

OBITUARIES

Donald Howell

Nov. 22, 1928 — Sept. 29, 2016

Donald “Don” Howell, longtime Cannon Beach resident, passed away on Sept. 29, in Portland, at the age of 87.

Don was born in Gladstone, Oregon, on Nov. 22, 1928, to Richard and Alice Howell. He had two brothers, Richard and Jim. He attended Oregon City High School and graduated in 1946.

In 1948, Don moved permanently to Cannon Beach and joined the Astoria Reserve Fleet of the U.S. Maritime Administration, doing maintenance and radio repair for local ships stationed in Astoria, Oregon.

Don was drafted into the Army in 1950 at the start of the Korean War, and was stationed in Japan and Korea until returning home in 1953, where he remained in the Army Reserves until his honorable discharge in 1956. After returning home, Don returned to his work for the Maritime until the Astoria Maritime base closed in 1968.



Donald Howell



In 1969, Don went to work for the Cannon Beach Water Company, and later became the Public Works director for the city of Cannon Beach until his retirement in 1991. While working for the city, Don also co-owned a local grocery store in the late 1960s and early 1970s, as well as an antique store in the

mid-1980s.

Don had a special bond with Cannon Beach, and was loved by the community. In the last few years, he developed a following on social media for his nightly sunset photos, and could be seen regularly standing at the end of his street at sunset, talking with locals and tourists alike, sharing the history and beauty of this little beach town he loved so much.

Don is survived by his two daughters, Linda (Eric) Rebitzer of Tumwater and Debbie (Ken) Dimeo of Central Oregon; granddaughter Amanda (Chuck) Walker of Bend, Oregon; and many nieces and nephews.

In lieu of flowers, please consider making a donation to Doernbecher Children’s Hospital Foundation, 1121 S.W. Salmon St., Suite 100, Portland, OR 97205-2021. Don held a special place in his heart for these kids.

Don will be greatly missed by his family, friends and community.

Connie Kay (Staley) Henry

July 12, 1957 — Sept. 30, 2016

Connie Kay (Staley) Henry was born July 12, 1957, in Bend, Oregon, to Robert and Marilyn Staley, and was brought home by her Lord on Sept. 30, 2016.

Her childhood was spent in Seaside, Oregon, attending school and participating in sports, notably track and field and basketball.

Later in life, she settled in Minnesota, working and raising her children. The past few years have seen her return to her beloved Oregon, working and spending time with her family.

She is survived by her mother, Marilyn Staley; her sister, Judy Staley of Seaside; her daughter, Tessie (David) Rodkevich, and son, Travis Henry, both of Minnesota; five grandchildren; her nephew, Dylan Rabell; her companions, Bella and Ken; and numerous friends.

Her optimistic nature endeared her to many along her life journey, and she will be dearly missed by all.

A celebration of life was held at the Hamlet Historical Schoolhouse on Saturday, Oct. 8.



Connie Henry

MEMORIAL

Saturday, Oct. 15

LAWS, William “Bill” — Celebration of life at 1:30 p.m., Lighthouse Christian Church, 88786 Dellmoor Loop in Warrenton.

Conflicting claims in toddler murder trial

Opening statements made in ‘gruesome’ case

By Kyle Spurr  
EO Media Group

Prosecutors described Randy Lee Roden as someone with a violent history who grew frustrated watching after his girlfriend’s toddler daughter and her two sons.

The state is accusing Roden of murdering 2-year-old Evangelina Wing and abusing her brothers in the Seaside apartment he shared with their mother, Dorothy Ann Wing.

Roden’s defense lawyers, however, say the focus on Roden is a rush to judgment. The defense claims the toddler

was killed by the abusive actions of her mother combined with a dangerous flesh-eating virus found on the girl.

Opening arguments began Tuesday, Oct. 4, in Clatsop County Circuit Court in the death penalty trial of Roden. The crimes are considered among the worst child-abuse cases in the county.

Chief Deputy District Attorney Ron Brown gave a detailed description of the gruesome evidence. The three children were tortured, burned, bitten and caged in the apartment. All three children were the victims of child abuse. The older brother, now 7, is one of the most traumatized children his pediatric doctor has seen. The boy will not testify at trial due to the

trauma, Brown said.

The younger brother, now 3, had a broken bone in his pelvic region and extensive bruising.

“All of these injuries were not accidental,” Brown said. The state’s theory is that Dorothy Wing aided and abetted Roden by allowing him to live with her children and take care of them while she worked. She was responsible for Roden’s actions, the state claims, but was not the one who murdered the toddler.

Wing, 26, pleaded guilty in January to first-degree manslaughter and two counts of first-degree criminal mistreatment. She was sentenced to more than 15 years in prison, contingent on her truthfully testifying at Roden’s trial.

Court to decide immunity issue

Barnett from Page 1A

Marquis had absolute immunity because he was acting in his role as prosecutor in the judicial phase of the criminal process.

Barnett appealed to the 9th Circuit. The federal appeals court, like Judge Hernandez, will focus on the question of absolute immunity, not Barnett’s underlying claims that his civil rights were violated.

“The only issue on appeal is the question of immunity, not the merits of the underlying claim, which will be for the trial court to resolve if and only if the 9th Circuit concludes that immunity is not available in this case,” state Senior Assistant Attorney General Peenesh Shah, who is representing Marquis, said in an email.

Absolute immunity

Courts have long recognized absolute immunity for

government officials performing their duties, a cover meant to protect the decision-making process from constant legal second-guessing. For prosecutors, courts have distinguished actions that are judicial in nature from administrative functions.

In Barnett’s case, Marquis informed the Seaside Police that the District Attorney’s Office would not use the detective as a witness in prosecutions or work with him in ongoing prosecutions because of doubts about his credibility.

In Shah’s brief with the appeals court, he noted that the 9th Circuit has upheld absolute immunity for prosecutors whose professional evaluation of a potential witness was “harsh, unfair or clouded by personal animus.”

Absolute immunity, Shah argues, applies to civil rights claims and “protects defendants regardless of any improper motive or result.”

Sean Riddell, a Portland attorney representing Barnett, said in his brief that Marquis retaliated against Barnett for his free speech and led Seaside Police to curtail his work assignments and future economic potential, essentially attempting to end his career.

“Defendants should not be permitted to hide behind absolute immunity for unethical conduct,” Riddell wrote.

Retired

Barnett, a veteran Seaside Police officer, was a longtime detective before becoming a patrol sergeant. He was promoted to lieutenant last year.

Barnett received a \$20,000 cash payment from the city when he retired in March. The agreement included a nondisparagement clause that applied to both Barnett and city leaders and precluded the city from speaking about the former officer’s character or reputation.

They’re your dreams. Start building them.

You’ve already dreamed up the blueprints. We may be able to help bring them to life. The U.S. Bank Home Equity Line of Credit offers competitive rates, flexible payment options and trusted service to help you finance the lasting home improvements you’ve always wanted.



<b>HOME EQUITY LINE OF CREDIT</b>	Introductory rate for 6 months Rates as low as	Variable rate after introductory period
	<b>1.50% APR*</b> <small>Rate available 9/11/16 - 11/11/16. Rates are subject to change.</small>	<b>4.00% APR*</b> <small>Rate shown for lines of credit: – Up to 70% loan-to-value – U.S. Bank Consumer Checking Package Actual rate may be lower. Visit usbank.com for custom rates.</small>

Call 800.209.BANK (2265), visit a local branch, or go to [usbank.com/dreambig](http://usbank.com/dreambig)

**usbank**  
the POWER of POSSIBLE.™

\*1.50% Introductory Annual Percentage Rate (APR) is available on Home Equity Lines of Credit with an 80% loan-to-value (LTV) or less. The Introductory Interest Rate will be fixed at 1.50% during the 6-month Introductory Period. A higher introductory rate will apply for an LTV above 80%. Offer is available for new applications submitted from September 11 – November 11, 2016. After the 6-month introductory period: the APR is variable and is based upon an index plus a margin. The APR will vary with Prime Rate (the index) as published in the Wall Street Journal. As of September 11, 2016, the variable rate for Home Equity Lines of Credit ranged from 2.62% APR to 7.20% APR. Higher rates may apply due to an increase in the Prime Rate, a credit limit below \$100,000, an LTV above 70%, and/or a credit score less than 730. A U.S. Bank Consumer Silver, Gold, or Platinum Checking Package account is required to receive the lowest rate, but is not required for loan approval. The rate will not vary above 18% APR, or applicable state law, or below 2.12% APR – 2.55% APR, depending on market. Choosing an interest-only repayment may cause your monthly payment to increase, possibly substantially, once your credit line transitions into the repayment period. Repayment options may vary based on credit qualifications. Interest only repayment may be unavailable. Loans are subject to credit approval and program guidelines. Not all loan programs are available in all states for all loan amounts. Interest rates and program terms are subject to change without notice. Property insurance is required. U.S. Bank and its representatives do not provide tax or legal advice. Your tax and financial situation is unique. You should consult your tax and/or legal advisor for advice and information concerning your particular situation. Other restrictions may apply. Mortgage and Home Equity products offered by U.S. Bank National Association. Deposit Products are offered through U.S. Bank National Association. Customer pays no closing costs, except escrow-related funding costs. An annual fee of up to \$90 may apply after the first year and is waived with a U.S. Bank personal Platinum Checking Package. The Consumer Pricing Information brochure lists terms and conditions that apply to U.S. Bank Consumer Checking Package accounts and can be obtained by calling 800.872.2657. Member FDIC. ©2016 U.S. Bank. 160494 8/16

HALLOWEEN FUN  
OCTOBER 31<sup>ST</sup>

Seaside  
OUTLETS

TRICK-OR-TREAT  
3:00-6:00 P.M.

GET YOUR PICTURE TAKEN FIRST AND  
TRICK-OR-TREAT WHILE IT'S PRINTING!

THE PHOTO BOOTH IS IN SUITE 206 NEXT TO DRESSBARN. PHOTO IS FREE WITH REQUEST OF A DONATION TO BENEFIT ADOPTED FAMILIES DURING THE HOLIDAYS.

Find us on Facebook

12<sup>TH</sup> AVE. & HWY. 101, SEASIDE, OR • 503.717.1603 • SEASIDEOUTLETS.COM