



HH FILE PHOTO

Tyree Houfmuse listens to his defense attorney Kara Davis during a pre-trial hearing in March at the Stafford Hansell Government Center in Hermiston.

Murder charge dropped against Houfmuse

By **JAYATI RAMAKRISHNAN**
STAFF WRITER

Tyree Houfmuse has spent the last 14 months in jail facing a slew of charges in the death of James Cragun.

On Monday, the Hermiston man pleaded guilty to a single count of felon in possession of a firearm and was sentenced to 25 months behind bars.

Judge Patricia Sullivan dismissed all other charges, including murder, manslaughter, and unlawful use of a weapon, due to insufficient evidence.

Houfmuse, 36, was arrested in June 2017 and charged with killing Cragun, who died from a gunshot wound on Memorial Day weekend in 2017. This is the fourth time he has faced charges for a shooting. In both 2000 and 2005 he was charged with attempt to commit murder, and both charges were dismissed. He was also charged in 2014 with a shooting outside a bar in Kennewick that left a man paralyzed, but a jury decided that he acted in self-defense.

Cragun and Houfmuse knew each other. The night Cragun died, Houfmuse was with a woman they both had dated and who is the mother of one of Cragun's children.

In court proceedings that have spanned more than a year, Houfmuse has repeatedly claimed self-defense, stating that Cragun charged at him, and had been making statements in the days lead-

ing up to his death threatening Houfmuse's life.

Judge Eva Temple, who had presided over the case from the beginning, was recently disqualified from presiding over criminal cases by District Attorney Dan Primus, and the case had been turned over to Sul-

"It was never a good case for murder."

Kara Davis, Attorney

livan in the last week.

Primus released a brief statement about the settlement Monday afternoon. He said Houfmuse pleaded guilty on a new case, following a court decision made last week requiring the state to try the murder and felon in possession charges separately. The release said the court was concerned that trying the two together would be too prejudicial to the defendant.

"At the same time this ruling to sever was made, the court also ruled that defendant's statements would be inadmissible, leaving insufficient evidence for the state to continue to proceed to trial on the murder," the statement said.

Primus could not be reached for further comment.

Houfmuse's attorney, Kara Davis, said her client always had a strong self-defense case.

"Oregon is a stand-your-ground state," she said. "If someone charges you, you have the right to defend yourself."

She said the lack of conclusive forensic evidence also played a part. The state crime lab found that Cragun was the primary contributor of DNA on the gun, and Houfmuse's DNA was not found on the gun — a fact the state could not explain.

But Davis said one of the biggest factors in the final outcome was the judge's decision to suppress Houfmuse's statements.

"I think that was the final nail in the coffin for the state's case," she said.

Davis said had the case gone to trial, the only charge on which she would have been concerned about a conviction was felon in possession of a firearm.

She said Houfmuse agreed to plead guilty to possessing the firearm after it went off. The gun was found in a field a few hundred yards away from the apartment complex where Cragun died.

"It was tragic, but just because it's tragic doesn't make it criminal," Davis said. "It was never a good case for murder."

During a hearing in May, Temple heard more than eight hours of video and audio interviews with Houfmuse and several witnesses,

including a woman both Houfmuse and Cragun had dated, and two other women, all of whom were present the night Cragun died.

According to descriptions from witnesses and Houfmuse, that night Cragun drove up to the apartment that Houfmuse and Cragun's ex-girlfriend were about to enter, got out of the car, jumped over a hedge and started coming toward Houfmuse.

Houfmuse said Cragun came running toward him and took a gun out of a bag. Houfmuse said he grabbed Cragun's hands and twisted the gun, and the gun went off.

Autopsy reports showed the entry point of the bullet on Cragun's upper left back area. Primus said during a May hearing that the angle made it impossible for the gun to have been twisted as Houfmuse claimed.

Cragun had been convicted of assaulting the woman two years before his death, and she had a restraining order against him. The video interviews and court documents revealed that Cragun had been calling her and sending her threatening text messages, threatening Houfmuse's life and hers.

Davis said with Houfmuse's credit for the time he's already spent in jail, plus five months that will be taken off his sentence for "good time," or time off for good behavior, he will likely spend between two and five more months in jail.

Hermiston opens up more mobile food vending

By **JADE MCDOWELL**
STAFF WRITER

Hermiston is set to welcome new food trucks to town after the city council unanimously amended the mobile food vending ordinance Monday.

Among the amendments is an increase from three food truck licenses to six. Those six licenses will be in addition to any mobile vendors who set up shop in the food "pod" the city is looking to create. The updated ordinance also adds four temporary licenses that vendors can operate under for up to 90 days.

City planner Clint Spencer said he believed all of those options combined were "well within what the market can support for a while."

"You can always make a change," he said.

The city had begun looking at amendments to its original ordinance, passed in 2013, after hearing from potential entrepreneurs, including the owner of Southern Twain BBQ in Pendleton, who complained that they wanted to open a food truck in town but could not because all three licenses were already taken. Spencer said his department had also fielded numerous requests for temporary licenses to sell things such as ice cream, fruit cups or hot dogs in the summer. In an online survey that more than 900 people participated in, 86 percent said they believed the city should add more mobile food vending opportunities.

The new ordinance also loosens up some restrictions, including reducing the number of parking spots required from three to five, allowing pushcarts and allowing operation in the C1 and C2 commercial zones, which included downtown. The ordinance does not create a food pod by statute, but the city is looking into creating a gathering space for food trucks in the public parking lot on Orchard Avenue across

from the post office. On Monday the council also discussed the results of a community survey regarding metal shipping containers used as storage units. The city does not currently regulate them, but the council asked that city staff look into possible regulations as the containers become more popular as an inexpensive storage option.

Spencer said 376 people filled out the optional online survey that was open to anyone. Sixty-nine percent of those respondents said they were opposed to all use of the containers in a residential zone, 51 percent said they were opposed to use in a commercial zone and 35 percent said they were opposed to use in an industrial zone.

Recommendations from the planning commission, however, suggested that the containers be allowed in residential zones under a few circumstances — requiring the containers to be 20 feet long or less, placed behind the front line of the residence, on a concrete slab, screened from view and free of rust or logos. One container per acre would also be allowed in commercial zones and industrial use of the containers would be allowed. Shipping containers would require a license, with 90-day and long-term licenses available. Existing containers would be grandfathered in.

Councilors had mixed reactions, and Spencer said he would take their comments into account while drafting rules for approval.



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