

Sex-abuse retrial against educator begins

■ **The 15-year-old complainant once more takes the witness stand against Paul Gutierrez**

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VANCOUVER — Appearing more poised and confident than she did five months ago, a 15-year-old girl took the stand Wednesday and recounted years of sexual abuse she claims to have endured at the hands of Paul Gutierrez.

Once again she took jurors to her childhood and the five years of molestation that she said occurred in Gutierrez's bedroom, under the covers, with the television on.

Although the story was familiar to the gallery, it was the first time this jury heard the allegations against the veteran educator, who is charged with seven counts of child sexual molestation.

The first trial ended in a deadlock in February when the 12-member panel could not agree on any of the charges. One of those jurors, Lori Gossard, watched the proceedings this week from the back of the courtroom.

Lawyers spent all of Monday and most of Tuesday in Clark County Superior Court interviewing 33 jury candidates before settling on a panel of seven men and five women.

One potential juror was rejected after revealing that she was a teacher, that her father worked with Gutierrez, that she once worked with Gutierrez's son and that her brother, a defense lawyer, had tried a case against deputy prosecutor Kim Farr.

Gutierrez, 68, is a retired administrator with the Vancouver School District. He now serves on Vancouver School Board.

Dressed in the same navy blue sweater he wore the first day of the last trial, Gutierrez was more animated this time, shaking his head as his accuser described acts of fondling and digital penetration that

she said began in 1987, when she was 9, and continued through 1992.

The girl remained self-assured through cross-examination by defense attorney Steven Thayer, who accused her of making up the abuse story to escape an unhappy home life and as an excuse for teen-age behavior problems.

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

"There's just one thing I had a problem with," she answered firmly. "That was just about my eating disorder."

Deputy prosecutor Farr painted a picture of a popular, bright youngster involved in performing, Blue Birds, an anti-drug youth group and honor society until the secret of sexual abuse began to take its toll.

By the time she was 14, she had developed bulimia, estranged herself from friends and family and eventually swallowed 46 aspirin in an attempted suicide.

Thayer led jurors along an opposite line of reasoning: that claims of molestation were a convenient excuse for pubescent mood swings, declining grades and open rebellion against a strict stepfather.

At one point Thayer asked Judge Robert Harris to declare a mistrial after the youngster described her mother's response when she finally told her of the alleged abuse.

"I thought so," the girl quoted her mother as saying.

The woman, a teacher's aide at Covington Junior High School, also claims that Gutierrez molested her when she was a young girl. Harris declared that information inadmissible as evidence at the first trial. On Wednesday he rejected Thayer's motion for a mistrial.

The girl's family is not associated with Gutierrez through his involvement in the Vancouver School District.

The trial is expected to continue through Friday, with closing arguments and deliberations to begin Monday.