

# CityRegion

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TUESDAY, MAY 13, 2014

SECTION B

## Taylor sentencing phase to start

The jury will hear evidence again, then decide whether the killer will be sentenced to death or life in prison

By JACK MORAN  
The Register-Guard

The same jury that last week convicted David Ray Taylor of murdering a 22-year-old Eugene man will return to Lane County Circuit Court today to hear a second round of evidence in the case.

This time, the seven-woman, five-man panel will be asked to

decide whether Taylor should be sentenced to death for the brutal killing of Celestino "Tino" Gutierrez Jr. in August 2012. Jurors could learn much about Taylor during the penalty phase of his trial. Prosecutors are sure to remind them that Taylor spent 27 years in prison for murdering a Eugene gas station attendant in 1977, and will probably share details of other



David Ray Taylor

crimes and misdeeds involving the 38-year-old Eugene man.

Taylor's attorneys, meanwhile, have subpoenaed two convicted murderers and a serial rapist — all of whom served prison time with Taylor — to testify on his behalf.

The jury also may hear emotional testimony about Gutierrez from members of his family, who

attended every day of the first phase of Taylor's trial.

"In these types of cases, pretty much everything can come in, including the kitchen sink," longtime public defender Ken Hadley of Baker City said Monday regarding prosecutors' ability to present a wide range of evidence to a jury in a death penalty case.

Hadley, who retired in January, represented Eugene resident Angela McAnulty in her 2011 capital murder trial. A jury in that case decided that McAnulty

should pay the ultimate penalty for the torture killing of her 15-year-old daughter, Jeanette Maples.

McAnulty, 45, is the only woman on death row in Oregon. Hers was the most recent Lane County case in which a jury considered sentencing a murderer to death.

If given the death penalty, Taylor would join McAnulty and 34 male inmates on Oregon's death row.

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### ELECTION 2014

## Campaign gifts flow as ballots trickle

The West Lane County board race attracts the greatest fundraising attention

By SAUL HUBBARD  
The Register-Guard

A week before the May 20 primary election, slightly more than 10 percent of registered Lane County voters have sent in their ballots.

Through Monday, 23,644 ballots — or 11.61 percent of 203,671 voters — have been returned, Lane County Clerk Cheryl Betschart said. Final turnout in May primaries over the last decade has typically fallen between 35 and 45 percent — with some outlier years.

In Lane County, the May ballot features three Lane County commissioner races and school bond measures for the Pleasant Hill and Fern Ridge districts. Statewide, the ballot is dominated by primaries for the gubernatorial race, as well as one of Oregon's U.S. Senate seats.

In the closely watched county commissioner races, the contest for the West Lane district is drawing most of the late campaign contributions.

For the first time in the election cycle, incumbent Jay Bozievich has surpassed challenger Dawn Lesley in fundraising. Bozievich has reported just over \$130,000 in contributions, while Lesley is reporting just under \$125,000.

Over the past month, both candidates have raised more than \$50,000.

Lesley has a big advantage in cash in the bank, however, with just under \$50,000 compared with Bozievich's \$3,000.

Bozievich's campaign has rolled out television and radio ad campaigns over the past two weeks. Lesley's cam-

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CHRIS PIETSCH/The Register-Guard

University of Oregon Provost Scott Coltrane (left) and Vice President for Student Affairs Robin Holmes receive a set of five demands from professor Elizabeth Reis (center) and graduate student Carly Smith during a UO Coalition to End Sexual Violence non rally outside the university administration's Johnson Hall on Monday.

## UO coalition makes demands after reported sexual assault

The group calls for five steps, including a campus survey on rape and a public UO apology for "lying"

By DIANE DIEZ  
The Register-Guard

Members of the UO Coalition to End Sexual Violence stood at the University of Oregon administration's stoop Monday and demanded that UO officials take five specific actions — ranging from surveying students about their experiences with rape to apologizing publicly "for lying about the university's failure to act on a reported sexual assault." Professor Elizabeth Reis read the demands through a bullhorn

and then handed the paper to Provost Scott Coltrane.

"We will take them under consideration, and we appreciate that you're very concerned," Coltrane told Reis and an assembly of students and faculty members.

"We are concerned as well," Coltrane said. "We absolutely want to stop all domestic violence. We want the campus to be safe for everyone. It's our job to protect everybody."

It was the coalition's third rally in the week since news

broke about sexual contact between three UO men's basketball players and a female college student on March 9 in a bathroom at a party and in a bedroom at a student's house. The female student said she was assaulted; the players said the sexual contact was consensual.

The UO last week permanently dropped the players from the team but has not otherwise commented on their status at the UO.

Monday afternoon, the UO released this statement: "Last week when President (Michael) Gottfredson spoke with representatives of the UO Coalition, he asked for input — and he's

pleased they offered suggestions, which are under consideration. As the president said Friday, we have great expertise on our faculty and we will draw on that and turn to them to help improve our response, support and prevention practices."

The coalition demanded that the UO provide independent advocacy for survivors of sexual violence that corresponds to the rates of attempted or completed assaults reported among undergraduate women, which,

Turn to DEMANDS, Page B6

View a video with this story at registerguard.com

### AROUND THE REGION

#### VIDA

##### 60-year-old woman dies after SUV lands in river

A 60-year-old VIDA woman died Monday after her vehicle was found in the McKenzie River shortly before 7 p.m., the Lane County Sheriff's Office said.

Beverly Coleen Fry-Hadden was driving a 2011 Kia sport utility vehicle east of the Ben and Kay Dorris boat ramp when, for unknown reasons, her vehicle landed in the river and was soon submerged, deputies said.

The sheriff's office received a report a short time later of a person floating down the river. Fry-Hadden was recovered by McKenzie River Fire Department personnel and transported via LifeFlight helicopter to a hospital, where she was pronounced

#### VENETA

##### 29-year-old motorcyclist dies in Bolton Hill Road crash

A 29-year-old man was killed Monday evening in a motorcycle crash at Bolton Hill Road and Eighth Street in Veneta, Oregon State Police said.

The crash occurred about 6:20 p.m., police said. The accident victim's name and other information is expected to be released today following notification of kin, police said.

#### BEND

##### Lost Mount Bachelor skier found safe after night in snow

A 21-year-old skier missing on Mount Bachelor was found Monday in good shape despite spending a night in the snow and temperatures that dipped to freezing.

"He is alive," Lt. Scott Shelton of the Deschutes County sheriff's office said about noon after searchers found Ryan Melrose Deyoung of Bend.

Deyoung, who has autism, bought a day pass Sunday for the ski area at Mount Bachelor and last used it about 9 a.m.

About 1:30 p.m., the ski patrol saw tracks across the "catch line" at the eastern edge of the ski area, but couldn't find a skier to go with them. It determined they were likely Deyoung's, touching off a search with helicopter help.

More than 50 rescue workers were involved in the operation on and around the 9,068-foot peak.

#### MADRAS

##### Warbird collection to make move from Tillamook museum

Pilots will ferry about 25 World War II era aircraft from the Tillamook Air Museum to the site of a future museum at the Madras airport this week.

The owner of the warbird collection, aviation entrepreneur Jack Erickson, announced last year his plan to move the aircraft to Madras.

The vintage warplanes will be housed in a nearly 70,000-square-foot hangar near the headquarters of Erickson Aero Tanker, though it's not clear when the new museum will open.

— News service reports

# Apple: Company's pace of innovation has slowed

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ing to improve labor conditions in the overseas factories that assemble its devices and taking steps to reduce pollution caused by its data centers and gadgets.

The shift in management philosophy has resulted in an odd twist: Apple Inc.'s pace of innovation has slowed and it now looks more like a conventional company than the corporate rebel Jobs tried to cultivate.

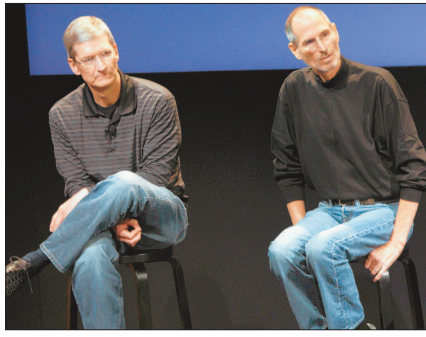
Instead of releasing revolutionary gadgets such as the iPod, iPhone and iPad, Apple has been mostly upgrading existing products and figuring out ways to manage its bulging bank account since Cook took over.

"Jobs wanted Cook to step out and be different," longtime technology analyst Rob Enderle says. "But I think he wanted (Cook) to do the things that were central to the business, not things that Jobs thought were stupid."

Cook has repeatedly sought to assure investors and customers that Apple remains focused on inventing "insanely great" products, even though the company's last breakthrough, the iPad, came out in April 2010 — 18 months before Jobs died of cancer.

In the meantime, a host of technology companies have forged ahead with wearable devices, including Google Glass and Samsung's line of Gear smartwatches.

Also stealing the innovation spotlight: Internet-connected household appliances such as the



PAUL SAKUMA/The Associated Press

Apple's Tim Cook (left) and founder Steve Jobs attend a meeting at Apple in Cupertino, Calif., in 2010. Jobs died in October 2011.

Nest thermostat, whose maker was founded by former Apple designer Tony Fadell. Google purchased Nest for \$3.2 billion in January.

"We've got some great things that we're working on that I'm very, very proud of and very, very excited about," Cook told analysts in a conference call last month. "But, for us, we care about every detail and when you care about every detail and getting it right, it takes a bit longer to do that and that's always been the case."

After pointing out that there were other digital music players, smartphones and tablet computers before Apple redefined those markets

with its devices, Cook said something that sounded like an echo of Jobs: "It means much more to us to get it right than to be first."

Wall Street is still taking a wait-and-see attitude with Cook. Apple's stock ended last week at \$585.24, well below its peak of \$705.07 reached in September 2012, but still a 56 percent gain since Cook became CEO.

"That's just slightly behind the 60 percent increase in the Standard & Poor's 500 index during the same period. Despite the lag, Apple's market value is the highest in the world at about \$500 billion.

Although Cook has

and we will soon know a lot more," Forrester Research analyst Frank Gillett says. "If a Beats acquisition is the biggest news of the year, then it will be a bust."

Neither Apple nor Beats Electronics have commented on reports citing unnamed people who say the two companies are nearing a deal that could be announced as early as this week.

Beats Electronics, founded by hip-hop artist Dr. Dre and music executive Jimmy Iovine, would give Apple a line of trendy headphones and audio equipment that is particularly popular among young adults and teenagers. Apple also would gain a music-streaming subscription service that Beats launched earlier this year.

Apple's own streaming music service hasn't gained as much traction as the company expected. "If you look at the current music market, downloads are declining for iTunes," said Erik Joachimsthaler, founder and CEO of Vividli Partners Group. "So Apple needed to do something."

With \$150 billion in cash, Apple can easily afford to buy Beats. Still, some analysts are puzzled

to why Apple would bother buying Beats when it already owns iTunes and could easily license technology to make even better headphones on its own.

"Apple's brand is way stronger than Beats," Gillett says. "It's a head scratcher."

In last month's conference call, Cook acknowledged being "on the prowl" for acquisitions.

"We look for companies that have great people and great technology and that fit culturally and we don't have a rule that says we can't spend a lot or whatever," he said. "We'll spend what we think is a fair price."

The Beats deal looks like a distress signal to Yuhari Iwatani Kane, the author of a new book called "Haunted Empire" that explores how Apple has changed since Jobs' death.

"When companies start expanding their accessory lineup, it's a worrisome sign for innovation," Kane says. "Accessories have always been an easy way for any company to beef up their sales."

Concerns about Apple's innovation drought have been heightened by Cook's management style. Although he has always been a highly respected executive, Cook focused on managing Apple's product inventory and component needs before he had to start filling in for Jobs during the period leaves he took while battling cancer in the final seven years of his life.

Cook's adroit handling of the more tedious side of Apple's business would be an ideal complement for the visionary Jobs, who preferred to pour his energy into conceiving new devices and then driving Apple's engineering team to build them to his exacting standards.

Cook is "the guy who liked doing everything that Steve Jobs hated to do," Enderle says. "When you make Jobs' polar opposite the CEO, it's probably not going to work out well."

# Demands: Coalition wants UO expert to conduct survey

Continued from Page B1

according to the Centers for Disease Control and Prevention, is one in five.

## SASS contract upheld

A long-standing contract between the Associated Students of the University of Oregon and the nonprofit Sexual Assault Support Services of Lane County has been in doubt through the fall and winter.

The student organization — which has contracted with SASS for years — decided to double its SASS allocation for the 2013-14 school year so that the agency could hire a dedicated employee to serve the UO campus. But last August, before the contract was finalized, the UO administration intervened, said BB Beltran, SASS's executive director.

"They wouldn't speak to us directly," she said.

The best Beltran said she can glean is that administrators would require that the dedicated SASS staff member report any incidence of rape that a student disclosed. That would be contrary to SASS' federal agreements and best practices for helping rape survivors, Beltran said.

Without a contract going into the school year, Beltran said she had to cut back on campus work. "The crisis services is something we would always do," she said.

On Friday as the UO president spoke about the incident involving the basketball players, the signed 2013-14 contract landed in Beltran's email inbox, she said.

"It came to us five minutes after the start of the press conference last week," she said. "Coincidence? I'm not sure. I'm just telling you the facts as they are."

But the annual contract is so late that it will expire in about 1½ months. Beltran said she's not sure where the 2014-15 contract stands.

A UO spokeswoman released a statement late Monday saying the university would need more time to answer questions about SASS. However, "confidential support services for sexual assault survivors are available through staff

## COALITION'S DEMANDS

The UO Coalition to End Sexual Violence presented University of Oregon Provost Scott Coltrane with the following set of demands at lunchtime on Monday:

1. Provide advocacy independent of the UO for survivors of sexual violence that corresponds to actual rates of sexual violence at the university
2. Support the expansion of the UO's Multicultural General Education requirements to include at least one mandatory class that addresses gender, sexuality and social inequality in the United States
3. Provide resources for psychology professor Jennifer Freyd's research team to begin conducting a campus climate research survey by June 2
4. Appoint a coalition member to the committee charged with revising the student conduct code, as well as to all future committees regarding sexual misconduct and prevention
5. Hold a press conference at noon Thursday that includes a public apology from the UO administration for "lying" about the university's failure to act on a reported sexual assault; an outline of specific measures regarding sexual violence prevention at the UO and a list of specific resources to be allocated to those measures; a public signing of the academic freedom policy, which will enable staff to speak freely and openly on this and other issues regarding the university; and a direct response to the first four demands noted above

at the University Counseling and Testing Center and the University Health Center," the UO said.

## Sexual climate survey

The UO Coalition demands that the university

help UO Professor Jennifer Freyd, a nationally known expert in sexual assault trauma, with funding to conduct a campus survey that asks students their experience with sexual assault. Freyd recently

advised U.S. Sen. Kirsten Gillibrand, D-N.Y., who is drafting a bill to require such surveys on all campuses with federal funding.

"Climate surveys are absolutely needed," Freyd said Monday. "It's basically using social science research to collect accurate information about what's going on. When you get rates of sexual assault based on reported rates, it's a gross underestimate."

Freyd said she needs the student email addresses and money to pay participating students — about \$20 each — for their time, so she can get a representative sample of responses and not just from students aware of the issue of sexual assault.

"Methodologically, we're going to get much better results," she said. Freyd has been working on a proposal to do climate surveys across a set of campuses. Her research team has written questions, she said. "We have a lot of knowledge about how to ask about these things," she said. "If you go up to people and say, 'Were you raped in college, or did you rape people

in college?' — guess what people say. They say no." Freyd said she can conduct the survey dispassionately even though she's a member of the coalition that's demanding change.

"I'm a good researcher," she said. "I'm going to submit this for peer review, and people can look at my survey. I will make my data available. I was already planning to do this. Other people are writing me from across the country and asking for my measures. There are other experts. We could pay to have one of them come in here. I suppose, but that would be a little silly."

"I have no desire personally to do anything but discover and share the truth," she added. "I don't want this university to crash and burn. I love the University of Oregon. I want us to be a national leader."

In a statement released late Friday, the UO said:

"Details haven't been confirmed about who will lead a campus climate survey at the UO. The president is committed to pursuing it. Best practices are that climate surveys are performed by independent entities in order to ensure unbiased collection of information."

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