

Teacher acquitted of sex charges

EDITOR'S NOTE: The name of the defendant has been omitted from the following story to protect the identity of the alleged victim.

By **CYNTHIA TANK**
The Columbian

Friends and relatives of a Vancouver elementary-school teacher accused of molesting his daughter could not contain themselves Tuesday when they heard the jury's decision.

"Not guilty on both counts," Superior Court Judge James Ladley said, reading the verdicts. He had warned the defendant's crowd of two dozen supporters not to react when they heard the news, but there was a split-second burst of applause and screams before they remembered his order.

And once the jury and judge were gone, the courtroom erupted into cries of joy, weeping, hugs and whoops — the sounds of a victory party.

"It's over," said the teacher, leaning against the courtroom wall and looking tired after his six-day trial.

The 36-year-old had been charged with indecent liberties and statutory rape involving his daughter, now 7. The youngster, whose parents have been divorced for five years, told jurors her father had molested her "lots of times" during her visitations with him.

In his closing argument Tuesday morning, defense attorney Steve Thayer suggested the girl's testimony had seemed credible but that she had been manipulated by a "well meaning but misguided" mother by overzealous police officers, and by her therapist.

When the mother discovered sexually explicit drawings in the girl's school notebook last January, she tried desperately to find out what they meant, Thayer said. As the girl continued to deny anything

was wrong, the mother became more and more upset, at times even hysterical, he said.

"Children can and do pretend that fiction is fact," Thayer said of the girl's eventual description of sexual abuse. "They can be pressured (and) gradually conditioned to say what is necessary to make Mommy feel better."

Without imagination, he said, "we'd never hear a Beethoven's symphony."

Deputy prosecutor Michael Kinzie drew the jury's attention to a note the youngster gave to sheriff's detective Sharon Krause at the beginning of one of her interviews. She had written the note at home, he said, and placed it under her stuffed cat, "Claude," for safekeeping. The note said, "Those pictures happened to me."