

# Second-degree rape suspect detained outside courthouse

Fabian had been scheduled for a county court hearing

By Jack Heffernan  
The Daily Astorian



Anastacio Eugenio Lopez

U.S. Immigration and Customs Enforcement arrested a Seaside man Wednesday, March 7, outside Clatsop County Circuit Court when he arrived for a hearing on rape charges.

Anastacio Eugenio Lopez Fabian, 24, allegedly had sex with a girl twice in 2016 when she was under 14 and three times when she was under 16. He was arrested by Seaside police in February after allegedly assaulting her and was released last week after posting \$25,000 bail.

Before a hearing set to begin last week, Kris Kaino, Fabian's court-appointed attorney, alerted Judge Cindee Matyas that his client was not coming.

"ICE picked him up in the parking lot about 10 to 15 minutes ago," Kaino said.

Deputy District Attorney Dawn Buzzard asked that the

him to see if he knew, but I don't know," Fabian said of the immigration detention.

Fabian's arrest in February came after the alleged victim's mother reported her as a runaway to Seaside police. Police found her at Fabian's home, and she reported that she was unwilling to go to school that day after attending a party the night before.

Police learned of the alleged sex crimes while interviewing her. Fabian has been charged with two counts of second-degree rape, three counts of third-degree rape, fourth-degree assault and harassment.

Second-degree rape carries a mandatory minimum sentence of more than six years in prison.

"We have to resolve the case," said Marquis, who differentiated serious cases from lower-level ones. "If it doesn't get resolved, it may go on for years at which point it's harmful to the victim."

ICE officials could not be reached for comment. Astoria Police Chief Geoff Spalding said the federal agency told police beforehand about the arrest, which is a common

practice.

The federal agency criticized Clatsop County last year for not cooperating with its requests to detain undocumented immigrants, saying such arrests would be safer at a jail than a courthouse. Sheriff Tom Bergin said at the time that his office — and all other sheriff's offices in the state — were susceptible to lawsuits. The U.S. District Court in Portland previously ruled in favor of a woman detained by ICE at a Clackamas County jail, claiming the Fourth Amendment protected her against unreasonable search and seizure.

U.S. Rep. Suzanne Bonamici, D-Oregon, and other lawmakers have proposed legislation to deter immigration arrests at sensitive locations such as courthouses, schools and health clinics. Some criminal justice experts believe such arrests push immigrants further into the margins, discouraging them from appearing for court, either as witnesses or defendants.

The Trump administration, however, has made immigration enforcement a priority and has urged states to cooperate with federal agents.



R.J. MARX/SEASIDE SIGNAL

Warning flags posted on Gearhart Lane after a posted speed reduction. Forty-nine warnings have been issued.

## Speed zone change on Gearhart Loop

By Eve Marx  
For Seaside Signal

### Monthly report

After a speed reduction from 35 mph to 25 mph on Gearhart Loop Road, a warning period is coming to an end. The reduction went into place Feb. 6.

As of March 1, 49 warnings for speed and other minor infractions have been issued, Chief Jeff Bowman said in his monthly report to City Council. Two speeding citations were also issued. According to Bowman, most of the drivers stopped were unaware at the time that the speed limit has been lowered and many said they never saw the large 25 mph sign with three orange flags.

In his report, Bowman listed one case of auto theft, 18 disturbances, one case of vandalism, one theft in the second degree and one hit-and-run motor vehicle accident. Gearhart police issued tickets for 10 traffic infractions; responded to one case of vandalism; one animal-related incident; and issued 100 warnings for traffic infractions.

Bowman reported three custody arrests involving adults and 53 incidents of assistance rendered. Seven security alarms were set off, possibly in error. Police conducted 476 security checks.

There were three property traffic accidents. No injuries from traffic accidents were reported.

## 'Introduction to Caregiving' seminar offered at Providence

Providence Seaside Hospital and Providence Elder-Place offer a two-day seminar titled "Introduction to Caregiving," Wednesday, March 28 and Thursday, March 29, from 9 a.m. to 4

p.m. each day.

Providence Seaside Hospital and Providence Elder-Place are offering a unique opportunity for people to discover the rewards and opportunities in caring for others.

During the free two-day seminar, participants will learn valuable caregiving skills, observe caregivers in different settings and earn a certificate. To register or for more information, email

Shelby.gosser@providence.org.

The program takes place at Providence Seaside Hospital. Conference Center, Education Room A, 725 S Wahanna Road, Seaside.

### POLICE LOG

#### Feb. 22

**12:54 a.m.**, 400 block S. Columbia: Caller reports unknown male knocking at his door, mumbling something. Caller did not open door. Subject then left in a vehicle headed south; police were unable to locate.

**1:45 a.m.**, Highland and The Cove: Reported gunshots turned out to be ice falling from trees.

**5:20 p.m.**, Broadway and outside Bridge Tender: Caller reports an intoxicated male with a baby strapped to his chest. Police checking say it was a stuffed animal in a baby carrier.

#### Feb. 23

**12:16 a.m.**, Edgewood and Avenue C: A man loitering around an area where cars have recently been broken into was identified and spoken to, but no further action was taken.

**9:02 a.m.**, 700 block Avenue S: A person whose dog was complained upon for barking without cease was informed of the complaint. They said in future they would bring the dog inside the house when it barked.

**3:39 p.m.**, Chamber restroom: Police responded to a request for an elderly man said to be walking around in the rain. The man said he was waiting for the bus.

#### Feb. 24

**1:50 a.m.**, N. Holladay: A person was arrested and



COURTESY SEASIDE POLICE

charged with driving under the influence of intoxicants.

**9:50 a.m.**, Post office lobby: A person who was complained about for sleeping in the lobby said they were trying to get out of the rain. He agreed to move along.

**11:59 a.m.**, Edgewood and Avenue G: A person was arrested and charged with driving under the influence.

**9:59 p.m.**, Irving and Avenue I: A person is arrested for DUII.

#### Feb. 25

**10:08 p.m.**, 400 block S. Roosevelt: Police responding to a report of a stolen phone contacted the alleged thief and found them not to be in possession of described phone. The report of theft was deemed unfounded.

#### Feb. 26

**6:53 p.m.**, 400 block 15th Avenue: A person in need of medical assistance was transported to the hospital via Medix.

**10:30 p.m.**, Broadway: A subject who left their vehicle running was advised to not do that.

#### Feb. 27

**12:30 a.m.**, Roosevelt and Avenue B: A subject wanted on a Clatsop County warrant was taken into custody and transported to the county jail.

**3:42 p.m.**, 500 block Beach Drive: A caller requested a welfare check on her estranged parent. Police contacted the parent and reported back they are fine.

**6:08 p.m.**, 2400 block Highway 101: Police assist the fire department with an oven fire.

**10:16 p.m.**, 800 block Fifth Avenue: Complainant reports unwanted phone contact from a former employee. They were advised to seek a stalking order and supplied with information who to speak with should they wish to make a criminal complaint.

#### March 1

**10:50 a.m.**, Avenue S: A woman observed "Dumpster diving" was warned of trespass.

**11:09 a.m.**, Forest Drive: Police assist with a resident reported to be suicidal at an assisted living facility. Resident tells police she is hungry, not suicidal.

#### March 2

**4:47 p.m.**, N. Prom: Methamphetamine was found in the hallway of a hotel by an employee. Police collect the drugs for destruction.

#### March 3

**10:32 a.m.**, Broadway: A skateboarder who was making comments about a business owner was warned for riding on the sidewalk and also for disorderly conduct.

**12:29 p.m.**, Highway 101 near Gearhart: Caller reports someone nearly sideswiping them as they were leaving Gearhart on Pacific Way. Police follow described vehicle but find no reason to cite them.

#### March 4

**12:06 a.m.**, Ninth Avenue and Franklin: A person is arrested on a warrant.

**1:46 a.m.**, 1000 block S. Downing: Police responding to a report of suspicious activity transported a person in an altered mental state to the hospital.

**9:06 a.m.**, Beach Drive: A person who was transported to the hospital after ingesting 60 aspirin because they were depressed told police they regret their action and they should have gone to the ER before the aspirin.

**12:14 p.m.**, 12th and Roosevelt: Caller reports panhandling acting like "he was on something" as well as "red faced and not dressed for the weather." Police are unable to locate.

**7:08 p.m.**, 700 block S. Wahanna: A subject is arrested and charged with menacing and disorderly conduct.

#### March 5

**11:09 a.m.**, 1700 block 12th Avenue: Police follow up on a report of a child who has not been to school for five days. Police say the family moved away.

#### March 6

**1:51 p.m.**, Police headquarters: A subject comes in to register as a sex offender.

**8:49 p.m.**, 800 block 12th Avenue: While on patrol, police

encounter subject prying on the handle of a car door.

#### March 7

**3:57 p.m.**, 1900 block Spruce Drive: Property crimes are reported.

**9:59 p.m.**, 400 block S. Roosevelt: Caller reports a man and a woman having a verbal disagreement. Police are unable to locate.

#### March 8

**8:53 a.m.**, Seaside police station: A wallet reported stolen was found and returned to owner. Nothing was missing.

**10:50 p.m.**, Spruce and Wahanna: Officer spoke with a woman who seemed upset. She said she'd just had an argument with her boyfriend. Officer offered her a courtesy ride home but she said it wasn't too far and she preferred to walk.

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