

Portus may be freed by court ruling

By JUDY OWEN

A state supreme court ruling handed down in September could result in the release of a young man judged to be insane in the July 1973 slaying of a Farmington Hills child.

Testimony is expected to be concluded Jan. 16 before Oakland County Probate Judge Donald E. Adams in the prosecution's efforts to keep Charles Portus institutionalized.

Portus, 19, was charged with the murder of seven-year-old Keith Minelli. Police said that the child had been sexually molested before he was killed.

Portus was found to be innocent by reason of insanity and was turned

over to the state department of mental health. He is among 24 persons in Oakland County who were committed to the mental health department and are either hospitalized or on convalescent or parole status that are affected by the recent state supreme court ruling.

THE HIGH COURT decision that all persons committed to the department of mental health after being found innocent in criminal proceedings came in the People vs. McQuillan case, according to Ronald Covault, representative of the county prosecutor's office. Covault handled the state's case against Portus. He said that in the McQuillan case

it was argued that these persons were being denied equal protection under the law because they had been found innocent but were said to be mentally ill and were institutionalized.

The ruling required that local authorities initiate proceedings in probate court to determine whether these persons would remain hospitalized. The defendant may have counsel and a jury trial.

TWO PSYCHIATRISTS who testified on Portus' behalf at his trial have been secured to testify on the state's behalf in probate court. Both are expected to testify that Portus should continue to be hospitalized.

The difficulty is that the probate court code standards for release are less strict than under the former practice, Covault said.

In the past, the burden of doubt fell in the favor of the community. It now falls in favor of the defendant, he said.

Covault is disturbed about the long-term effects of the supreme court ruling.

THE MENTAL health department is not well-funded, he said. An overload of patients and shortage of staff and facilities could result in the release of persons before they are completely rehabilitated. He said that a person found to be insane in criminal proceedings has automatic right to review following 90

days, 180 days or a year of hospitalization.

The mental health facility must institute this review which would involve psychiatric testing.

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Allen will go to Flint

(Continued from page 1)

mean nothing but trouble for him."

Should the superintendent ever be relieved of his position in that district, Allen said, it would be difficult for him to find another school board that will hire him.

"NOBODY WANTS someone who refuses to negotiate," he said. "I'm sure there were a number of situations where the Crestwood thing could have been settled. They were just overlooked."

Originally a teacher, Allen said he went into labor negotiations because he was beginning to lose his enthusiasm for teaching.

"If you're really dedicated to doing a good job, it can be very draining. You've got to be enthusiastic day by day, class after class."

"I thought it would be interesting to be on the negotiating team. At that time, it was the advent of a whole new thing. To be hired now, you'd

have to have considerable negotiating experience elsewhere, have arbitrated formal proceedings, and have some experience in non-tenure teacher hearings."

He doesn't expect his position to be filled until late February or early March.

Farmington gets \$1,000 from Jaycees

FARMINGTON — City offers grew by \$1,000 with a gift Monday night from the Farmington Area Jaycees to pay for a new fence at the ball field in City Park.

The funds, presented by the group's president North Keller and board chairman John Sprys, represented part of

the funds derived from the Founders Festival Rodeo.

All of the proceeds from the rodeo were earmarked to provide recreational activities and facilities in the Farmington area.

The check was presented to the city council.

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