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Yes, a grand jury; but more, too

By The Oregonian Editorial Board

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As he often does, Portland City Commissioner Dan Saltzman came up with a useful idea this week when he proposed that prosecutors record and make public the proceedings of a Multnomah County grand jury's inquiry into the police shooting of Portlander Aaron M. Campbell.

Multnomah County District Attorney Michael Schrunk was right, too, to act quickly and get a court order allowing digital taping of the grand jury sessions. That does not, of course, mean that the sessions, which are typically conducted under the curtain of confidentiality, will become public, but it does preserve a public record should that turn out to be the case.

The incident in question occurred Jan. 29, when a Portland policeman shot Campbell in the back after police were called to check on his and his family's welfare.

Campbell had been reported to police as possibly suicidal and possibly armed. When officers arrived at his apartment, Campbell came out and, witnesses said, was walking backward toward police, as instructed, with his hands behind his head. Police said Campbell ignored orders to raise his hands and one officer fired six beanbag rounds at him.

As Campbell reached around to his back, where a beanbag round had hit him, another policeman shot him with an AR-15 rifle, killing him. Police later said the officer thought Campbell was going for a gun, but it turned out that he was unarmed.

This incident was unusual, even for a police shooting, which are themselves unusual. It's one of the reasons why Schrunk supports releasing the full grand jury transcript. Schrunk also took care to point out, in a letter to Saltzman, that he supports timely public disclosure of grand jury proceedings in all investigations into police use of force.

That's great as far as it goes. And it goes pretty far. Schrunk and Saltzman both deserve to be commended for their high regard for the public's need to keep their public servants -- especially their armed public servants -- accountable for their actions.

It's useful, however, to remember that it's up to the prosecutor (or the grand jurors themselves) to even bring a case to the grand jury. It's also useful to remember that a grand jury is only one step in a larger legal process that does not guarantee full public disclosure of the circumstances of such deaths.

A public inquiry ought to be a routine, automatic function of city government when police use deadly force, whether or not a grand jury or other legal proceeding takes place.

Police use of force should never be shrugged off, but in Portland in recent years the discussion of cases has devolved into a particularly vicious and unproductive pattern. Critics of the police jump immediately to the conclusion that the cops are wrong and covering up the truth. The police brass clam up -- sometimes for years -- and the police union complains that nobody understands them and, by implication, nobody is capable of understanding them.

We've argued in this space for some time that a public review ought to be automatic in cases like this, partly because to make it so would short-circuit the kind of recrimination that now is routine. An arms-length public accounting might advance the broader community's understanding of these incidents and, in doing so, lower the barriers between police and the people they are sworn to protect.

Further, nothing else guarantees police accountability concerning the most serious power of the government -- the duty to take a life in defense of others.

Finally, no other approach keeps the playing field level for police officers who find themselves in the spotlight

because they used force. To call for an inquiry only in unusual cases creates a subtle presumption that an officer must have done something wrong to merit an inquiry.

To routinely require a public accounting in force cases makes it clear that the purpose of such efforts is to acknowledge the seriousness of using deadly force while respecting the public's authority over its public officials without presuming they acted wrongly.

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