

Hearing scheduled to discuss trial date for Smith

DA argues surviving daughter should be able to put this behind her

By Kyle Spurr
EO Media Group

Clatsop County Circuit Judge Cindee Matyas has set another status hearing for 2 p.m. Jan. 22 to further discuss the trial date for Jessica Smith, the mother accused of drugging and murdering her 2-year-old daughter and attempting to kill her 13-year-old daughter in a Cannon Beach hotel last July 31.

The discovery, or evidence, deadline is eight days later on Jan. 30.

The dispute continues over the July 7, 2015, trial date for Smith.

Smith's defense attorneys have made it clear they will need more time to prepare for trial, while District Attorney Josh Marquis is requesting the trial date remain set, especially since the case involves a surviving child, Alana Smith.

Such disagreement was the focus of a status hearing Dec. 30 in Clatsop County Circuit Court. Prior to the hearing, Marquis filed a "date certain" motion for the trial.

"The state has consulted with the victim and her father, and it is their wish for a trial as soon as possible and to minimize the disruption to Alana Smith's life that the trial be held, as scheduled, during the summer school break," Marquis wrote in the motion.

Smith's defense attorneys asked to responded to the "date certain" motion in writing within 14 days, which was granted by Matyas.

"As we informed the court, that is not a realistic date for us," defense co-counsel Lynne Morgan said.

Marquis said the prosecution, which has the burden of proof, has pro-



ABOVE: Jessica Smith, alongside her defense attorney Williams Falls, surveys the scene inside Courtroom 100 on the ground floor of the Clatsop County Courthouse Nov. 6.

RIGHT: Jessica Smith, 40, is ushered toward Courtroom 100 of the Clatsop County Courthouse by deputies from the Clatsop County Sheriff's Office Oct. 7.

vided almost 3,500 pages of police reports, 34 separate CDs and DVDs and detailed copies of the defendant's statements to investigators. So far, the



ALEX PAJUNAS PHOTOS

defense has not submitted any evidence.

At the hearing, defense attorney William Falls handed the court a 429-

page law journal from Hofstra Law School. The journal argues that defense attorneys are allowed more time in cases involving the death penalty.

Smith, 40, of Goldendale, Wash., pleaded not guilty Aug. 12 to aggravated murder and attempted aggravated murder. Smith is accused of drowning her 2-year-old daughter, Isabella Smith, and cutting the throat of Alana Smith in a room at the Surfsand Resort.

Isabella Smith died of asphyxiation by drowning, according to the state medical examiner. High level over-the-counter antihistamine sedatives were found in the toddler's system.

Due to the aggravated factor in the charges, Smith faces the possibility of the death penalty.

Smith appeared in court via video link from Tillamook County Jail, which has an agreement with Clatsop County to offer rented space. She recently transferred to Tillamook at

the Clatsop County Jail's discretion.

She signed a waiver of personal appearance prior to the hearing. She remains in jail without the possibility of posting bail.

At a previous hearing, Smith's defense attorneys said they would both be busy in another aggravated murder case in Multnomah County and will not have time for the Smith trial until 2016.

In his motion, Marquis said, the convenience of the lawyers should not be the focus of setting a trial date. All attorneys have other cases, Marquis said, and the focus should be on the defendant and the victims.

"For a 13-year-old child in which her natural mother is accused of killing her sister and then attempting to cut her throat, delays are nothing short of torture," Marquis said. "A year's delay for a 13-year-old child means much more than a similar delay to someone who is 60 years of age."

Cannon Beach Police Department unveils strategic plan

Foot patrols will become a priority

By Nancy McCarthy
Cannon Beach Gazette

Longtime resident and former Cannon Beach City Councilor Sam Steidel is the city's new mayor.

Steidel, who ran unopposed in the November general election, replaces Mike Morgan, who served as mayor for six years. Steidel was sworn into office by Municipal Judge Ronald Woltjer.

The new mayor thanked his supporters briefly before beginning the City Council meeting.

During the meeting, Police Chief Jason Schermerhorn presented a master plan for the police department that includes a new mission statement and several goals.

"We started developing this three years ago with a community forum and some 'coffee with a cop' events," Schermerhorn told the council. "It contains the expecta-

tions the community has for us as well as expectations from the police department."

The department's three strategic goals are:

- Increase community contact through foot patrols and participation in community events;
- Improve the efficiency and effectiveness of department operations;
- Establish a working environment that encourages teamwork, empowerment, communication and professional development.

Among the core values contained in the plan is a statement that the department "embraces diversity in all its forms, and vows to treat all individuals equally, with empathy, compassion and respect."

Schermerhorn said the department will, among other projects, increase downtown foot patrols and check local



NANCY MCCARTHY PHOTO

Municipal Judge Ronald Woltjer (back to the camera) shakes hands with Sam Steidel, following Steidel's swearing in as Cannon Beach's new mayor.

bars more often. The citizens police academy, which he directed while working for the Seaside Police Department, will be expanded to include all law enforcement agencies in Clatsop County. The department also will assume responsibility for the Community Emergency Response Team, which the Cannon Beach Fire & Rescue had

been supervising.

The department's strengths, according to the plan, include an attitude that the officers can mentor each other, a positive community perception, an emphasis

on training, flexibility and maintaining a low crime rate. However, the plan notes that the department's weaknesses include a lack of experience, too many calls, a lack of opportunity to move up in the department and complacency.

Opportunities to overcome those weaknesses, however, include partnerships with the fire district and local businesses, exploring "lateral mobility" that would involve officers becoming detectives and dealing with the increasing volume of tourists in town.

The plan notes that "internal and external" threats also exist that aren't under the department's control. By being aware of them and developing programs to respond, however, the department can "greatly reduce the potential

for loss," the plan says.

Those threats include employee retention, a tsunami, lack of a detoxification center, mental health issues, change and community perception.

During the community forum held in November 2013, those attending said the department's highest priority should be patrols, including foot and bicycle patrols and building and business checks. That priority was closely followed by public assistance, including home security checks, motorist assists, animal control and enforcing the city's nuisance ordinance.

Emergency response ranked third on the list of community priorities, and that was followed by community relations, traffic enforcement and criminal investigations.

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