

Search Ruled Illegal

Judge's decision means Blazer guard will not likely face felony marijuana charge

(AP)—Portland Trail Blazers guard Damon Stoudamire likely will not face trial on felony drug charges after a judge rejected the two strongest arguments prosecutors made to justify a warrantless search of his home that turned up a large bag of marijuana.

Judge John Lowe ruled Tuesday police had no legal justification to enter Stoudamire's home after neighbors in suburban Lake Oswego reported his front door was open and a burglar alarm was beeping an hour after Stoudamire left for a game on Feb. 23.

Lowe also ruled there was no express or implied consent to search the home just because Stoudamire had installed an alarm

system.

Police testified they found the marijuana behind an attic door while following their longtime policy of searching for intruders after finding an open door or window at an unoccupied home with an alarm.

The judge said he would issue a written opinion later on whether the city of Lake Oswego could establish an administrative policy allowing police to search for intruders after an alarm system is activated.

But Stoudamire's attorney, Stephen Houze, said cities can only regulate searches in public places, such as airports or courthouses.

Any search of a private home

requires a warrant because it "is the ultimate bastion of privacy in our society," Houze said.

If Lowe also rejects the prosecution claim, the city of Lake Oswego could set search policy, he could dismiss the charges. Prosecutors could appeal or drop the case.

Stoudamire declined to comment, but his attorney said he was "very pleased" with the ruling Tuesday.

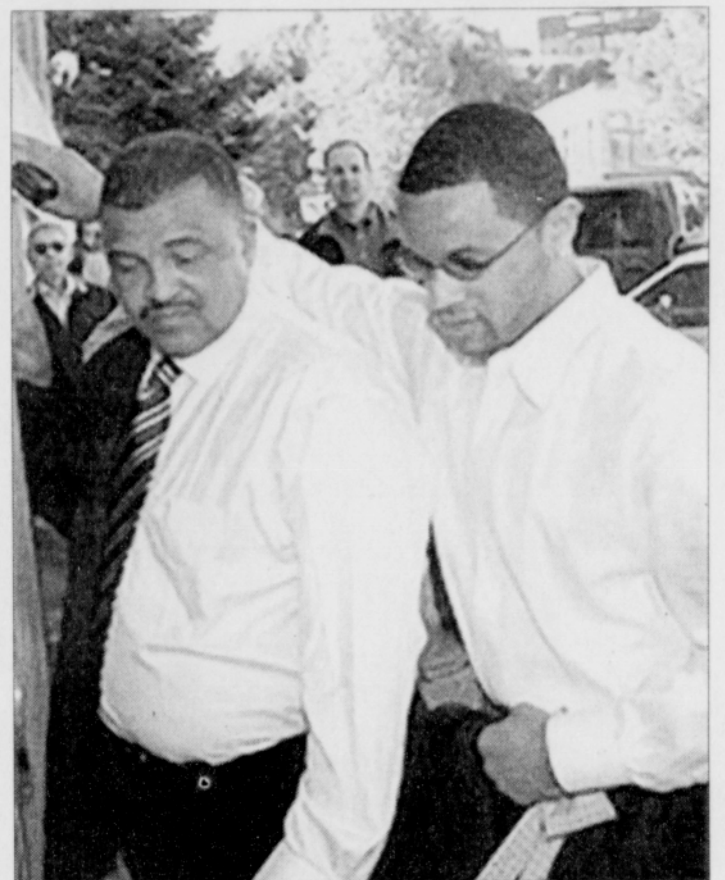
"Everyone is entitled to the protection of our Constitution, whether you are an anonymous citizen or you are famous," Houze said.

Stoudamire was ready to plead guilty to a misdemeanor charge in May, but the Oregon Court of

Appeals ruled that a similar search in an unrelated marijuana case was unconstitutional and Stoudamire withdrew his plea only to face more serious charges after prosecutors submitted his case to a grand jury.

Deputy District Attorney Steve Griffin said he was disappointed, but he understood the judge was taking a conservative position because there were no other cases in the country dealing with police routinely searching homes for intruders without a warrant simply because a burglar alarm had been reported.

"We looked everywhere for other cases, there just wasn't anything out there," Griffin said.



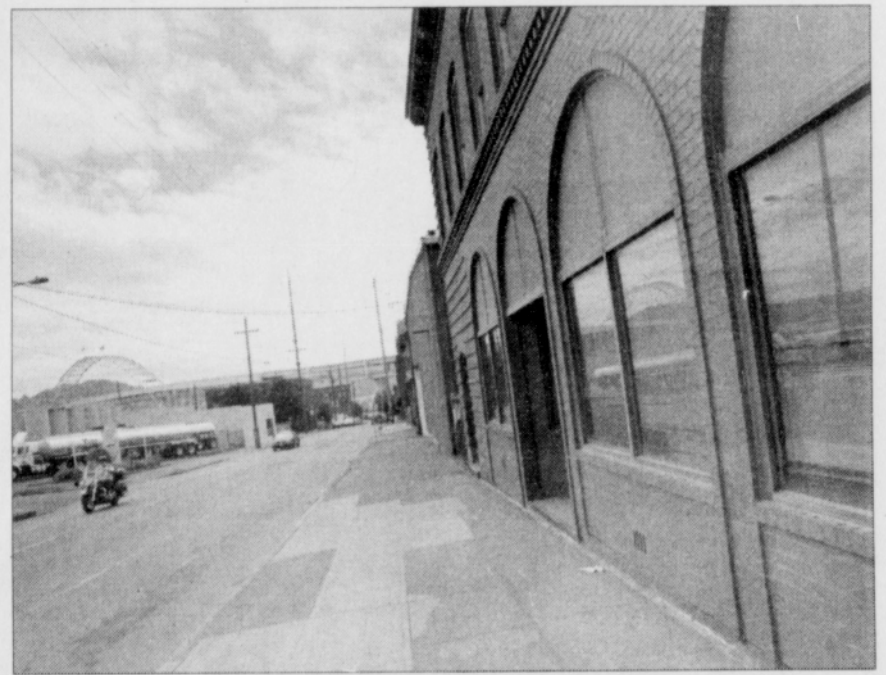
Damon Stoudamire with his father, Willie, at an earlier court appearance. (AP photo)



City Plans Russell Face Lift

Two views of North Russell Street give a look of desolation, but the area bolstered by the popular McMenamins White Eagle Tavern and Widmer Brewing Co. is expected to grow with the arrival of a light rail station.

PHOTO BY DAVID PLECHU/
THE PORTLAND OBSERVER



continued ▲ from Front

"Streetscape design includes pretty much everything you would find on a street," she told the group of neighbors, business owners, and church members. "What belongs on Russell and

how should those things be arranged?" she asked.

Vanderslice also introduced the "green tools," planters, street trees, flowers and small "pocket parks" that would give the street a softer edge.

The addition of street crossing

and accessibility tools, like crosswalks and curb extensions, were suggested to make the area safer for walkers. A lot of people mentioned they would like to have some pedestrian scale street lighting.

Everyone agreed that busi-

nesses thriving in the area should be taken care of.

Some saw a need for more parking. Others disagreed, arguing that more parking might only bring more congestion and make the area less welcoming for pedestrians.

Gary Hampton owns a building and has lived on Russell with his wife, since 1985.

"We lived here when it was industrial razor wire around everyone's property," Hampton said.

He would like to see the area

become more pedestrian friendly.

Attendees at the forum effectively contributed to 5 different plans. City Hall will consider those plans and an advisory board will approve the final recommendations for implementation.

High School Graduates Honored

Portland's graduate chapter of the first African American sorority, Alpha Kappa Alpha Sorority, Inc., has honored 10 young women for their outstanding academic and social contributions.

Each year, the sorority contacts local high schools seeking

nominations for their "Finer Womanhood Award."

This year, the honorees were not only awarded certificates of appreciation, but received college care baskets which contained an assortment of gifts from personal care products to writ-

ing utensils.

The recipients honored are Marsha Sylvester, Bridget Johnson, Tiffanie DuBoise, Alisha Howard, Celeste Jones, Kimilia Kent, Bethany Miller, Claudine Kabera, Aljaree Williams, and LaTasha Marie Brown

PCC Begins SE Center Expansion

The future is now for Portland Community College's new Southeast Center.

The college is hosting a "wall razing" ceremony from 3 to 4 p.m. on Wednesday, Aug. 14 at the site of the new center, located at the corner of Southeast 82nd Avenue and Division Street. There will be a brief ceremony and photo opportunity at 3:15 p.m. when part of a vacant building comes down to make way for new construction and remodeling. A trackhoe with a bucket/

thumb attachment will be used to demolish a portion of the building.

The center, targeted to open in fall of 2003, will allow the college to bring more lower-division college courses to outer Southeast, as well as English as a second language classes, alternative high school offerings, pre-college and professional-technical classes. Students will be able to complete their first year of college transfer courses on site. Approximately 1,400 more students will

be able to take classes at the new 94,000 square foot center.

The college purchased the 10.3-acre property for \$5.7 million, which consists of a former Builder's Square outlet and an Albertson's grocery store. Proceeds from a \$144 million bond in 2000, and sale of the current site and other college property will pay for the new center. The construction of the new center is expected to cost about \$18 million.

Wilhelmi Takes Helm at Marshall High

John Wilhelmi, currently a curriculum vice principal at Marshall High School, has accepted the position of interim principal at the southeast Portland school. He replaces Greg Wolleck, who has

accepted the principal position at Metropolitan Learning Center.

Superintendent Jim Scherzinger called Wilhelmi an experienced and successful administrator, having served both

Marshall and Franklin High Schools as a vice principal. Prior to those positions, he worked as a dean of students and social studies teacher at Jefferson High School.

Amber Crime Alert Coming to Portland

(AP) — The Portland Police Bureau says it will soon implement an "Amber Alert" system.

The system uses freeway signs and instant messages on television and radio to provide details about a possible crime. The system helped find two kidnapped teenage girls in southern California earlier this week.

According to Brian Schmutz, spokesman for the Portland Police Bureau, a critical window of time follows every abduction. During that time it is vital to spread information as quickly as possible, thereby increasing the chance the person is found safe.

In the case of the missing Oregon City girls, neither information

about Ashley Pond nor Miranda Gaddis reached the public right away. Gaddis' mother says she thinks the Amber Alert might have helped find her daughter.

To implement the Amber system police say they will need the cooperation of local broadcasters, which they hope to get this fall.

Portland City Council Award Starts 'Big Pipe' Construction

The Portland City Council has authorized the largest construction project in city history with approval of a \$293 million contract to build the West Side Combined Sewer Overflow Project, otherwise known as the "big pipe."

The Council approved a contract with Impregilo/Healy Joint Venture, the firm the city hired last December to complete the project's design.

The plans call for building a 4-mile, 120-foot deep, 14-foot diameter tunnel that will start at Southwest Clay

Street, run below Waterfront Park, and cross under the Willamette River to connect with a new sewage pump station on Swan Island. The new pump station will be a circular, five-story building, 124 feet in diameter and 150 feet deep, with a pumping capacity of 220 million gallons a day.

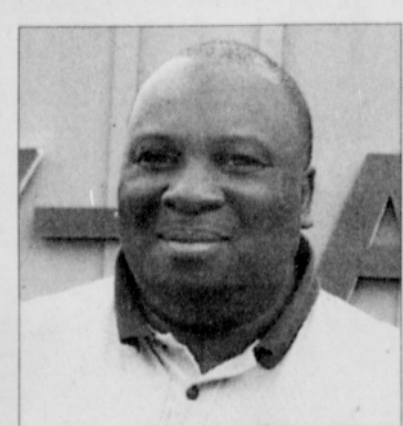
While most of the big pipe construction will take place underground, the project also includes building five large shafts along the tunnel alignment.

Construction on the Swan Island and Nicolai shafts will begin this fall. The two tunnel

boring machines that will build the Big Pipe will be lowered into the ground at the Nicolai shaft next spring.

When Portland started the CSO Abatement Program 11 years ago, the city's combined sewer system discharged an estimated six billion gallons of sewage mixed with stormwater into the Columbia Slough and Willamette River each year. When the program is finished in 2011, annual CSO volume will be cut to 250-million gallons and CSO events will be reduced to four or five each year.

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