

Kilby

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Deschutes County District Attorney John Hummel has defended the investigation into Kilby, saying authorities were being careful so as to ensure a conviction.

At Thursday's hearing, Kilby's attorneys said they will request a two-week trial in the Banks case be held in April, to be followed by a two-week trial in the Taylor case that would be held in June 2022.

Prosecutors, however, indicated they intend to file a motion to consolidate the two cases.

"Obviously, this case takes very high priority with the court," Judge Wells Ashby said. "But as you gentlemen know, the court has other high-priority cases, as well."

Several people connected to the case attended the hearing. Banks' daughter Laci Killian stood and raised several concerns, and Ashby allowed her to speak. She objected to Kilby being represented by attorney Thomas Spear, whom she said attended her mother's memorial service Jan. 17.

Spear said he attended on the invitation of a mutual friend and is confident there is no conflict.

Killian filed a letter with the court outlining her objections. Ashby told her he'd read her letter.

"What I've seen so far is not adequate to remove Mr. Spear as trial counsel," Ashby said.

On Christmas morning, Daphne Banks was found unconscious in the detached garage at 60971 Granite Drive, where she'd been living. Kilby, the only witness, claimed she fell off a stool and hit her head, though police and doctors didn't believe that explanation. Kilby was arrested that day on suspicion of assault.

Banks survived for two weeks at St. Charles Bend before dying from her injuries.

The state was still building its case in the Banks matter when the bodies of the Taylor brothers-in-law were found March 21 inside the Granite Drive home. A hatchet had been used in that attack, Hummel has said.

At the time, four people lived in the house: the Taylors, Kilby and Kilby's mother, Darlene Allen.

Allen said that on the night in question, her son had held her captive. The next day she suggested they go for a walk, which is when she signaled a bystander to call for help.

Kilby was arrested nearby, at which point he reportedly confessed to using a hammer to attack Banks on Christmas Day, Killian has said.

On April 6, the Granite Drive home was lost in a fire. Allen told police she started a fire in the fireplace to help clear the flue, then fell asleep in her car. She was not charged in the fire and remains uncharged with any crime.

In addition to Spear, Kilby will be defended by attorney Michelle McIver. Spear and McIver defended Joanna Lynn Kasner, a onetime Bend resident found guilty except for insanity in the random shooting death of her neighbor.

The Kilby murder cases will be prosecuted by Aaron Brenneman and Kyle Pearson of the Deschutes County District Attorney's office.

In his career, Brenneman has been both a prosecution and defense attorney, working three spells as a prosecutor at different points. He was involved in one recent major homicide trial as a defense attorney, when he represented Sacora Rose Horn-Garcia, who along with her husband was found guilty of murdering their 5-year-old daughter, Maliya Hope Garcia, in 2019.

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ICU

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"We are seeing a lot more suffering," Kroytz said. "We are seeing patients that need beds."

Debbie Robinson, chief nursing officer at St. Charles Bend, said the hospital is bringing in available nurses from around the state and nation to help with the overcrowding of patients. Outside of the ICU, all other hospital beds were full Thursday, and 15 people were waiting in the emergency room for beds, Robinson said.

Robinson is encouraging people to stay safe from injury and COVID-19 over Memorial Day weekend, which is traditionally a busy time for the emergency room, she said.

The best way to avoid the virus is to get vaccinated, social distance and wear masks when necessary, Robinson said.

"I want the community to know we are absolutely not behind this pandemic," Robinson said.

Dr. Louis Davignon, who works in the St. Charles Bend ICU, sees the benefits of getting the vaccine. Since March, 98% of infected patients were not vaccinated, he said.

"And even the (vaccinated) patients that get admitted do much better," he said.

On Thursday, Davignon monitored one of the COVID-19 patients on a ventilator. Davignon watched as three nurses, a medical assistant and respiratory therapist rotated the unconscious middle-aged man from his stomach to his back.

Rotating patients helps take pressure off of their lungs and allows them to breathe better. In serious COVID-19 cases, the virus hardens the lungs and doesn't allow oxygen to reach the bloodstream and causes organs to fail, Davignon said.

"If we see that stiffening, then we know we are in trouble," he said.

Kroytz, who has worked as



Kyle Spurr/The Bulletin

Emily Kroytz, a registered nurse in St. Charles Bend's intensive care unit, stands outside a room where hospital staff treat an unconscious COVID-19 patient Thursday.

"A lot of us have had to hold the iPad so they can say goodbye to their loved ones."

— Emily Kroytz, St. Charles Bend's ICU registered nurse

a nurse since 2001, said the majority of COVID-19 cases recently are from family gatherings that led to multiple family members getting infected, including younger people in their 30s.

For those patients who survive and return home, they can face long-term health issues. They usually feel weak and have difficulty doing regular activities such as mowing a lawn or shopping for groceries, Kroytz said.

"They are exhausted, and their lungs are damaged," Kroytz said.

The unconscious patient Thursday has been on a ventilator for two weeks. He has stayed in a room that does

not allow visitors and requires nurses to wear masks, gloves and full-body suits.

"This patient has not seen a family member since he has been in the ICU," Kroytz said. "A family member has not been able to touch or see him."

ICU nurses use iPads to allow family members to see their loved ones. The nurses hold the iPad screen over the patient, who is often not awake, and let the family visit with them.

"A lot of us have had to hold the iPad so they can say good-

bye to their loved ones," Kroytz said.

Having a patient die is always difficult for the nurses, Kroytz said. The ICU nurses work 12- to 16-hour days, three to five days a week. In that time, they grow close with their patients.

"We bond with them," Kroytz said. "It's hard to come to work and not see them again."

Despite the current crisis with capacity at the hospital, Kroytz is optimistic if people continue to get vaccinated. Having the protection of the vaccine has helped the nurses feel safe, she said.

"We feel more confidence because we are vaccinated," Kroytz said. "It's encouraging and brings comfort to be vaccinated."

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Nonpartisan

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This effort began about six months ago when Chang approached the nonpartisan political group League of Women Voters about whether the group would support an initiative that would make county commission races nonpartisan, said Alkire, who also serves as the vice president of the League of Women Voters.

The conversation happened after the commission voted to not put the issue on the ballot this year due to cost, and state law prevents a commission from putting this kind of issue on a special election ballot.

Alkire began to do research on the idea, seeking out people in favor and in opposition before making a decision. She has yet to find anyone who is opposed to the idea, she said.

Even people who vocally opposed a 2006 ballot initiative to change the county charter, which included making the seats nonpartisan, were supportive, she said. The changes they were opposed to had to do with other aspects of the proposed county charter change, such as adding commissioner districts and reducing commissioners to part-time jobs.

Alkire argues there are many benefits to a nonpartisan commission. The county commission race is the only partisan one in Deschutes County, and the only one that forces candidates to run two campaigns: one for the primary and another for the general election. This is costly and can serve as a barrier to entry for many candidates.

There is also the issue of representation, Alkire said. In order to vote in a Republican or Democratic primary, someone must be registered as a Republican or Democrat. But nearly 40% of all registered voters in Deschutes County are either unaffiliated or registered with a minor party, Alkire said.

"Forty percent of the voters don't get to vote in the primary for our county commissioners, which isn't right," Alkire said.

In a political climate that is growing more partisan, having partisan primaries can serve as a barrier to moderate candidates and support more extreme candidates, Alkire said. Having nonpartisan positions can help better represent Deschutes County as it really is: about 30% registered Republicans, 31% registered Democrats and 39% unaffiliated or a part of another party.

"We've got the whole gamut, and we need to have our leaders to have that sort of picture, and not representing one-third of Deschutes County," Alkire said, referring to how the commission historically has leaned Republican.

Making the commission nonpartisan was a key part of Chang's campaign last year. So when his colleagues declined to take up the issue in January, he offered his support to the citizen petition effort, he said.

He officially serves as the treasurer of this petition in his capacity as an individual, not on behalf of the commission, Chang said. He is the only Democrat on the commission.

When asked whether he had any concerns about his role in the initiative giving the impres-

sion that the initiative could give an advantage to Democrats, Chang argued the opposite is true.

Democratic registration has surpassed Republican registration in the County, Chang said, meaning if he wanted to have an advantage for Democrats, it would be in his interest to keep this a partisan position.

"If anyone says 'You are doing this to try to benefit the Democrats,' I would say the most partisan of the Democratic party are not going to like this," Chang said. "They are going to want to maintain party control over who even gets to show up on the ballot."

Chang noted that making a race nonpartisan does not mean a candidate can't be a Republican or Democrat, or take campaign money from either party. Both the Bend City Council race last year and the Bend-La Pine School Board races, which are nonpartisan, saw donations from both parties.

"It means you don't have to. You don't have to depend on a party apparatus to put yourself forward to run for this office," Chang said.

The goal is to get more than 9,000 signatures by August, Alkire said. That would mean the initiative could go on the ballot as soon as November. If approved, it would mean there would be no primary for commissioners next year, and the next election, in November 2022, would be nonpartisan.

The positions held by Commissioners Patti Adair and Tony DeBone are up for reelection next year.

Alkire said the group will

only put it on the November ballot if there is another ballot measure running, as well. A special election in an odd year costs the county \$140,000 to run, and the group wouldn't feel right imposing that kind of cost for just one item, Alkire said.

If nothing else is added to the ballot, the group will put it on the May primary election ballot, Alkire said.

For more information about the initiative, residents can email mimi.alkire@gmail.com.

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