

## Summit: Cape Falcon is the second-largest of state's marine reserves

Continued from Page 1A

More than 20 seabird colonies are found in the area, including common murre, black oystercatchers, marbled murrelets and bald eagles.

The coastal headlands are where the Columbia River used to be, Smith said. The headlands are uplifted because the area is on a subduction zone that was formerly at sea level.

"Oswald West State Park is the gateway to the marine reserve," Smith said. "Cape Falcon unites land and marine conservation."

Joe Liebezeit, of the Audubon Society of Portland, identified about 100 common murre and a bald eagle seen through his telescope.

Karen Driscoll, who volunteers at Newport's Otter Rock Marine Reserve, found Cape Falcon particularly "outstanding" because of its diversity.

"This is spectacular," she said. "It has some of everything — grasslands, forests, rocky headwaters."

### Research, tourism opportunities

It is "too soon" to know if reserves are working, said Britany Huntington, an Oregon



Lyra Fontaine/EO Media Group

Oswald West State Park overlooks the adjacent Cape Falcon Marine Reserve.

Department of Fish and Wildlife scientist. Researchers will continue to refine methods, report findings, expand partnerships and increase student involvement through undergraduate research programs, she said.

Kirsten Grorud-Colvert, from Partnership for Interdisciplinary Studies of Coastal Oceans, discussed global trends in marine reserves that provide insight on what happens when we protect ocean

areas, and how they can be better protected.

The Science of Marine Reserves Project is an international effort of collecting data from marine reserves across the globe. The study found that

within 124 marine reserves, the mass of animals and plants increased 446 percent on average, the number of animals and plants in an area increased 166 percent, and animals' body sizes increased 28 per-

cent, and the number of species increased 21 percent. Heavily fished species increased most dramatically.

At 12.4 square miles, Cape Falcon is the second-largest of Oregon's five marine reserves, where ocean development and removing sea life are prohibited. Connected to the reserve are two 7.6-mile Marine Protected Areas, where some fishing activities are allowed.

The state's protection of ocean areas was the result of a 15-year effort involving support from local and state governments, residents, the fishing community and other groups.

Anne Nelson, with the National Oceanic and Atmospheric Administration, discussed the ecological and economic value of marine reserves, which can encourage sustainable tourism. Visitors travel to the Great Barrier Reef specifically because of the careful decisions made by governments to protect and manage ocean areas, she said.

"We have this unbelievably beautiful resource that people want to see," Nelson said of Oregon's marine reserves. "How can we let people in, but still make sure areas are protected?"

## Lawyers: Three officers who were with Smith will testify in April

Continued from Page 1A

### The details

According to Marquis' response, the state will present evidence alleging that Smith made specific plans to drug her daughters and used razor blades to cut the throat and arms of her 13-year-old daughter, Alana.

Smith allegedly placed over-the-counter dental gel on Alana's neck, then cut her neck causing her to bleed profusely. Smith then drugged and drowned her 2-year-old daughter, Isabella, the prosecution says.

At some point early in the morning of Aug. 1, 2014, Marquis wrote, Smith abandoned the hotel room. She left behind both

a cellphone and electronic tablet along with the access codes.

Housekeeping staff used their master key card to enter the room at about 9:30 a.m., but a voice told them to go away. The staff could hear the person, later identified as Alana, slipping and falling. Staff became concerned and called Cannon Beach Fire and ambulance personnel, who arrived 10 minutes later.

Cannon Beach Police Chief Jason Schermerhorn, the first officer to respond, will testify he saw Isabella, who appeared lifeless and posed, and Alana, who was seriously injured.

An arrest warrant was issued for Smith on Aug. 2, 2014.

A day later, a U.S. Coast

Guard MH-60 helicopter spotted Smith near her gold 2007 Chevy Suburban on a heavily forested logging road, just off of U.S. Highway 26, about 15 miles east of Cannon Beach.

Smith appeared unharmed and in remarkably good shape, according to the state's evidence.

However, the defense claims in their motion that law enforcement had learned of Smith's intentions to end her own life in the forest. She was found in great distress, living out of her vehicle, without food and drinking water from a stream, according to the defense.

Marquis wrote the evidence will show that arresting officers offered food and drink, but she

initially rejected the items that were not vegetarian.

The three law enforcement officers who were with Smith from her arrest to booking will testify in April. The state also plans to present a written transcript, video and audio recordings of Smith's statements.

"As the recordings will confirm the nature of the questioning was polite, civil, even light-hearted on the defendant's part at times," Marquis wrote.

### Aid and assist

A court-appointed psychologist is evaluating Smith's mental fitness to proceed in her criminal trial. Smith pleaded not guilty to aggravated murder and attempted

aggravated murder. She recently told the state-hired psychologist she had "little to no memory of the events of July 31, 2014." Her lawyers claim she is unable to aid and assist in her own defense.

While she is claiming memory loss, Marquis points out she had no difficulty remembering her planning and execution of the actions that led to her daughter, Isabella's, death and to Alana's serious injuries.

"She manifested no evidence of any serious thought or mental disorder," Marquis wrote.

A status hearing to address the results of the evaluation is set for later this month.

If Smith is deemed unfit to proceed, the judge will send her to

the Oregon State Hospital. In that case, the upcoming April hearing and June trial may be postponed.

Smith had a consultation Feb. 1 with Clatsop Behavioral Healthcare, the county's mental health provider, to determine if the county has the expertise available to treat Smith if she is found unfit to proceed, rather than sending her to the Oregon State Hospital.

Clatsop Behavioral Healthcare concluded it does not have the resources available.

"There are no known Community Restoration Programs in either Tillamook or Clatsop County to assist this client with the ability to aid and assist in her own defense," the agency concluded.




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