



Judge Paula Brownhill's courtroom.

Danny Miller/The Daily Astorian

Deciders: Lawyers are looking for the middle ground in jury selection

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The prosecution and defense will review the questionnaires prior to jury selection, when available jurors will be brought into the courtroom in groups of six for follow-up questions.

In the Garner case, which Brownhill also presided over, jurors were questioned individually in 15-minute segments, and it took more than a week to select 12 jurors.

The lawyers in Roden's case would prefer individual interviews, but Brownhill plans to bring in people in panels of six to speed up the process.

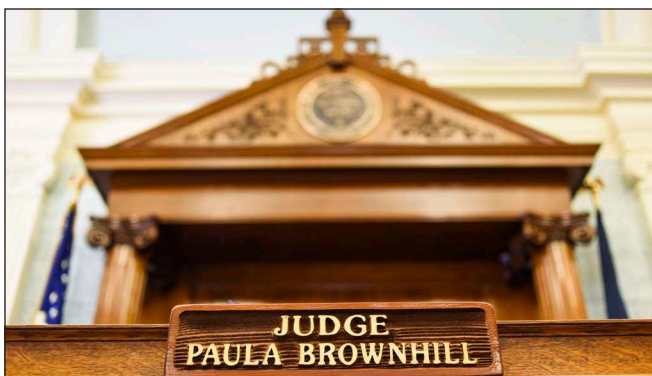
Open minded

While scrutinizing potential jurors, both prosecutors and defense lawyers in Roden's case will look for people who do not have extreme views about the death penalty.

People who could never impose death for religious or political reasons, or who could not imagine any other fitting penalty for the crimes, will be excluded.

Clatsop County District Attorney Josh Marquis said lawyers are looking for the middle ground.

A qualified juror would have an open mind, have heard about the case but had not formed strong opinions, and would listen to the judge's instructions and follow the law.



Danny Miller/The Daily Astorian

Judge Paula Brownhill's courtroom.

'Aggravated murder cases are the only cases where a jury makes the decision. The judge is bound by the sentence.'

Josh Marquis

Clatsop County district attorney

If Roden is found guilty of aggravated murder, the jury decides the appropriate sentence. The jury would have to unanimously answer four questions in the penalty phase before sentencing Roden to death.

All 12 jurors would have to agree on the following questions:

Was the murder deliberate? Did the victim do anything to provoke the murder? Is the defendant likely to commit serious acts in the future?

Should the defendant receive a death sentence?

If just one juror says "no" to one question, the sentence drops to life in prison without parole.

"Aggravated murder cases are the only cases where a jury makes the decision," Marquis said of sentencing. "The judge is bound by the sentence."

Uncomfortable evidence

The death penalty in Oregon is rare. The last execution was in 1997, after the inmate

— Henry Charles Moore, convicted of killing his wife's parents — chose not to seek appeals. Thirty-four inmates are on death row.

Jurors in the Roden case will have to sort through uncomfortable evidence.

Roden, 28, is accused of murdering 2-year-old Evangelina Wing and viciously abusing her two brothers. Prosecutors believe Evangelina Wing and her brothers were tortured, burned, bitten and caged in the Seaside apartment their mother, Dorothy Wing, shared with Roden.

Wing, 26, pleaded guilty in January to first-degree manslaughter and two counts of first-degree criminal mistreatment. She was sentenced to more than 15 years in prison, contingent on her truthfully testifying at Roden's trial.

Earlier this year, Roden's defense lawyer Conor Huseby requested a change of venue. Huseby claimed the impact of the case on the Clatsop County community, along with extensive media coverage, requires that the trial be held in another county.

Brownhill denied the request in June but is allowing the defense to renew their motion if a fair jury is unable to be seated.

"In this case, I believe the defendant can obtain a fair trial in Clatsop County," the judge ruled.

Pot shop: 'We take the small farm-to-table approach'

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dispensary. The company will lease the location from Donald Sloan, who also owns the building directly to the east that houses the Deals Only thrift store.

"We've been looking at the coast for a while and wanting to expand our reach to the coastal region," Van Dorne said.

He said he sees the dispensary fitting well with coffee shops, breweries and other nearby businesses.

Tidewater owns two dispensaries in Portland called Five Zero Trees, although Van Dorne said he and his partners have not decided what to call the Astoria store.

Van Dorne said his company's model is different than other dispensaries, focusing on a small number of high-quality growers and producers. "We take the small

farm-to-table approach," he said.

With all the licensing, build-out and security requirements, he said the soonest the new store could open would be early next year.

"These guys are a first-class outfit," Sloan said of his new tenants, adding the dispensary will be better for downtown and the economy than Garbo's.

"They hire people," he said. "They pay better than average wages. Nobody there makes minimum wage."

Tidewater's will be the sixth marijuana retail store in Astoria. Sweet Relief Natural Medicine has locations in downtown and on Portway Street. Nature's Choice Alternative Medicine has a location in Uniontown, along with Hi Casual Cannabis. The Farmacy is located in Uppertown.

Too many?

Lynn Hadley, the owner of Garbo's, told the Astoria City Council Monday that she has to vacate to make room for the marijuana retailer.

"While I don't pretend to be ignorant to the money being made in the marijuana sales and the state benefits in collecting the sales tax, I do wonder how many pot shops can be sustained in a small town, and how the charm factor will be maintained as boutiques give way to more marijuana stores," Hadley said.

Community Development Director Kevin Cronin said selling marijuana is treated as retail services, an outright permitted use in downtown commercial zones, meaning Tidewater's operation will not come before the Planning Commission.

City Councilor Cindy Price would prefer some

restrictions on the number and location of marijuana stores.

"I would be in favor of restricting the number myself, because I think it just gets a little crazy, but it's Astoria, it's the Wild West," Price said, commiserating with Hadley. "I've asked about this earlier. There's not any traction, really, on the council for that. Sorry, I love your shop (Garbo's)."

Asked about Hadley's comments Thursday, Sloan said he gave her 90 days to vacate, even though she was on a month-to-month lease, and that he had charged her significantly below-market rent.



Erick Bengel/The Daily Astorian

Warrenton Community Library Site Manager Nettie-Lee Calog, left, shares her concerns about the future of the library during a meeting at City Hall. Board Chairwoman Kelsey Balensifer, right, said the board invites feedback from the community and wants to keep the community library "community-focused."

Library: '... It's just not tenable anymore.'

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The roof has warped, the floor has weakened, the foundation has settled, the walls have bowed, and the electrical system is substandard. Replacing the foundation alone would cost \$80,000 to \$90,000 — more than the building itself is worth, according to Byerly.

He and Library Board members have expressed concern about what will happen to the building in the coming months, when the coastal storm season gets underway.

"I don't know how much time we've got," Nettie-Lee Calog, the library site manager, told the packed room. "I mean, I just don't know. The roof could blow off this winter. But, then again, it might not."

Even if the building was sound, however, the confined space of 1,280 square feet limits what the library can become, she argued.

In the 21st century, library users have come to expect children's reading rooms, community meeting rooms, event spaces and adequate parking — none of which the present library can provide.

"I want a library like Seaside's library," Linda Kakuk, of Warrenton, said. "I lived in Seaside seven years — their library was heaven. And that's what I think this area deserves."

In addition, the Library Board would like an office for Calog and room to expand their services.

Spitballing

But, Calog said, the Library Board doesn't have the luxury of planning a new state-of-the-art facility right now.

"It's getting down to the wire, and we need to move as soon as possible to a safer place," she said.

Board members and attendees tossed around several ideas for potential short-term locations, including space in the Houston Plaza and the ground floor of the former thrift store on Main Street.

A patron suggested the board turn to crowdsourcing to build an interim or

permanent structure and tap into crowdfunding to raise money.

Another proposal was to set up a modular structure on the property, using the utilities already in place, while the current building gets torn down and rebuilt. Once a new library is finished, the modular could be used for storage.

But Paul Mitchell, a member of the Warrenton Business Association, said the city-owned library — the former Hammond Town Hall — should be marked for historic preservation.

The subcommittee — which now has three members, who volunteered during the meeting — will devise a list of "bridge" options for the board to consider, while the nonprofit-to-be looks into grants to finance an upgraded library. A previous nonprofit group for the library was allowed to expire.

The Warrenton Community Library operates largely on a five-year tax levy that expires in 2017. The money, which may increase if renewed, pays for operating expenses and for Calog and an assistant to work part time; their combined hours add up to less than 40 a week.

But a new library will cost a lot more than the current funding streams can afford. If it went up in a downtown location, the development could be paid for, in part, with urban renewal dollars, Mitchell said.

"This is exactly what those dollars were set aside for," he said. "This is the gateway to our community."

'Not tenable anymore'

The Warrenton Community Library, which opened in the 1990s, carries a collection of approximately 20,000 items and serves thousands of patrons; almost 4,000 library cards have been taken out, according to figures provided by Calog.

"It would be a real tragedy, in my eyes, if it were to go away — and I don't want it to go away," she said. "But we've got to do something, because it's just not tenable anymore."

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