# Autopsy planned; Hummel says murder charge is possible

#### Death

#### **Continued from A1**

The Deschutes County District Attorney's office has yet to charge Kilby, 35, who was allowed out of jail several days after his arrest.

District Attorney John Hummel said a murder charge could be coming. Because only two people — Kilby and Banks know for certain what happened, forensic evidence will be crucial in that determi-



nation. Investigators will also look for inconsistencies in Kilby's statements

An autopsy on Banks is scheduled for this week.

Kilby, 36, has an extensive criminal record, the subject of 29 crimi-

nal cases in Deschutes County since 2004. Additionally, he has two pending cases, one from 2019, when he was allegedly impaired and drove away from officers, crashing into three vehicles in two parts of town. This year, he was arrested for an alleged injury hit and run.

He's pleaded not guilty in both cases. "Mr. Kilby continues to cooperate with



Submitted photo

 $\label{eq:Daphne Banks, pictured with her grandchild.}$ 

all ongoing investigations," said his attorney, Michelle McIver, on Monday. "He is saddened by the loss of his dear friend and shares his sincere condolences with (Banks') family."

Relatives of Banks say she knew Kilby, though they're not sure how well. Banks, 43, was born in Evansville, Indiana, and moved to Bend as a teenager. A difficult upbringing led her into drug addiction, which she suffered from all her life, her daughter, Rio Killian, said. Banks' problem brought her into regular contact with police, to the point her two daughters were placed in foster care.

Around age 30, Banks was charged in a major case in Deschutes County involving allegations of burglary, rape and a stolen motor home. She ultimately pleaded guilty to four charges, including a sex offense. She had subsequent arrests for meth possession and failing to register as a sex of-

Despite her trouble with addiction and the law, she always loved her children and, later, her grandchildren, Killian said. Near the end of her life, she texted her two daughters every day to tell them she loved them.

"We took mom off life support on Friday and we got to spend quality time with her without all the tubes attached, just talking to her and telling her much we love her," Killian said. "We are very sad about this situation, but we are glad she is no lon-

Banks' family is raising money for cremation through a GoFundMe page. Reporter: 541-383-0325, gandrews@bendbulletin.com

### **TODAY**

Today is Tuesday, Jan. 12, the 12th day of 2021. There are 353 days left in the year.

**Today's Highlight in History:** On Jan. 12, 2000, in a 5-4 decision,

the U.S. Supreme Court, in Illinois v. Wardlow, gave police broad authority to stop and question people who run at the sight of an officer. In **1910**, at a White House dinner hosted by President William Howard Taft, Baroness Rosen, wife of the Russian ambassador, caused a stir by requesting and smoking a cigarette — it was, apparently, the first time a woman had smoked openly during a public function in the executive mansion.

In 1915, the U.S. House rejected, 204-174, a proposed constitutional amendment to give women nationwide the right to vote.

In 1959, Berry Gordy Jr. founded Motown Records (originally Tamla Records) in Detroit.

In 1971, the groundbreaking situation comedy "All in the Family" premiered on CBS television.

In 1976, mystery writer Dame Agatha Christie died in Wallingford, England, at age 85.

In 2010, Haiti was struck by a magnitude-7 earthquake; the Haitian government said 316,000 people were killed, while a report prepared for the U.S. Agency for International Development suggested the death toll may have

been between 46,000 and 85,000. Ten years ago: President Barack Obama visited Tucson, Arizona, the scene of a shooting rampage; he urged Americans to refrain from partisan bickering.

Five years ago: In his final State of the Union address, President Obama urged Americans to rekindle their belief in the promise of change that first carried him to the White House.

One year ago: President Donald Trump and House Speaker Nancy Pelosi sparred ahead of Trump's impeachment trial, with Pelosi saying senators would "pay a price" for blocking new witnesses, and Trump labeling the impeachment vote a "totally partisan hoax."

Today's Birthdays: The Amazing Kreskin is 86. Actor Kirstie Alley is 70. Political commentator Rush Limbaugh is 70. Radio-TV personality Howard Stern is 67. Writer-producer-director John Lasseter is 64. Broadcast journalist Christiane Amanpour is 63. Actor Oliver Platt is 61. Basketball Hall of Famer Dominique Wilkins is 61. Entrepreneur Jeff Bezos is 57. Rock singer Rob Zombie is 56. Rock singer Zack de la Rocha is 51. Rapper Raekwon (Wu Tang Clan) is 51. Singer Dan Haseltine (Jars of Clay) is 48. Singer Melanie Chisholm (Spice Girls) is 47. Issa Rae is 36. Actor Andrew Lawrence is 33. Rock singer ZAYN is 28.

- Associated Press

## Redmond

#### **Continued from A1**

'To us, that maybe opened a window that she could also recognize that it isn't just kids that are being hurt by the longterm severe restrictions," he told The Bulletin on Monday. "It's also businesses and entrepreneurs."

At Tuesday night's Redmond City Council meeting, Endicott and city councilors will discuss sending a letter to Brown, asking the governor to give communities more flexibility to allow reopenings of struggling small businesses.

The City Council isn't quite sure what that flexibility would look like — the letter is still a draft, and Endicott expects the details will be sanded out Tuesday night. But the mayor hopes Brown will be receptive to teaming up on a compromise to help local business, while still respecting COVID-19 pro-

Deschutes County is currently marked as "extreme risk" for COVID-19 by the state government. That means bars and restaurants cannot serve customers indoors, and gyms cannot allow patrons to work

Becerra's on 6th Bistro closed in mid-March 2020, before state regulations hit, due to customers panicking over COVID-19 just as it hit the U.S., said owner Moises Becerra. He's waiting for the pandemic to die down, or regulations to loosen, before reopening his downtown restaurant.

Becerra said he was happy to hear the Redmond City Council was asking Brown to make reopening businesses easier.

Finally, it's a sign that somebody's doing something," he told The Bulletin.

Becerra added that restaurants heavily emphasize cleanliness, and he doesn't believe they're a vector for heavily spreading COVID-19.

"You tell us you cannot be in a restaurant, but you can be in an

airplane from here to New York, next to a stranger?" he said.

Susan Robertson, co-owner of General Duffy's Waterhole, noted that her business, an outdoor taphouse, isn't as impacted by the COVID-19 rules. But she knows plenty of other local restaurateurs who are struggling.

"They're getting to the breaking point," she said. "There are small-business owners deep in debt now. Whether they'll ever be able to come out is in question."

Endicott said he recently spoke with the owner of Madaline's Grill, who told the mayor he had to spend \$500-600 daily on propane to allow for outdoor dining in chilly winter weather. And the restaurant's profit margins have become extremely thin.

"He said, 'I have had no money in my pockets in my restaurant in months, because I'm giving all the money to my staff," Endicott said Madaline's owner told him.

The owner of Madaline's declined an interview with The Bulletin.

If restaurants and gyms in Redmond are eventually able to reopen, Endicott ensured that he and city staff would put pressure on those businesses to follow COVID-19 protocols like mask-wearing and social distancing.

A few local restaurants, notably Kevista Coffee in Bend, have allegedly not required staff or customers to wear masks and faced state fines.

"I would certainly go down and meet with (owners) personally and say, 'look, we're fighting for you to get this open, but you have to meet us halfway," Endicott said. "The same entrepreneurial spirit you show on how you run your business, show that same level of commitment to mask wearing and safety measures."

City Councilor Ed Fitch is worried the importance of reopening safely isn't emphasized enough in the draft letter to

Brown. He said it needs a substantial revision — which he's already pitched to City Manger Keith Witcosky — and he won't approve it as currently written.

"I think we have to come out in opposition to those people who think they can do whatever they want, that it's important to support the (national health) guidelines," Fitch told The Bulletin Monday. "We'll support businesses who reopen in a safe manner, but not businesses who say, 'To heck with it."

Not all Redmond residents think asking the governor for more lenient restaurant rules

Married couple Richard Lance and Leanne Latterell sent the City Council a lengthy letter with many objections to the council's proposed letter to Brown.

Lance — a retired social worker and a Redmond resident for 40 years — told

The Bulletin that he's worried allowing indoor dining could increase the spread of COVID-19 in his community. People have to take their masks off to eat and drink, and they often forget to put them back on after their meal is finished, he said.

"I don't think a lot of people in Redmond are concerned about health and safety," Lance told The Bulletin Monday.

Lance understands some small businesses are struggling — he and his wife live near downtown Redmond and frequently patronize local stores and restaurants, he said. But he believes asking for exceptions to Gov. Brown's mandates isn't the solution.

"It's not that we want local business to fail, or have completely rigid rules," he said. "But saying, 'we don't need these mandates' ... I don't think that's responsible." Reporter: 541-617-7854,

Phyllis Laurene Fuller of Bend, OR November 27, 1927 -

December 30, 2020

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tions, no service will be held. She will be laid to

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rest with her husband of 52

the Fuller family. Please

visit our website, www.

bairdfh.com, to share

online guest book.

years, Richard.

Services:

made to:

Arrangements:

jhogan@bendbulletin.com

# Peggy Jo Bailey

Bailey, Peggy Jo died peacefully Monday, at the age of 77 in Bend, Oregon with her daughter Katie at her side and a rainbow in the sky. The cause of death was

Peggy lived an adventurous life and grew strong daughters. She took new paths in life quickly and determinedly with courage and was always quick with a smile. She was a beloved sister, mother, grandmother, aunt, and friend. Born in Detroit, Peggy lived in Crystal Lake, Michigan and worked at her family's burger drivein. She attended one year of university in Michigan with hopes of studying art or nursing. But when her father got a job at Boeing, she had to guit school and follow her family west. She moved to Kirkland, Washington

She then married and raised three daughters. After her divorce, she bravely took on the care of her daughters and worked nights as a waitress. She moved many times but always kept her girls within walking distance of their grandmother. She then moved to Duvall and apprenticed to become a florist. One day she took a call from a florist in Friday Harbor and the next week she moved to San Juan Island to work there. Peggy eventually opened her own flower shop and cafe. She packed her bags once again and moved back to Kirkland where she helped care for her first grandson, Tyler. Peggy then moved to Boston and Portland, Oregon helping care for Tyler while Katie attended medical school. Peggy continued to work as a nanny, caring for babies in Boston, Portland, Kirkland and finally Bend,

She taught many mothers how to take care of their children and remained connected to these families. She loved her dog Willie Nelson and her grandchildren. She painted with her grandkids, walked with them at Compass Park in Bend, relished beating them at cribbage, and spent hours watching the Trailblazers with them. She enjoyed visiting the ocean and talking to friends and family early in the morning until late at night. She spent the last months of her life at Mt. Bachelor Assisted Living where she made many friends and contributed to the community by arranging flowers, tending the garden beds, exercising and being a shuffleboard whiz.

Peggy is preceded in death by her parents Mary Bailey and William Bailey, her sisters Barbara Duerr, Pat Oberloier, Joan Barile, and Carol Garrett. She is survived by her sister Nancy Bailey and brother William Bailey, her daughters Shannon Shirvan (Ali), Nikki McClure (Jay T. Scott), and Dr. Katie Richards (Chris), and her grandchildren, Tyler Whittier, Sara Shirvan, Leila Shirvan, Finn McClure, Amelia Richards, and Miles Richards. Peggy also leaves behind many dear nieces and nephews as well as many lifelong friends. She also is survived by her beloved companion Willie Nelson, her labradoodle.

A celebration of her life will be held in the summer when family and friends can safely gather.

## **DEATH NOTICES**

## Kenneth Earl Sandner

of Spray, OR August 1, 1933 December 26, 2020

Arrangements: uneral Bend is honored to serve the Sandner family. Please visit our website, www. bairdfh.com, to share condolences and sign our online guest book. Services:

No Service will be held. Contributions may be made to: Salvation Army www.salvationarmyusa.org

Spray Assembly of God Church PO Box 145 Spray, OR 97894 Phone: (541) 468-2384

Jean S. (Neilson) Vogel of Bend, OR September 6, 1933 -

January 1, 2021 Arrangements: Baird Funeral Home of Bend is honored to serve the Vogel family. Please visit our website, www. bairdfh.com, to share condolences and sign our online guest book. Services:

Private Services are planned. Contributions may be made to: St. Charles Hospice-Bend 2500 NE Neff Road Bend, OR 97701

www.peointernational.org 3700 Grand Avenue Des Moines, Iowa 50312 Phone: 515-255-3153

#### Trudi (Fischer) Castioni

541-706-6700

of Sunriver, OR September 19, 1936 -December 29, 2020

Arrangements: Baird Memorial Chapel of La Pine is honored to serve the Castioni family. Please visit our website. www.bairdfh.com, to share condolences and sign the online guestbook. Services: Due to COVID-19 restric-

tions, a private Memorial

Gathering will be held later.

# Assistance League of

**OBITUARY DEADLINE** 

Call to ask about our deadlines 541-385-5809 Monday - Friday, 10am - 3pm.

No death notices or obituaries are published Mondays.

Email: obits@bendbulletin.com

## Dogs

## **Continued from A1**

"Limiting off-leash access to a single 30-40-foot site in 8 miles of riverside park property, while providing many access points for boaters, floaters, fishermen, and other recreationists, amounts to treating dog owners as second class citizens," DogPAC members wrote on the group's website.

DogPAC believes most most

dog owners want more offleash river access.

Last summer, the group sent a survey to 430 people and 84% responded that they let their dogs swim or wade in the river and want to continue to have access to do that in Bend.

"Recreating with dogs offleash is a valid form of outdoor recreation," DogPAC members

Reporter: 541-617-7820, kspurr@bendbulletin.com

# Reverse Mortgages



Debbie Tallman

NMLS-248704 (541) 390-0934



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