

Bond

Continued from A1

Board member Doug Smith said the bond package “is aimed at addressing the needs of our aging schools while being fiscally responsible to our voters.”

“This bond will benefit current and future students by enhancing safety and security while providing greater opportunities for hands-on learning and job training, which will benefit the community as a

whole,” Smith said.

The bond would keep Crook County’s school construction tax rate at the “lowest in the region,” Carr said. District residents would pay “approximately 10 cents more per thousand of assessed value,” he added.

Board Chair Scott Cooper said the bond is timely, noting that the community can “spread the cost over new property coming on to the tax rolls.” He said the district can extend the bond’s impact by using state

grants and has an administrative team that will oversee construction.

“We have patched and retrofitted schools for almost 100 years. Sometimes the boilers, floors and roofs need to be replaced,” Cooper said. “Now is the time to do this. Our kids and community deserve quality facilities and a quality education.”

The school board plans to host a series of events and gatherings for the community to review the bond.

■ Reporter: 541-660-9844, bdole@bendbulletin.com

New California law allows kin of sex-abuse victims to sue after death

BY BRIAN MELLEY

Associated Press

LOS ANGELES — After decades of dealing with the boyhood trauma of being molested by a priest, Jim Bartko sued the Roman Catholic church two years ago.

But the lawsuit was dismissed when he died four days after speaking publicly about it.

A new law has now revived his case, allowing his estate to file for damages he could have sought for his suffering if he were still alive.

Lawyers for Bartko’s children filed the lawsuit last week in Alameda County Superior Court against the Oakland Diocese for allegedly failing to prevent abuse by the former Rev. Stephen Kiesele that occurred between 1972 and 1975 at St. Joseph’s Parish in Pinole, 18 miles northeast of San Francisco.



Attorney Jeff Anderson holds up a photo of former priest Stephen Kiesele at a news conference in Oakland, California, in 2010. The family of the late Jim Bartko, who said he was molested as a child by Kiesele, has filed a lawsuit against the Roman Catholic church under a new California law that allows family members of sex-abuse victims to bring lawsuits after their deaths. The family of Bartko filed the suit this month in Alameda County Superior Court against the Diocese of Oakland.

An emotional Bartko spoke at a news conference to announce the lawsuit in March 2020, joined at one point by the childhood friend who had been abused alongside him.

That lawsuit was filed during a three-year window allowing sex abuse cases to be brought long after the deadline to bring such claims had expired.

Four days later, Bartko, 54, collapsed while after working out in Oregon, and died of a hemorrhage due to cirrhosis.

Kiesele was convicted of lewd conduct in 1978 for tying up and molesting two boys and sentenced to three years probation. He was sentenced to six years in prison in 2004 for molesting a girl.



Bartko

Kiesele, 74, a convicted child molester, gained worldwide attention long after he left the priesthood in 1987. The Associated Press reported in 2010 that Pope Benedict XVI — when he was then-Cardinal Joseph Ratzinger — resisted pleas from the diocese to defrock Kiesele.

Bartko, a longtime University of Oregon athletic department administrator, said Kiesele had molested him and his best friend during sleepovers at the church rectory when he was a boy.

He kept the secret for more than four decades, weighted down by sleeplessness and anxiety.

Because of excessive drinking, Bartko’s marriage collapsed and he lost his job as athletic director at California State University, Fresno, Simmons said.

In rehab, he finally told his story to a therapist and later wrote a book about his experience called “Boy in the Mirror.”

In 1981, Kiesele applied to leave the priesthood with the support of diocese officials.

But the case languished at the Vatican. A 1985 letter in Latin obtained by AP bearing Ratzinger’s signature told Bishop John Cummins that removing Kiesele was of “grave significance” and a decision required “very careful consideration, which necessitates a longer period of time.”

Church officials in California wrote at least three times to Ratzinger to check in, and Cummins discussed it during a Vatican visit, according to correspondence. A Vatican official

at one point said the file may have been lost and suggested resubmitting materials.

Kiesele was finally defrocked in 1987.

Bartko’s adult son and daughter have a pending wrongful death claim against the church for their own losses. They said their father’s drinking, which began when Kiesele gave him communion wine before molesting him, led to self-medication and alcoholism that caused his liver disease.

But the new law allows them to carry forward their father’s claims for the emotional and psychological toll the abuse took on his life.

Previously, survivors of plaintiffs who died in California could seek damages for economic losses such as wages or medical bills, but not for their loved ones’ so-called pain and suffering or disfigurement.

California was one of few states not to allow those type of damages after death.

Senate Bill 447 was signed into law last year by Democratic Gov. Gavin Newsom to allow that change to take place through the end of 2025.

Supporters, led by Consumer Attorneys of California, said the previous law created “a perverse incentive for defendants to delay cases and harass ill or injured plaintiffs in the hopes that the plaintiff will die before trial, allowing the

wrongdoer to avoid paying any damages for the human suffering they have caused.”

Opponents, led mainly by doctors and health care groups, warned of the “collateral damage such a change would bring to all stakeholders of our civil justice system.”

Attorney Daniel Hurwitz, who is not involved in the case, said a subset of cases will have the potential to win more damages and attorneys will have to factor that in when assessing the value of the case.

“The damages picture can change dramatically if the plaintiff were to pass away,” Hurwitz said. “Certainly any plaintiff decedent with a lengthy pain and suffering period — that estate is going to have a potentially larger recovery.”

During the news conference before his death, Bartko said he had refused to speak with police about Kiesele when he was 12, saying he let down other kids who had reported abuse at the time.

He vowed to continue to speak out and then read a passage from his book that seemed fitting given the change in law that continues to give him a voice in court.

“We finally share what our betrayers hoped we’d always take to our graves because our silence allows them to continue to prey on those too afraid to speak up,” he said.

Snowpack

Continued from A1

Some of the state’s deepest snow is located around Mount Hood, where a snow depth of 98 inches was recorded Monday.

“This is a good beginning to potential drought relief, particularly in the regions impacted by the extreme and exceptional drought,” said Scott Oviatt, snow survey supervisory hydrologist for the U.S. Department of Agriculture’s Natural Resources Conservation Service. “The remainder of the winter will determine if long-term improvements will assist in mitigating the multi-year drought in Oregon.”

Snowpack that persists into the spring and summer also helps mitigate the risk of wildfires later in the year by keeping forests cool and damp.

A report published by Oregon State University in November also suggests forests that have been burned by wildfire regenerate faster when snow cover is present. That is good news for Warm Springs, where the Lionshead Fire rav-

aged around 100,000 acres of forest on the reservation in 2020.

The recent heavy snowfall came after an unusually dry start to the winter season.

“Snowpack was scarce early in the water year, with warmer temperatures resulting in rain at all elevations, with snow limited to the highest elevations,” said Oviatt. “Many basins, particularly east of the Cascades, had little or no measurable snowpack on Dec. 1.”

The snowstorms have helped open ski resorts and sno-parks. Mt. Bachelor, Hoodoo and Willamette Pass have most of their lifts in operation. For sledders, cross-country skiers and snowshoers wanting to visit sno-parks, annual permits for the parks can be purchased for \$25 through the DMV, or a few dollars more at select ski shops in Bend.

While the ski resorts are obvious beneficiaries of the recent winter storms, the snowpack is also a good sign for farmers and ranchers, especially those in the water-starved North Unit Irrigation District, which has suf-

fered severe water shortages for three years.

“Clearly folks are glad to see the snow and rain but recognize there’s still a lot of winter left,” said Mike Britton, executive director of the district.

“Hopefully the weather patterns continue to drop snow and don’t dry up as they have in past years.”

But there is a caveat to all this wet weather. Even if the heavy snows continue, refilling this area’s reservoirs will take several strong winters due to drought, depleted aquifers and climate change. Heavy saturation of soils and aquifer recharge is needed before streams and springs have enough overflow water to boost reservoir levels.

Larry O’Neill, associate professor at Oregon State’s College of Earth, Ocean and Atmospheric Sciences, said the precipitation is likely just a blip in a longer trend of dry and warm weather.

“Even with the good year so far, the long-term trend due to climate change remains unchanged,” said O’Neill. “It is definitely a year to enjoy it

while we can.”

O’Neill’s concerns are backed up by the data from the U.S. Drought Monitor, which shows all of Crook County, half of Jefferson County and about a third of Deschutes County in the highest level of drought. Drought statistics are updated weekly; the most recent data is expected Jan. 13.

Wickiup Reservoir, now at 34% of capacity, is refilling at a pace similar to last year’s rate. At the current pace, the reservoir will reach 58% of capacity (115,000 acre-feet) when the irrigation season starts again at the beginning of April.

Other reservoirs in the area that are struggling to fill include Crescent Lake (11% full), Prineville (18% full) and Ochoco (10% full).

“The drought is far from over,” said Kyle Gorman, region manager for the Oregon Water Resources Department. “It took several years to get us into this situation so it will take several years of above-average precipitation and snowpack to get us out.”

■ Reporter: 541-617-7818, mkohn@bendbulletin.com

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Employment 500

504 Employment Opportunities

The Crater Lake Natural History Association is seeking an Operations Manager/ Assistant Director. Potential to move up rapidly to Executive Director. For full listing see Craterlakeoregon.org or call Kevin 541-944-6374.

Rentals 600

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Legal Notices 1000

1001 Legal Notices & Public Notices

Estate of ROBERT A. DAVIS Notice to Interested Persons No. 21PB10945 In the Circuit Court of the State of Oregon for the County of Deschutes, Probate Department. Notice is hereby given that JEFFREY A. DAVIS has been appointed as the Administrator of the above estate. All persons having claims against the estate are hereby required to present them to the undersigned Administrator in care of the undersigned attorney at: 1455 SW Broadway, Suite 1500, Portland, OR 97201 within four months after the date of first publication of this notice, as stated below, or such claims may be barred. All persons whose rights may be affected by the proceedings in this estate may obtain additional information from the records of the Court, the Administrator, or the attorney for the Administrator. DATED and first published: January 6, 2022

1001 Legal Notices & Public Notices

Legal Notice Notice To Interested Persons Tressi L. Potter has been appointed Personal Representative of the ESTATE OF PAUL FRANKLIN STEVENS, Deceased, by the Circuit Court, State of Oregon, Deschutes County, under Case Number 21PB11053. All persons having a claim against the estate must present the claim within four months of the first publication date of this notice to Brinich & Bertalan, LLP, at 250 NW Franklin Ave, Ste 101, Bend, Oregon 97703, Attn: Wendy Miki Glaus, or they may be barred. Additional information may be obtained from the court records, the Personal Representative or the following-named attorney for the Personal Representative. DATE OF FIRST PUBLICATION: January 6, 2022. BRINICH & BERTALAN, LLP 250 NW FRANKLIN AVE, STE 101 BEND, OR 97703 541-382-4980

NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that the Oregon Water Wonderland Unit II Sanitary District will hold a joint public hearing of it’s Board of Directors and its Local Contract Review Board regarding adoption of Public Contracting Rules on the 20th day of January, 2022, at 10:00 a.m. The meeting will be held at 55841 Swan Road, Bend, Oregon 97707. The proposed Resolution opts the District out of the Attorney General Model Rules of Public Contracting and adopts alternative public contracting rules and exemptions.

The public hearing will be held for the purpose of taking comments on the District’s draft findings supporting the exemption of certain classes of special procurements and public improvement contracts from competitive bidding requirements.

Legal Notice “NOTICE TO INTERESTED PERSONS Kalin Drew Emrich has been appointed Personal Representative (PR) of the estate of Daniel Steven Emrich, deceased, by the Circuit Court, State of Oregon, Deschutes County, Case No. 21PB10957. All persons having claims against the estate are required to present them, with vouchers attached, to the PR at PO Box 2304, Sisters, OR 97759, within four months after the date of January 6, 2022, the first publication of this notice, or the claim may be barred. Additional information may be obtained from the records of the court, the PR, or the lawyer for the PR, John H. Myers.”

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