

# Granddaughter testifies about abuse

□ She says Gutierrez fondled her over a five-year period, but she was 'too afraid to tell anyone'

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The Columbian

The 15-year-old granddaughter of Vancouver educator Paul Gutierrez told jurors Wednesday he fondled her so many times that her memory of the abuse "all runs together."

Wednesday was a climactic day in the trial of Gutierrez, 68.

At 9:40 a.m., the girl, the central figure in the abuse allegations, walked briskly into the courtroom of Superior Court Judge Robert Harris and walked to the witness stand.

She laced her fingers in front of her and proceeded to tell the four-man, eight-woman jury an unflinching story of five years of alleged abuse at the hands of her grandfather.

She showed little emotion during three full hours of testimony.

The allegations are that Gutierrez fondled the girl, then a fourth-grader, weekly for about three years and then occasionally for two more years after that. Gutierrez and his wife, Pat, kept the child at their home one night a week after dance lessons so that she could conveniently attend nearby Martin Luther King Elementary School the next day.

The girl attended the school through sixth grade.

## An invitation

On those Tuesdays, she testified, her grandmother would often be out of the home and Gutierrez would invite her to his bedroom to recline on the bed and watch television.

She said he first would rub her back, then progress to fondling her genitals.

She said she never looked at her grandfather during the episodes and they never spoke. "I didn't want to see him," she testified.

The girl glanced quickly from time to time at her grandfather, seated next to defense attorney Steve Thayer.

She told Deputy Prosecutor Kim

Farr that she was "too afraid to tell anyone. At first I was really confused. I was afraid he wouldn't like me anymore, that nobody would believe me, and that it would ruin our family."

The girl quit her dance class in seventh grade because of an ankle injury. But even after her ankles healed, she never went back to the dance class. She said she didn't

Please see **Trial, Page A7**

want to return to the Gutierrez house on Tuesday nights.

Still, she said, Gutierrez would call and ask if she could come over and stay. She went because she "didn't want to draw attention to myself," she told the prosecutor.

A near-straight-A student, a singer and dancer for a Vancouver children's group, a volleyball player and cheerleader, the girl said she was haunted by the abuse as she grew older.

## Cheerleaders told

In eighth grade she told several cheerleader friends about it and swore them to silence, she said.

Finally in November 1992, the girl, then a ninth-grader, told her mother.

The girl testified her mental health declined over the next two months until she broke down at Covington Junior High School during a video on child abuse. In tears, she told a counselor about her grandfather. She said she was considering suicide. "I wanted to get away from everything," she testified.

Thus, she swallowed a bottle of aspirin. She spent 50 days in a treatment center before her release. She went back to school briefly, but found "it was too tough. It was hard to deal with everyone knowing about it."

She then moved to California to live with her father and stepmother.

## Sources of conflict

In an hour and a half of cross-examination, defense attorney Thayer targeted themes the girl had mentioned in passing. He called her a "dramatic child." He suggested she made up the abuse allegations so she could move to California and prepare for a profession in singing and dancing.

"You've played roles on stage since you were a child, right?" Thayer asked.

"Yes."

"People began to expect you to be perfect in the things you did."

"Yes."

"You began to expect yourself to be perfect."

Thayer pointed out she didn't like her new stepfather, the man her mother married in 1991.

She didn't like the new rules of the house or the \$25 allowance he gave her.

"You thought he was a cheapskate, didn't you?"

"Yes."

"He wouldn't allow you to date?"

"No."

The girl gave terse, steady answers, even as Thayer bored in on her decision to move to California. He pointed out that she was now in a high school with a performing arts program. She acknowledged she wanted to "be on Broadway."

He claimed the girl's emotional problems began only after her new stepfather moved into their home. His questions implied she was trying to escape a strict home where she didn't get along with her mother or stepfather for an alluring life with her natural father preparing for a career in show business.

"You have a problem with dishonesty and lying, don't you?" Thayer finally asked.

"No, I don't," she said. "I don't lie."