

# Man denies Francke involvement

REDDING, Calif. (AP) — A former Oregon prison inmate who was acquitted of first-degree murder charges this week says he doesn't believe there was widespread drug trafficking between guards and inmates in the Oregon prison system.

Philip Charles Kellotat, who was found innocent Monday of the murder-for-hire of a Northern California man, also denied any involvement in the slaying of the head of the Oregon Corrections Department, Michael Francke.

"When Michael Francke got killed, I said, 'Well, I never heard of him, I don't know who Michael Francke is,'" the 44-year-old convicted armed robber told the Redding Record-Searchlight. "I think I was in court the day he was killed."

"When I heard he was investigating drug trafficking in the

Oregon State Penitentiary, I thought, 'Oh, no. They're going to try to drag me into this, too.'"

Kellotat also denied knowing Frank E. Gable, 30, who has become the focus of the Francke investigation. Gable is being held in the Coos County Jail on unrelated charges.

Kellotat was described in a 1986 Oregon Department of Corrections report as a major drug trafficker in prison. The report said he used whatever means were necessary to bring drugs into the facility.

But, in an interview Monday night, Kellotat said, "There is no drug trafficking in the Oregon State Penitentiary on any kind of large scale between the prisoners and the guards."

"You have isolated incidents when some guards will bring in drugs to some prisoners, but

there's no big scale," he said. "You have 1,700 prisoners. Most of them are broke. If you took all the drug money in the Oregon State Penitentiary for a month you'd probably have around \$3,000. It's not worth killing anybody over."

Kellotat has been named by Linn County authorities as the subject of an investigation into the 1987 death of Tommy Hyland, a former Oregon convict. But Kellotat said all he knew about Hyland's death was what he read in the papers.

Kellotat was charged with first-degree murder, conspiracy to commit murder and murder for financial gain in the death of Vincent Capitan, who was cut down by a shotgun blast at his home near Redding on Feb. 6, 1987.

The state contended Kellotat arranged from prison to have Capitan killed as a favor to Capitan's wife, who was involved in a bitter divorce and child custody dispute. Kellotat's wife and Capitan's wife were close friends.

One Oregon State Penitentiary inmate, Jody Seelye, confessed to the killing and told police he was hired by Capitan. But Seelye refused to testify against Kellotat at the trial. But Jeff McKinney, an accomplice of Seelye, testified Seelye told him he was hired by Kellotat.

During closing arguments, defense attorney Bernard DePaoli said the state had bargained with convicted felons who actually were responsible for the killing and who were willing to fabricate testimony implicating Kellotat to get a lighter sentence.

Kellotat said he wasn't surprised by the acquittal.

"We thought it was going to be not guilty, but you never know," he said.

"I actually thought the case was over when they (the prosecution) put their evidence on and stopped. I don't think they convinced the jury at all," Kellotat said.

# Green River suspect held on gun charge

By John Wiley  
Associated Press

SPOKANE, Wash. (AP) — Williams Stevens II, a target of police investigating the Green River serial murder case, on Tuesday was ordered held without bond pending trial on a felony weapons charge.

U.S. Magistrate James B. Hovis said evidence presented during the 2½ hour detention hearing convinced him the 38-year-old Stevens represented a danger to the community and was a flight risk.

"He's done everything he can to ensure he would not face the consequences of even the minor things," Hovis said of Stevens' arrests for a number of minor infractions and use of numerous aliases while a fugitive.

Stevens' escape from a King County work release center in 1981 "shows to me there are no conditions I could put in (a release order) that would satisfactorily ensure his attendance at trial," Hovis said.

Assistant U.S. Attorney Ron Skibbie characterized Stevens as "a chameleon" who was able to "produce false identification at will to escape detection by law enforcement."

Spokane County sheriff's Detective James Hansen testified Stevens may have used as many as 36 aliases, dozens of addresses, bank accounts, Social Security numbers and mail drops and was arrested at least eight times while a fugitive between January 1981 and his latest arrest last January.

Stevens fled while serving time for a 1979 burglary of a police equipment supply company. Late last month he finished serving the burglary sentence and an additional four months for escape. He was then moved from the King County Jail in Seattle to Spokane to face the federal weapons charge.

The fugitive Stevens lived in Vancouver, British Columbia, Portland, and Spokane, Hansen said.

Offered as evidence were photo identification cards showing Stevens as the chief of police and emergency services director of the town of Spangle, 25 miles south of Spokane. Spangle has no police department or emergency services agency, Hansen said.

Roger Peven, appointed to represent Stevens, asked Hovis to ignore the extensive news coverage that has surrounded the former Gonzaga Law School student since his arrest last January.

He said Stevens has been "smeared" by law enforcement and the media.

In July the Green River Task Force characterized Stevens as "a viable suspect" in its ongoing investigation into the deaths and disappearances of at least 48 women in the Pacific Northwest between 1982 and 1984.

Stevens has denied involvement in any of the crimes and task force officials concede he was not in the area when at least eight of the slayings occurred.

Hovis rejected Peven's recommendation that bond be set at \$50,000 to \$100,000. Stevens father, William Stevens Sr., and brother Robert John Stevens testified they were willing to put up cash and property as collateral to ensure the younger Stevens would appear for trial.

Robert Stevens, a 17-year U.S. Navy veteran, said he is being transferred to Tennessee and his brother is needed at home to care for his father, who is recovering from brain surgery.

Since his brother's arrest, Robert Stevens has given Green River investigators photographs and other documents he said clear his brother in that investigation.

"You have destroyed evidence in this case, haven't you?" Skibbie asked Robert Stevens.

Hovis told Stevens he had a right not to incriminate himself and instructed Skibbie not to pursue that question. Outside the courtroom, Skibbie said he could not comment. Robert Stevens also had no comment.

Detectives who searched the elder Stevens's Spokane home in July found 29 handguns, police paraphernalia and numerous documents with dozens of fictitious names in William Stevens II's basement bedroom, Hansen testified.

One of those guns, a Colt .45-caliber, is the basis for the federal charge of being a felon and fugitive in possession of a firearm. If convicted Stevens faces a maximum of 10 years in prison and \$250,000 fine.

Investigators also found a car equipped much like a police cruiser and a Washington State Patrol motorcycle equipped with emergency equipment, Hansen testified.

Peven, who steadily objected to the hearsay nature of Hansen's testimony, pleaded with Hovis to "bring this case back to reality" and recognize that federal sentencing guidelines call for no more than one year in jail if convicted. He said detention without bond means Stevens will spend at least half that time in jail awaiting his trial.

Spokane County prosecutors on Monday filed separate charges alleging Stevens received stolen property and used false information in applying for a vehicle permit.

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