

but on top of that it is punishing people for doing things outside that they have no choice but to do.”

Homeless people can be arrested for things housed people do regularly in their homes: drinking, smoking and going to the bathroom are illegal in public spaces. Adams has been arrested for smoking, drinking, littering and even “theft of electricity” for having his laptop plugged into a wall power outlet behind an auto shop.

In 2014, Adams spent 11 days in jail for a noise disturbance that occurred six years prior.

It’s the laws that are bad, Neubeck says, but police officers still use discretion to enforce them. So Adams takes his frustration out on them.

SHAKING COGNITIVE DISSONANCE

Winning the necessity defense will be a tall order for Adams and his public defender, Ryan Gifford. They must

prove that had Adams slept on private property due to: a specific threat of imminent danger; a necessity to act; and no practical alternative, while showing that the harm caused wasn’t greater than the harm prevented.

Kathy Walker, a longtime Eugene resident who has dedicated much of her life to assisting the homeless, is helping Adams prepare for the trials and thinks they’ve “covered all their bases.” Adams’ acquittal, she says, could set a precedent for future cases of homeless criminalization. A guilty ruling would only serve as evidence in an even bigger case, she says. A class action lawsuit could be possible, but expensive.

In 2016, the Supreme Judicial Court in Massachusetts tossed out six trespassing convictions against a homeless man, ruling that he should have had the opportunity to argue the necessity defense in front of a jury.

The prosecutors in Eugene may argue Adams could

have spent the night at Eugene Mission, a local shelter. Adams responds, “I’m poor, I can’t afford rent and I’m not going to retire to the Mission, so that only leaves the street.”

The prosecutors may argue that if Adams can’t afford housing, he needs to find work. “You just authorized wage slavery,” Adams replies. “What part of retirement don’t you understand?”

Adams often says the case is not about him. He does not care if the court finds he broke the law; if he can change the six jury members’ predispositions about homelessness, he says, he’ll have done his job.

“It doesn’t matter what happens to me,” Adams says. “What happens is people get shaken out of their cognitive dissonance, so my grandchildren don’t have to grow up with this.”

The first of Rod Adams’s three trials begins 9 am May 31 at Eugene Municipal Court. ■



HAPPENING PEOPLE

BY PAUL NEEVEL

MAGNOLIA RAINBOW

“People who need stuff seem to fall in my path,” says Magnolia Rainbow, known to her friends as a champion of the underdog, who takes care of wayward teenagers and animals. “And I find a way to help them.” Her small house in Springfield currently shelters 11 people, including her sons Tanner and Mac, ages 21 and 15, and three dogs, including Paddy and Bernie, on the porch in the photo. “My parents were hippies,” says Rainbow, who was born in a school bus and spent her elementary and middle school years in Ashland. Then her mother died, and Rainbow moved to Eugene with her father and sister. She started high school at South Eugene, but later transferred to the Opportunity Center, an alternative school. Strung out on meth and cocaine, she was kicked out by her dad and took refuge with a friend in Santa Cruz for two years, then

returned and found work in the woods. “I loved fighting fires,” she says. “It cured me of being a junkie.” A car wreck in 1998 led her to study auto body repair at Lane Community College and to finish a GED, but it also led to seven operations on a herniated disk and, eventually, a disability pension. She gave up drinking six years ago at the insistence of her son Mac and has since started a career as a jewelry artist. “I donate 20 percent to Clean Slate Canine Rescue and Rehabilitation,” she notes. See her jewelry at Mona Beads, 1712 Willamette Street or on Facebook, Magnolia Rainbow’s Handmade Jewelry to Help Homeless Hounds. Also online, her friends have established a GoFundMe.com campaign called “Save Maggie’s Home!” to help her pay off a debt to her sister and give her clear title to her Springfield sanctuary.

Know anyone whose good work deserves attention in this space? Call the editor at 541-484-0519 or editor@eugeneweekly.com.

LANE COUNTY AREA SPRAY SCHEDULE

Giustina Resources, LLC, 541-485-1500, plans to hire Strata Forestry, 541-726-0845, to spray 28.1 acres northwest of Vida near Finn Creek with triclopyr with acid and MSO Concentrate. See ODF notification 2017-771-05791, call Brian Dally at 541-726-3588 with questions.

Transition Management, 541-521-5897, plans to spray its roadsides throughout Lane County with clopyralid, glyphosate, imazapyr, metsulfuron methyl, triclopyr with ester, triclopyr with amine and/or Crosshair. See ODF notification 2017-781-06274, call Robin Biesecker at 541-935-2283 with questions.

Compiled by Gary Hale, Forestland Dwellers: 342-8332, forestlanddwellers.org

POLLUTION UPDATE

The Oregon Department of Environmental Quality (DEQ) recently sent the owners of **Knoll Terrace** (located north of Corvallis) a pre-enforcement notice following an April inspection during which “non-disinfected effluent” from the manufactured home community’s sewage treatment facility was discharging to Mountain View Creek. DEQ was unable to determine the total amount of effluent discharged to the creek because there was no documentation of how long the discharge had been occurring. DEQ estimated that the effluent likely contained E. coli at levels almost 8,000 times the amount that is legally allowed. DEQ has referred the matter to its Office of Compliance & Enforcement for further action concerning the illegal discharges, as well as monitoring and reporting violations and “improper operation and maintenance of pollution controls.”— Doug Quirke/Oregon Clean Water Action Project

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