

City may close drug house

Lia Saliccia
Oregon Daily Emerald

The city will file a lawsuit to have a house boarded up for a year because of continued drug problems at the residence.

The house, located at 1550 Charnelton St., is the site of past arrests for heroin, methamphetamines, LSD, mushrooms and marijuana, according to Kevin McCormick, a Eugene police officer who has been working on the case. The adjacent residence, 1560 Charnelton St., which is in the same building, is not involved in the lawsuit.

Under ORS 105.550-600, any citizen can file a lawsuit against the property owner when the residence in question is a place of drug activity, prostitution or gambling.

Due to tightly stretched public safety budgets and a limited amount of officers, police surveillance of a house is financially impractical, McCormick said.

"This is a method that we're trying because arrests don't work," McCormick said.

In August of 1993, McCormick obtained a search warrant for the residence and police made drug arrests. More arrests were made last January, when an officer chased a suspect into the residence and found "a smorgasbord of drugs," McCormick said.

Some of the suspects arrested pleaded guilty and were convicted, while some trials are pending. But, despite the arrests, the drug activity did not stop "because we didn't board the place up and shut it down," McCormick said.

By suing the property owner to have the residence boarded, the burden of proof shifts from criminal to civil. Instead of using police resources to stake out the house and wait for probable cause to enter and make arrests, citizens must mount evidence of outrageous conduct beyond a reasonable doubt.

"My intention is to bring an overwhelming bunch of evidence," said McCormick, who has evidence of guns at the residence.

Area residents have signed 60 of their names to petitions describing the nuisance the house has created, including constant foot and vehicle traffic and suspicious transactions. Several of the residents have sent letters to the property owner, who is a "poor, retired old lady on the other side of the continent," McCormick said.

The owner, Rhoda Kusniar of Venice, Florida, chose not to do anything about the complaints, he said.

Kusniar's son is one of the drug suspects previously arrested at the house. "They claim they're not a drug house," said McCormick of the tenants at 1550 Charnelton.

"This way (with the lawsuit pending), she'll have to do something," he said.

Using the lawsuit process, police first issue a warning letter to the property owner. If they do not comply by removing the tenants or selling the house, the citizens will begin the lawsuit. The suit may be dropped if the landlord complies and boards up the residence.

Man, 29, arrested for murder of couple

NORTHWEST PORTLAND (AP) — A Portland man was arrested Saturday night on charges of aggravated murder in the slaying of a couple as they sat in their minivan at an intersection on the city's northeast side.

Earl Wilkins, 29, was arrested about 10:30 p.m. at a woman's apartment in north Portland, said police spokesman Lt. C.W. Jensen.

Police surrounded the building, blocked off the streets and evacuated about two dozen neighbors before contacting Wilkins, Jensen said.

"We were just prepared in case it was going to be a standoff," he said.

Police believe Wilkins was the driver of a blue Mercedes Benz stopped behind the couple's minivan. The driver apparently had an argument with the couple before the shooting, police said.

"Detectives are working on the possibility that the deceased man and this individual had some prior dispute or problem," Jensen said.

Deborah Jean Payton, 30, of Beaverton, died at the scene of the shooting Friday afternoon. Her boyfriend, Shango Wade, 26, of Portland, died later at Legacy Emanuel Hospital.

After the shooting, the minivan rolled across the street and crashed into a utility pole. The man in the Mercedes drove away, police said.

At the time of the shooting, Wilkins had been paroled on a sodomy conviction, Jensen said.



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