENTER AT RIVERBEND SPRINGFIELD
June 2, 2014
Mack — Amber Volf and Robert Mack, of Cottage Grove, a daughter.

Sparks-Southworth — Sierra and Joshua Sparks-Southworth, of Eugene, a son.

Zaldívar — Ana Garcia and Gonzalo Zaldívar, of Springfield, a daughter.

Deaths
Anderson — Christine Alene Anderson, 76, of Dexter, died June 1. A memorial service will be at 5 p.m. Monday, June 9, in the Lowell High School gymnasium.

Cochran — Robert "Bob" Cochran, 84, of Eugene, died June 4. Arrangements by Maguire's at Lane Memorial Gardens & Funeral Home in Eugene.

Dotson — Linda Arleen Dotson, 49, of Eugene, died May 11. Arrangements by Ponderant Funeral Home in Eugene.

Goodman — Naomi Goodman, 92, of Eugene, died June 4. Arrangements by Maguire's Family Mortuary in Eugene.

Hite — Barbara L. Hite, 78, of Cottage Grove, died June 4. A celebration of life service, for a small fee.

Kajja — Clarinda Kajja, 77, of Springfield, died May 26. Arrangements by Anderson's Cremation & Burial Service in Springfield.

Murrel — Rita Murrel, 59, of Eugene, died June 5. Arrangements by Maguire's Family Mortuary in Eugene.

Novak — Robert Bailey Novak, 19, of Eugene, died June 3. A memorial service will be at 2 p.m. Saturday, June 7, at West Lawn Memorial Funeral Home in Eugene.

Tillinghast — Joyce Tillinghast, 89, of Eugene, died June 4. Arrangements by Anderson's Cremation & Burial Service in Springfield.

White — Thomas Alvin White Jr., 94, of Medford, died June 3. Arrangements by Alpha Cremation & Burial Service in Eugene.

Blood Center
Donors needed today
O Positive ..... 34
D Negative ..... 29
A Positive ..... 31
A Negative ..... 12
B Positive ..... 11
B Negative ..... 11
AB Negative ..... 1
Lane Blood Center, 2211 Willamette St., is open Monday to Wednesday from 10 a.m. to 5 p.m., Thursday and Friday from 8 a.m. to 3:30 p.m., and Saturday from 8 a.m. to 10 a.m. 541-484-9211. Bloodmobile: Guaranty Rv, 20 Highway 99, Junction City, 1 p.m. to 4 p.m. 541-995-3149.

Marriage license applications
May 13, 2014
Alejandro Alvarez Mendola, 55, and Suzanne Kirsh, 54, both of Eugene.

Marcus A. Bridges, 29, and Ashley M. Rau, 25, both of Eugene.

Anthony R. McCloud II, 24, and Sarah K. Beach, 22, both of Eugene.

Andrew W. Standford, 30, and Brianna D. Dufek, 26, both of Veneta.

Brandy A. Swearingen, 40, and Sandra L. Henage, 26, both of Springfield.

Ted A. Tuddell, 31, of Eugene, and Rachel E. Koontz, 26, of Bend.

May 14, 2014
Nicholas C. Ehrich, 23, and Elizabeth M. Gowing, 21, both of Portland.

Chad W. Lynn, 36, and Vanessa R. Wayland, 34, both of Junction City.

DeAndre M. Nettles, 34, and Charly D. Kelley-White, 35, both of Eugene.

Carlton T. Robinson, 32, and Angela M. Akers, 29, both of Eugene.

Justin M. Spellman, 26, and Michelle C. Svoboda, 31, both of Springfield.

May 15, 2014
Keith E. Blumck, 57, and Laurita M. Barth, 53, both of Springfield.

Brian L. Coats, 39, and Natasha M. Plovman, 36, both of Eugene.

Darrell D. Honer, 30, and Rachel A. Jones, 31, both of Creswell.

Jeffrey A. Kensler, 55, and Teresa M. Hoy, 46, both of Eugene.

Ken A. Van Winkle, 22, and Elizabeth A. Fetherston, 23, both of Salem.

Nathan L. Vanschoonhoven, 34, and Kamron M. Baskler, 32, both of Eugene.

Kevin L. Wade, 46, and Sara L. Morris, 36, both of Springfield.

Circuit Court complaints filed
June 2, 2014
Quick Collect, Inc. vs. Donna M. Dubois: Plaintiff alleges breach of contract. Suit seeks \$17,514.

National Collegiate Student Loan Trust 2004-I vs. Anne Geertsen and Laura Roumal: Plaintiff alleges breach of contract. Suit seeks \$36,527.

June 4, 2014
Tuan Bruce Myles vs. James Herbert Racer II: Plaintiff alleges negligence caused traffic crash resulting in injury and property damage. Suit seeks \$103,689.

Lawmakers revive talk of I-5 Columbia bridge

A coalition from Washington and Oregon looks for common ground on the project

THE ASSOCIATED PRESS

VANCOUVER, Wash. — Lawmakers from Washington and Oregon are reviving plans for a new Interstate 5 bridge over the Columbia River between Vancouver and Portland. A dozen lawmakers from both states and both parties met behind closed doors Wednesday in Vancouver.

Rep. Liz Pike of Camas, Wash., one of the lawmakers leading the so-called Bi-State Bridge Coalition.

The lawmakers talked about the governors forming a commission that would guide a new project to replace the aging span on the heavily traveled interstate.

Nearly \$200 million was spent on plans for the \$2.9 billion Columbia River Crossing, including a light rail. The project had been a joint effort of Oregon and Washington before Washington state

"I think people will put some emotional energy into it. Realistically, I think we'll find out there really isn't a path forward at this time."

SEN. LEE BEYER, D-SPRINGFIELD

CHAIRMAN OF SENATE COMMITTEE ON BUSINESS AND TRANSPORTATION

lawmakers balked at authorizing money in 2013. Oregon attempted to continue the project on its own, but in March the Oregon Legislature declined to provide funding.

There is broad agreement that the two states need to find a way to improve freight mobility and

said in a statement.

Oregon Rep. Julie Parrish of West Linn opposed the Oregon-only project.

"If we can get to yes, we have to lift together this time," she said after the meeting.

Sen. Lee Beyer, who chairs the Oregon Senate Committee on Business and Transportation, has said his state suffers from bridge fatigue. Although he attended Wednesday's meeting, he appeared skeptical.

"I think people will put some emotional energy into it," Beyer said. "Realistically, I think we'll find out there really isn't a path forward at this time."

Voters: Bozievich sent email to complain

Continued from Page B1

viding the list to people who requested it directly from the elections office, for a small fee.

When the office shut down for the weekend at 4 p.m. Friday, the list had been provided only to two individuals representing the campaigns of Dawn Lesley and Kevin Matthews — the two challengers who are closest to the incumbents Bozievich and Faye Stewart, respectively, under the latest vote count — and to The Register-Guard.

After The Register-Guard published a story about the list on Friday evening at registerguard.com and in Saturday's newspaper, Bozievich on Saturday contacted County Administrator Steve Mokrohisky to complain that he had not received the list despite his request, emails show.

"Someone need (sic) to be held accountable for giving out such a misleading answer instead of notifying my campaign of the correct procedure," he wrote. "This is really wrong."

After looking into the issue that morning with county attorney Dingle, Mokrohisky directed county interim Human Resources Director Howard Schussler — Betschart's immediate supervisor — to tell Betschart to come into the office that afternoon to provide the list to Daniels, county spokeswoman Anne Marie Levis said.

Levis said Mokrohisky decided to provide the records outside of normal hours because the law making the challenged ballots public was new and the records "were needed in a timely fashion."

"Because there was confusion and nobody (from the county) got back to (Daniels) after his request, the county felt it was appropriate," Levis said.

In Dingle's estimation, Levis said, someone making the request either through his office or the clerk's office "should have gotten (Daniels) the information."

The county would not have provided the list over the weekend to a candidate — incumbent or challenger — who had not made a prior request, Levis added.

Asked about the situation, Bozievich said in a prepared statement: "It was important for us to get our request for the list of ballot challenges on the record. It is the county's

policy that county counsel receives all public records requests.

"We didn't receive (the list of challenged ballots) until May 31st, well after The Register-Guard reported that they received them as well as other campaigns. That is troubling to me," he added.

Robert Phillips, the campaign manager for Bozievich opponent Lesley, said Thursday that he was "not concerned" that Bozievich's campaign had received the list outside normal business hours because "some wires had got crossed."

"It sounds like (county officials) were trying to ensure equal access to the candidates based on when they made their requests," he said.

Asked if he thought Lesley's campaign would have received the same treatment as a challenger rather than as an incumbent, Phillips said: "It may have been more challenging. We might have had to make a few more phone calls" than Bozievich.

"But my hope is that we would have got the same result," he added.

The new list that made the list of challenged ballots public only explicitly names "the county clerk" as the person who "may

disclose (the list) as a public record." It does not refer to county government more generally.

However, the law does also include a reference to the general statutes of Oregon's public records law.

The law "specifically identifies the public records law as a means to obtain the same records," Levis said, in explaining the county attorney's position. "Nowhere does the statute state that the county clerk is the exclusive source of the records."

In most Oregon counties, the county clerk is an elected position that doesn't answer to other county managers.

Only seven counties, including Lane, have an appointed clerk position who is part of the regular county employee hierarchy.

In addition to elections function, the county clerk handles property transactions and marriage licenses.

Betschart said Thursday that she couldn't recall any other instance where her elections office was called on to provide a record or other information outside of normal business hours.

Betschart was appointed Lane County clerk in 2010. She previously

Petition: The goal is to present 1,000 signatures to new UO board

Continued from Page B1

crime to campus police. Alumni from the past several decades have signed the petition so far, Tang said. Signatories have the option of showing or not showing their names on the online petition.

The goal is to have 1,000 signatures and present the petition to the UO Board of Trustees, which will govern the university starting July 1. UO psychology professor Jennifer Freyd said a board member told her that the board is likely to take up the topic during an upcoming meeting.

Tang and others wrote on the petition that the case involving the basketball players is not an isolated incident. The petition alleges that UO administrators have "ignored repeated calls by students and faculty to address sexual assault crimes on campus."

Tang said she felt the UO lacked a sensitivity toward women's safety on campus when she was a student. She remembered talking with a rape victim while she was student therapist at UO.

Tang said the student was raped by a friend whom she invited to her home for a study session. "She was so ashamed that she ended up withdrawing from school and I never heard from her again," Tang said. "College campuses are simply dangerous places for women to be, and change is long overdue."

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Verdict: After time in jail, charges were dismissed

Continued from Page B1

kicked him while lodging him in jail.

Police went to Adams Street after a woman called 911 to report seeing Waggoner attempting to break into a house.

Waggoner said he had locked himself out of the home — which belonged to a friend — and was trying to get back inside to retrieve his cell phone.

Waggoner, 33, spent four days in Cottage Grove's city jail on charges of disorderly conduct and resisting arrest.

rest. The charges were later dismissed.

Waggoner's attorney, Charles Duncan of Eugene, said during his opening statement in the trial that his client was entitled to more than \$624,000 in damages to cover medical bills and lost income, and for having his constitutional rights violated by police.

"Of course I'm disappointed," his attorney said Thursday.

Follow Jack on Twitter @JackMoranRG.

Doris Mozella (Sellars) Odell

1926 - 2014

Doris Mozella Sellars was born in Keefion, OK, on 10/22/1926 to Leslie Benjamin (LB) and Elfre Burtle Sellars. She was one of 9 siblings. She moved to Creswell, OR with her family when she was a teenager and graduated valedictorian of her class from Creswell High School in 1944.

She married Elmer Leslie Odell on 12/08/1945 in Vancouver, WA. She lived in the Eugene area for over 75 years. Doris and Elmer had 5 children: Cheryl Ann Thompson, Maria Sue Basham, Larry Elmer Odell, Debbie Lee Bernhardt, and Lisa Jo Odell. She has 8 grandchildren, 7 great grandchildren, and 3 great-great grandchildren.

In addition to being wife, mother, grandmother, friend and homemaker, Doris worked outside the home for many years. A few of the places she worked throughout her career was at Orthopedic and Fracture Clinic in Eugene, at Mount David Medical Group in Cottage Grove and for many years as Senior and Disabled Services, Lane Council of Governments. She enjoyed her work and all the people she met and dealt with daily. She worked until she was 79, and often commented on how much she missed working.

Doris was preceded in death by her husband, Elmer, on 11/22/1977 and her oldest child, Cheryl on 7/21/2006. Doris requested no memorial service. She will be much loved and missed greatly by all.



Christine Alene Anderson
April 7, 1938 - June 1, 2014

Christine was born in Cherokee County, Murphy, North Carolina to William Aster Hughes and Lillie Belle Hughes. She worked as a housekeeper for McKenzie Willamette Hospital.

She married Ron Anderson on Feb. 28, 1977. She is survived by husband Ron, brothers Bill and Clay, son: Larry Hampton and wife Valorie, son: Robert Hampton, sons: James Anderson and wife Lorie, daughter: Lisa Wilson and husband Andy, daughter: Johanna Reimer and husband Shawn, 14 grandchildren, 12 great grandchildren. Brother-in-law's, sister-in-law's, nephew's and niece's. She's gone to be with her Lord and savior Jesus Christ. And her prayer was that everyone would choose our Lord Jesus as their own personal saviour. John 3:16

Service will be held Monday 9th, 5:00pm at Lowell High School Gym. Major Family in charge of arrangements.

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Doris Mozella (Sellars) Odell
1926 - 2014

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