# Prosecutor says Cosby paid accuser nearly \$3.4M

By MICHAEL R. SISAK Associated Press

NORRISTOWN, - Bill Cosby paid nearly \$3.4 million to the woman

he is charged with sexually assaulting, a prosrevealed ecutor to jurors Monday, answering one of the biggest questions surrounding the case as the comedian's retrial got underway.

District Attorney **Bill Cosby** Kevin Steele highlighted the

2006 civil settlement during his opening statement, in an apparent attempt to suggest Cosby wouldn't have paid out so much money if the accusations against him were false. Cosby's lawyers have signaled they intend to use the settlement to argue that

Andrea Constand falsely accused the former TV star in hopes of landing a big payoff.

The amount had been confidential — and was kept out of the first trial — but a judge ruled that both sides could discuss it at

this one.

"This case is about trust," Steele case is

told the jury. "This about betrayal and that betrayal leading to the sexual assault of a woman named Andrea Constand." Cosby, 80, is

charged with drugging and molesting Constand, a former employee of Temple University's basketball program, at his suburban Philadelphia home in 2004. Constand says he gave her pills that made her woozy, then penetrated her with his fingers as she lay



Actress Nicolle Rochelle, who appeared on several episodes of "The Cosby Show," is detained as Bill Cosby arrives for his sexual assault trial at the Montgomery County Courthouse Monday in Norristown, Pa. Rochelle of Little Falls, N.J., was charged with disorderly conduct.

him to stop.

"She's unconscious. She's out of it," Steele said. "She will describe how her body felt during this circumstance.

incapacitated, unable to tell She's jolted during this. She feels herself being violated. ... And she'll tell you she remembers waking up on this sofa with her clothes disheveled at 4 o'clock in the morning. This

is hours after this starts."

A lawver not associated with the trial said Monday the settlement amount could figure prominently in the prosecution's case.

"The question that I'm sure we're going to hear a lot about is, why would an innocent man pay \$3.38 million for something he didn't do?" said Dennis McAndrews, who prosecuted chemical heir John E. duPont for murder in 1997.

The defense will deliver its opening statement on Tuesday in a trial expected to last a

Cosby's first trial last spring ended with the jury hopelessly deadlocked. The comedian faces three counts aggravated indecent assault, each punishable by up to 10 years in prison.

Ahead of opening statements, a topless protester who appeared on several episodes

of "The Cosby Show" as a child jumped a barricade and got within a few feet of Cosby as the comedian entered the courthouse.

The woman, whose body was scrawled with the names of more than 50 Cosby accusers as well as the words "Women's Lives Matter," ran in front of Cosby and toward a bank of TV cameras but was intercepted by sheriff's deputies and led away in handcuffs. Cosby seemed startled by the commotion as a half-dozen protesters chanted at him.

The protester, Nicolle Rochelle , 39, of Little Falls, New Jersey, was charged with disorderly conduct and released.

"The main goal was to make Cosby uncomfortable because that is exactly what he has been doing for decades to women," she said afterward.

#### **FRIDAY**

12:52 a.m. - Hermiston police took a report for a robbery on the 1100 block of West Highland Avenue.

4:50 a.m. - Two Umatilla County residents suffered injuries in a crash on a foggy stretch of Highway 395, Oregon State Police reported.

Juan Manuel Valdez, 61, of Hermiston, was driving a semi-trailer south on the highway during the early morning hours and in dense fog. He became disoriented, state police reported, and crossed into the oncoming lanes

Beverly Merrifield, 62, of Hermiston, and Maria C. Santiago, 59, of Stanfield, were in a blue Dodge van heading north when their vehicle crashed into the right side fuel tank on the semi. An ambulance took the pair to Good Shepherd Medical Center,

Hermiston, for treatment. State police cited Valdez for failing to drive within the lane. 6:04 a.m. - A Pendleton man on Northwest Third Street woke up to his barking dogs and found two males outside stealing cans from his house. He confronted the pair, and one said the man did not

need the cans. The man told the would-be thief to put them back, The car owner called police and reported one suspect was about 6 feet tall, had a goatee and wore a dark hooded sweatshirt. The

suspects left in a burgundy 2000 Impala. 6:37 a.m. - A resident on Southeast Utah Avenue, Irrigon, complained to the Morrow County Sheriff's Office about his neighbor's dogs and claimed the neighbor had a court order banning him from owning dogs. Dispatch noted the caller yelled and used

profane language. 9:54 a.m. - The Umatilla County Sheriff's Office took a report for graffiti on the Hermiston Early Childhood Center, 290 W. Punkin

Center Road, Hermiston. 10:52 a.m. - An Irrigon dog owner on Southeast Utah Avenue told the Morrow County Sheriff's Office his neighbor was harassing him about his dogs. He called back and said the neighbor threatened him. The Morrow County dispatch noted hearing the neighbors yell at each other. A sheriff's deputy advised the two to keep away from

### PUBLIC SAFETY LOG

12:04 p.m. - Umatilla police went out to cover graffiti at Powerline Road and Sparrow Avenue and about 90 minutes later at Pomono Drive and Columbia Boulevard.

6:39 p.m. - Hermiston police responded to a burglary report on the 1800 block of North First Place.

#### **SATURDAY**

4:22 a.m. - Pendleton police responded to a report of domestic violence at South Hills Apartments, 248 S.W. 28th Drive.

9:15 a.m. - A truck driver reported the railroad crossing arms were down at Feedville Road and Highway 207, Hermiston, and he was stopped for the past 10 minutes but there was no train in sight.

10:15 a.m. - A caller reported a burglary at her storage unit at 1st

Place Storage, 1835 S. First Place, Hermiston.

10:55 a.m. - Umatilla police responded to two males fighting on Walla Walla Street.

6:49 p.m. - An Irrigon man on Depot Lane told the Morrow County Sheriff's Office he asked neighbors not to shoot their guns toward the road, and they responded with a "rude gesture" and kept

10:49 p.m. - Morrow County sheriff's deputies broke up a fight at the Sub Zero Restaurant & Lounge, 100 Highway 730, Irrigon.

#### **SUNDAY**

5:33 p.m. - The Morrow County Sheriff's Office checked on the welfare of a Heppner child following a complaint about the parents

7:24 p.m. - The Morrow County Sheriff's Office received a report of possible child abuse in Irrigon.

9:29 p.m. - Pendleton police received a report of possible child abuse and began an investigation.

7:53 p.m. - An Irrigon resident on Northeast Third Street complained about her neighbors singing karaoke very loud and wanted them to stop.

## **ARRESTS, CITATIONS**

**Friday** •Umatilla Tribal Police arrested Richard John Elisoff, 28, of Pendleton, for contempt of court and domestic abuse, both misdemeanors. Saturday

 Stanfield police arrested Kyle Lynn Muth, 23, of 78981 Gander Way, Hermiston, for driving under the influence of intoxicants, reckless endangering and both misdemeanor and felony attempts to

•Hermiston police arrested Jordan Delano Crandall, 26, of Hermiston, for violating parole, felon in possession of a weapon and possession of methamphetamine.

•Umatilla police arrested Luis Serrano Mercado, 31, no address provided, for possession of methamphetamine, misuse of 911,

harassment and third-degree criminal mischief.

and injured a 10-year-old girl.

•Pendleton police arrested Jeremiah Scott Hastings, 38, of Pendleton, in connection with felony theft from the Pendleton Walmart store.

Charles Byram, Pendleton police lieutenant, reported officers began an investigation after the store's loss prevention staff reported the theft of items in February. Walmart employee Cass Clark

established the suspect stole more than \$2,700 in merchandise. Police on Sunday morning conducted a legal search of Hasting's home at 704 N.W. Fourth St., Byram reported, and found Hasting plus two other people inside, but they were not a part of the investigation. Officers arrested Hasting and booked him into the

Umatilla County Jail, Pendleton, for first-degree theft. Police recovered more than 50 pieces of merchandise, Byram reported, and Hastings also could face charges for possession of a controlled substance. Byram stated the case now is in the hands of

the Umatilla County District Attorney's Office. •Pendleton police arrested Cody Kenton Servi, 27, of Pendleton, for misdemeanors of fourth-degree assault and strangulation.

 A Pendleton man is in jail for assaulting a child. The Umatilla County Sheriff's Office at about 10:30 p.m. responded to the 200 block of North Blain Street, Adams, on a report

of an assault. Deputies arrested Jacob Ryan Cunningham, 28, for third-degree assault, a felony in Oregon. Court documents show the state alleges Cunningham assaulted

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