

# Bill: ‘I spent my life staying away from old men that I didn’t know’

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playoff match on a road trip. That night in their Roseburg hotel, popular teacher and scorekeeper Andrew DeYoe crossed that line. The next day on the bus, teammates pried the story from the obviously distressed Munck and persuaded her to tell an adult.

She did, but it would take six months for DeYoe, who taught freshman and sophomore English at the school, to be put on administrative leave. In the meantime, inappropriate behavior continued. It would be almost a year before DeYoe pled guilty to harassment that included sexual touching. DeYoe, 31, in the plea deal, forfeited his teaching license, terminated his housing lease in Athena and agreed to have no contact with minors who are not family members. He spent a night in the Umatilla County Jail and will serve five years probation. He wasn't required to register as a sex offender.

If DeYoe had been a coach, he might have been convicted of a Class C felony, a crime that carries sentences up to five years in prison and a \$125,000 fine. But DeYoe wasn't technically a coach.

## Pushing for change

During the hearing, Munck urged the senators to amend existing law to include teachers.

“What is the significant difference between a teacher and a coach? Do coaches somehow carry more authority than a teacher might?” she asked the senators. “Coaches and teachers should be prosecuted equally as they both have responsibility for students’ safety and they both have positions of authority and power over their students and players.”

Others speaking in favor of the bill included Taylor and Hansell, Umatilla County District Attorney Dan Primus and retired Weston Middle School teacher, coach and athletic director John Bartron, who originally urged Hansell to consider sponsoring a bill



Seventeen-year-old Bailey Munck listens as retired Weston Middle School teacher John Bartron testifies remotely on March 25, 2021, for Senate Bill 649, known as Bailey's Bill, which increases penalties for criminal sexual contact with an underage victim when the defendant is the victim's teacher. Munck testified after Bartron.

Kathy Aney/East Oregonian

that would fix the discrepancy.

Primus testified that sexual abuse in the third degree is a misdemeanor that involves “touching of an intimate part for sexual gratification.” If the defendant is a coach, the charge is elevated to sexual abuse in the second degree, which is a felony. He said the addition came during the 2009 legislative session. Legislators discussed including teachers, but ultimately didn't.

Primus, whose office handled the prosecution, expressed frustration at not being able to charge DeYoe with a felony the same as a coach.

“The relationship between a teacher and a student is really no different than a coach and an athlete,” Primus said. “It should not be treated any differently.”

In preparing to testify, Primus said he reviewed reports in DeYoe's file. One comment from a law enforce-

ment officer's interview with Munck struck him.

“He asked Bailey why she could tell a boy her age ‘no,’ but she was unable to tell the defendant ‘no,’” Primus said. “Bailey's answer was simple and profound — because he had power and authority over her.”

During Hansell's testimony, he pushed the committee to send the bill, which adds teachers to the existing Oregon statute, to the Senate floor for a vote.

“We as a state need to be consistent in protecting our vulnerable high school girls and boys with consistent sanctions, be the perpetrator a coach or a teacher,” Hansell said. “It's a simple fix.”

## Abuse brought shock

Bartron sat in the *East Oregonian* conference room next to Munck, testifying after Hansell. He said he has known Bailey since she was small,

both as a family friend and student. When he learned of the abuse, he felt gut shot.

“I was absolutely stunned, saddened and angered on so many levels,” Bartron said. “My greatest concern of course was Bailey.”

Bartron said he started researching Oregon's sexual abuse statutes after learning more about how the case against DeYoe was proceeding.

“I was absolutely shocked to learn that within those statutes there appeared to be that loophole that held coaches to a higher consequence than a teacher,” he said. “I was beside myself.”

With the blessing of Bailey and her parents, he approached Hansell about creating a bill to fix the loophole. Hansell promised to look into it.

“One way I am apprised of needs is when people come to me and say this doesn't make sense,” Hansell said after the

hearing. “To be in a position where you can attempt to correct something is very rewarding and fulfilling for me.”

Munck has spent a lot of time thinking about what transpired with DeYoe. If she could have warned her younger self, she might have identified classic signs of grooming behavior in DeYoe.

“He just wanted to be the fun teacher,” she said several weeks ago during an *East Oregonian* interview. “DeYoe's classroom was the hangout spot.”

She knows now she should have been more alarmed when DeYoe often texted her about non-school things, simply to say good morning or good night or ask what she was doing as late as 3 in the morning. Screen shots of texts bear this out. She would have avoided being alone with him in his classroom. During moments of inappropriate

touching, she felt paralyzed. She's stronger now.

“I sort of don't associate myself with myself a year ago,” Munck said. “I feel like I'm a completely different person.”

## Predators aren't always strangers

Munck said she realized that she once assumed she could easily identify and avoid predators.

“I spent my life staying away from old men that I didn't know,” she said. “Looking around and under my car before getting in. That protected me during my 16 years, but what didn't was the knowledge of grooming by somebody that I know already.”

Munck said she doesn't blame the justice system for not securing a harsher sentence for DeYoe and going for a plea deal that would keep the case from dragging on for months.

“Ultimately I think the assistant district attorney involved (Jaclyn Jenkins), she helped us settle the best situation,” Munck said. “There were just a lot of factors that I feel like people outside looking in just don't see all that. They're quick to judge the sentence, but that was really all we could do with it. It was a misdemeanor. You can't do a lot with a misdemeanor. It was the best that could have happened.”

During the court hearings, the teen observed Jenkins with fascination. So taken was Munck that she has decided to study criminal justice in college and become a prosecutor like Jenkins.

Sen. Hansell said he is hopeful Bailey's Bill will reach the Senate floor for a vote this session.

“Senate Bill 649 will close a loophole in Oregon statutes so that other daughters and their families will not have to endure what Bailey Munck and her family have had to go through.”

*Former East Oregonian reporter Alex Castle contributed to this report.*

# Rodeo: Whisky Music Fest still set for July 10

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between now and September, so the Round-Up wasn't ready to commit to anything.

Before canceling last year's rodeo, the Round-Up submitted a plan to the state that would have included audience temperature checks, sanitation stations throughout the Round-Up Grounds and personal protective equipment for some volunteers and employees.

But by July, the Round-Up made the decision to cancel the rodeo for the first time since World War II.

The association quickly committed to holding the rodeo in 2021, the Round-Up's 111th year, and Reay said the Round-Up has maintained correspondence with the governor's office on holding the event this year.

Reay said committee meetings are being held at least twice a week to figure out the logistics of holding the rodeo this year, including a committee that is addressing tribal participation in the Round-Up.

The Round-Up is still five months away, but Umatilla County's current situation is mixed.

Although the raw number of cases is down significantly



A plastic cup sweats after being left behind in the Pendleton Round-Up Arena on Sept. 18, 2020.

Ben Lonergan/East Oregonian, File

from the summer and winter surges the county endured in 2020, the case positivity rate recently ticked up. Additionally, Umatilla County continues to have one of the lowest vaccination rates in the state.

Umatilla County's data could be critical not just for the Round-Up but for Pendleton's other major events.

While some smaller events like Jackalope Jamboree and Pendleton Cattle

Barons are gearing up for 2021 with some added health precautions, others are still in a holding pattern.

The Pendleton Whisky Music Fest is still set for July 10 with headliners Eric Church and Macklemore, but co-organizer Doug Corey said a recent meeting with the governor's office didn't create enough clarity to make organizers certain that it will happen.

One of the Whisky Fest's concerns is seating capacity. If the state restricts seating too low, organizers might not be able to afford to hold the concert for a second year in the row.

Corey is hoping to get more definitive word from the state in April or May, but he was certain that Whisky Fest would not wait until a couple of weeks before the concert to make a decision.

# Preschool:

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dent that we'll start recruitment in April, essentially, which aligns with what Head Starts oftentimes do. We'll get a lot bigger jump on it this year and have a lot of those pieces in place already.”

Both Gomez and Burnette stressed that while Preschool Promise has a specific set of criteria in order to qualify, it's important to remember that the Blue Mountain Early Learning Hub will assist any family looking for a quality preschool for their child and works with Head Start, private preschool providers, community preschools, school district preschools in order to find the one that fits best for a family.

“(Preschool Promise) is a relatively new program and income can be a challenge,” Burnette said. “There are families that still need the preschool, but if they don't qualify, with coordinated entry, we try to work with Child Care Resource and Referral to find them something that does work for them. We try not to just say, ‘Sorry, we got nothing for you.’”

Burnette said one of

## TO QUALIFY FOR PRESCHOOL PROMISE

To qualify for Preschool Promise programs, children must be 3 or 4 years old on or before Sept. 1 of the program year and must live in Oregon. The annual or previous 12 months income of the child's family must be at or below 200% of the Federal Poverty Line. Children in foster care are automatically eligible.

the goals early on is to get the word out about the program and try and coordinate with all existing programs as much as possible, so families don't have to know the difference between the different preschool providers.

“We can do all of that stuff to figure out what's the best fit for the family based on what they're asking for,” he said. “A lot of these are state or federal funded programs, and they have a lot of regulations that go with them. So our goal is to really not have to expect the family to know the differences, but that just based on their individual situations, then we start that out for them.”

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