

# Sen. Hansell names bill after Athena teen abused by teacher

By KATHY ANEY  
East Oregonian

ATHENA — Bailey Munck steeled herself.

In a few short minutes, the 17-year-old Weston-McEwen High School student would testify to the Senate judiciary committee of the Oregon Legislature via video chat. Munck fought her nerves as she thought about the intensely personal information she was about to share with total strangers.

The testimony on March 25 would be in support of “Bailey’s Bill,” named after her. Sponsored by Sen. Bill Hansell, R-Athena, and Sen. Kathleen Taylor, D-Milwaukie, the proposed legislation would increase penalties for criminal sexual contact with an underage victim if the defendant is the victim’s teacher. Currently, a coach convicted of sexual abuse (in the third degree) receives harsher penalties than a teacher who commits the exact same crime.

When committee Chairman Sen. Floyd Prozanski in Salem invited Munck to speak, she unmutted the lap-top and began.

“Good morning Chairman Prozanski and Vice Chairman (Kim) Thatcher and committee members,” she began. “For the record, my name is Bailey Munck and I’m a senior at Weston-McEwen High School. In November of 2019 after the first state volleyball playoff game, I was sexually harassed by my English teacher.”

## Enduring a teacher’s inappropriate behavior

Munck’s appearance at the hearing came after some difficult months. Now 17, she likely wishes she could go back in time and give her 16-year-old self some heartfelt advice, preferably before her teacher inched closer and closer to student-teacher boundaries and finally stepped over them on Nov. 2, 2019, the day Munck and the other Weston-McEwen volleyball players shut out Coquille 3-0 in a first-round state 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 admin-



Retired Weston Middle School teacher John Bartron gives 17-year-old Bailey Munck some calming advice before the pair testified remotely 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 and Bartron testified from Pendleton on March 25, 2021.

istrative 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



DeYoe

Hansell

Primus

Taylor

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 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,

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.

Primus said he reviewed reports in DeYoe’s file. One comment from a law enforcement 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,

# Braden: Joseph City Hall is looking for help with the day-to-day operations

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out the county, who might be able to assist both in the day-to-day operations at City Hall and in the budgeting process.

“My priority is we get the budget done,” Buswell said. “I don’t care who is doing it, as long as we get somebody in there. I don’t want to leave Jamie out to dry. Those are my two concerns. I don’t have a care in the world. It was brought up to me that I ask to volunteer because I

have worked there. I don’t have an interest in doing it; I’d rather not be in there at all.”

The council approved motions to fill the gap left with Braden’s departure.

One such action will be that a workshop on council rules scheduled for Monday, April 26, will instead focus on reviewing the job description for city administrator/recorder.

“That way we can get it posted as soon as possible,” Councilwoman Kathy Bing-

ham said.

The motions largely involved delegating to various members to reach out for information, such as posting the job vacancy with the League of Oregon Cities, learning if the city can get an extension on submitting its budget and finding someone who could help with the budget process.

As far as helping Jamie Collier with day-to-day operations at City Hall, officials with Wallowa County and the city of Enterprise are

being asked if they know of someone. The council also agreed — on Baum’s advice — to stay out of City Hall.

Public Works Director Levi Tickner reminded the council that City Hall once had fewer business hours. The council agreed, to ease Jamie Collier’s work load, to only have City Hall open from 10 a.m. to 3 p.m. Monday through Thursday until sufficient staffing can be found.

The council also is seeking help at City Hall from

someone who knows the ins and outs of zoning and land-use laws. Collier, by her own admission, is untrained in those areas and always passed questions off to Braden.

“There’s a lot of traffic right now with zoning and all I’ve really started tackling is running the water and sewer billing,” she said. “People come in the door with zoning questions; I really haven’t had time to study zoning or to be able to go out and check out their

markings to see if they’re in the right place. I don’t know anything about that. It’s a really hot item right now. We have a lot of people building RV pads, rebuilding fences.”

Although the council recognized they needed to keep their distance from day-to-day operations at City Hall, the members were highly supportive of Jamie Collier. Several asked if there is anything they can do to help.

“Even if it’s mowing your lawn, we’ll help,” Councilman Stephen Bartlow said.

**WALLOWA COUNTY HUMANE SOCIETY**

## Pet of the Week

**MEET MURPHY!**

Murphy showed up at my home starving, scared and very sick. Murphy was in severe pain but as soon as he trusted me, he loved to be petted and purred every time. Foster Mom Elaine Estabrook has nursed him back to health and he is now ready for his very best fur-ever home.

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## Recycled Art Contest!

sponsored by Friends of Wallowa County Recycling  
To celebrate EarthWeek

**Open House and Spring Clean-up**  
**APRIL 23rd** at the Recycle Center on Fish Hatchery Road.

We need volunteers for “spruce up” projects to tidy up our recycling center. Also we’ll have a recycled art contest, games, recycling information, and prizes. We hope you can join us and vote for your favorites!

CONTEST RULES

MATERIALS— anything found at the Recycle Center (cardboard, tin & aluminum, glass, plastic, paper) or in your backyard/barnyard (scrap metal, baling twine, scrap wood) is fair game! Must be previously used. There will be prizes for top entries in Youth (<18 yrs) and Open categories. Public voting will be from 10 a.m.-4 p.m. on April 23rd. PRIZES include donated merchandise and gift certificates from local sponsors. Champion entry will be displayed at the Josephy Center for Arts and Culture following the contest. Drop off submissions April 22nd, 3-5 p.m. or call, e-mail us for special arrangements (wallowacountyrecycling@gmail.com or 426-7131). Pick up art entries 4-6 pm, April 23.

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