



Pierce County Sheriff
An Amtrak train heading to Portland from Seattle derailed.

Amtrak: Train derailed south of Seattle onto I-5

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ger trains from a route along Puget Sound that's bogged down by curves, single-track tunnels and freight traffic.

It left Seattle around 6 a.m., according to an Amtrak schedule, and was due in Portland about 3 1/2 hours later.

All southbound lanes of I-5 were closed south of Joint Base Lewis-McChord, and motorists were being warned to avoid the area.

The train was going 81.1 mph moments before the derailment, according to transidocs.com, a website that maps Amtrak train locations and speeds using data from the

railroad's train tracker app.

The maximum speed along the stretch of track, known as Point Defiance Bypass, is 79 mph, according to information about the project posted online by the Washington State Department of Transportation.

The mayor of Lakewood, Washington, a city along the route, predicted a deadly crash. But Don Anderson thought it'd involve a fast-moving train hitting a car or pedestrian at a crossing.

Associated Press writers Sally Ho and Phuong Le in Seattle and Michael Sisak in Philadelphia contributed to this report.



A Portland hotelier will take over the Astoria Riverwalk Inn after a lawsuit.

Joshua Bessex/The Daily Astorian

Takeover: Param must invest \$200,000 in hotel

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current operator, Astoria Hospitality Ventures, whose owner is a brother-in-law of a former Port commissioner. The owner of Hospitality Ventures recently secured a lease on the adjacent Chinook Building, with plans of creating a tourist district between the commercial complex and the hotel.

A jury originally awarded Param \$4 million in damages against the Port, including more than \$200,000 for breach of contract and nearly

\$3.8 million for fraud. McIntosh later cut the damages to less than \$1 million, agreeing with the Port that fraud claims against the agency are limited to \$682,800 by the Oregon Tort Claims Act.

When Param takes over the hotel, the company would pay \$580,000 into an escrow account. The Port would receive \$273,180 for back-due rent and revenue sharing, the city \$115,858 for lodging taxes and the county \$4,633 for property taxes. The remainder — \$186,327 — would go to Smithart, who

also owes significant amounts in taxes and has relocated to New York.

Param must also make good on a promise to invest \$200,000 in the hotel during its initial lease. The company will receive credit for Smithart's investments in the property, and will work with the Port to calculate progress toward the total.

McIntosh, who gave Param the choice between damages or the lease as the Port initially promised, dismissed all other claims against the Port and Port Executive

Director Jim Knight. In a previous objection to Param's judgment plan, Luke Reese, the Port's attorney, said the agency intends to file a notice of appeal after the judgment was filed.

The Port must ensure the hotel is kept in good condition for Param's takeover in November, and that the company receives any revenue from room reservations after its lease starts. Param may inspect the property once every two months with 72 hours' notice before the takeover.

Johnson: 'I've learned a lot of skills I would not have learned otherwise.'

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worked in it for almost half my life," Johnson said. "I decided I've got to give back to the community with my extra time."

About seven years ago, her longtime friend Elaine Trucke, the museum's executive director, encouraged Johnson to volunteer at the museum. "I had no idea the museum existed, and the more I was there, the more I became passionate about it," she said.

On top of that, Johnson took on Meals on Wheels, summer reading programs and the Lunch Buddy program — a countywide mentorship program for students in elementary through middle school.

While she's worked with a number of kids, one girl in particular made an impact.

"I had a girl in fourth grade who was very difficult to deal with when I first met her. At first she was shy, didn't want anything to do with me," Johnson said. "Now she's blossomed, and does really well in school. When I met her she really hated school. Now she's going into high school on the honor roll. It feels like more than just mentoring, I guess."

Her love for volunteering served as an advantage when

the outreach coordinator position opened up at the museum, where a large part of her job is recruiting and managing the history center's volunteers.

And recruiting those volunteers becomes even more crucial when Cottage and Garden Tour season rolls around.

"There's just three of us (at the museum), and we do it by ourselves. Just trying to get volunteers and homeowners to be a part is a full-time job in itself," Johnson said.

With almost no prior event planning experience, Johnson learned many of the skills, like keeping track of all the details, calling homeowners, organizing catering and even baking some of the goodies offered at the event.

"At the museum I've learned a lot of skills I would not have learned otherwise. I have nonprofit experience. Event planning. Maintenance experience. Even baking experience," she laughed.

But Johnson does take time to herself. When she's not at the museum, she likes to go to concerts and looks forward to Seaside's Barbershop Quartet festival. She's an avid Portland Trail Blazers fan, and when all else fails, an evening at home with her cat is where she likes to be.

Assault: Men facing rape and voyeurism charges

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On the night of Sept. 1, Zamora and Gutierrez went to a going-away party, according to records filed in Pacific County Superior Court.

Zamora's wife learned of the suspected rape the following morning, when she took Zamora's phone away from the couple's daughter, who was playing with it. She saw a text message exchange in which Zamora allegedly asked Gutierrez if the unidentified victim was going to say he raped her. Gutierrez allegedly replied that the victim wouldn't remember.

Video evidence

Coast Guard Investigator Brandon Trinidad began an investigation shortly after the incident occurred, and assisted Pacific County Detective Ryan Tully with his investigation.

Trinidad learned that several Coast Guard members received a Snapchat video from Gutierrez, in which Zamora appeared to be having sex with a woman who was lying face down on a bed, according to Tully's report.

In late September, Tully served a warrant for access to Gutierrez's Snapchat account. Among the files he received were two videos from the night of the party. In the first video, Zamora appeared to be having sex with a "motion-

less" naked woman. Her head was hanging over the edge of the bed, and one of her arms was pinned underneath her body.

"Zamora looks back at the camera and appears to be smiling," Tully wrote in his report.

In the second video, Zamora again appeared to be having sex with the "completely motionless" woman, and making crude comments about her body.

The alleged victim told investigators she met Gutierrez a couple of weeks before the party. She went to the party expecting to have consensual sex with Gutierrez later that night, but did not plan on having sex with anyone else, much less being recorded, she said.

According to court filings, Zamora drank less than the other two, so after the party, he drove them to a house on Sandridge Road in the victim's car.

In a late October interview in Portland, Zamora told the investigators he saw Gutierrez having sex with the victim in the bedroom later that night. When Gutierrez finished, he allegedly handed Zamora a condom and told him it was his turn.

Zamora claimed the sex was consensual. However, there were inconsistencies in his story. He described using a different sexual position

than the one shown in the videos, and said the victim was conscious.

At some point, Zamora said, Gutierrez entered the bedroom and appeared to be taking a photo or video. Zamora claimed he asked the victim, "Are you feeling this?" When she said 'No,' they stopped having sex.

The victim told the investigators she remembered having sex with Gutierrez, but did not recall having sex with Zamora, or being photographed or recorded.

Fuzzy memories

Zamora initially "downplayed his level of intoxication, stating he only had a couple of drinks," according to the report. He insisted the sex was consensual, and that he knew the victim had the mental capacity to consent to sex because she spoke with him during the encounter. However, he allegedly changed his story somewhat after Trinidad confronted him with a still photo taken from the Snapchat video, and said he had been more intoxicated than he'd previously claimed to be. According to the report, Zamora then said he didn't remember all of the details, and asked to end the interview.

Later, Tully and Trinidad interviewed the alleged victim together. She said "she didn't

remember anything after the party until the next morning when she woke up." When shown a photo, she pointed out that her body position was too limp and unnatural to be that of a conscious person.

She said she did not know she was being filmed, and would not have consented to being filmed even if Gutierrez had asked for permission.

Brief careers

According to Read, Gutierrez was a fireman in the engineering department at Station Cape Disappointment. It was his first duty station after boot camp, Read said. He has been in the Coast Guard for one year and two months. His duties included answering and documenting radio calls and serving as a crewmember on a boat.

Zamora was a seaman who assisted with upkeep of vessels, Read said. Like Gutierrez, he had only served at Station Cape D before the investigation. He has been in the Coast Guard for one year and four months.

Although both men are still officially listed as being assigned to the Ilwaco station, they were moved to new assignments when the investigation began, Read said. Gutierrez was moved to Sector Columbia River in Warrenton. Zamora was moved to Base Seattle.

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