

Man convicted of murder in road rage case gets life in prison

Whitney Woodworth

Salem Statesman Journal | USA TODAY NETWORK

A Eugene man charged with the murder and a bias crime for shooting a black man in east Salem following a road rage incident was sentenced to life in prison Wednesday.

Marion County Judge Courtland Geyer sentenced Manuel Elisha North, 48, to life in prison with a minimum of 25 years.

The sentence came one week after a Marion County jury found North guilty of murdering Herman Leslie Graham III, 48, in October 2020.

The jury found North not guilty of a first-degree bias crime charge.

He was accused of yelling racial slurs at Graham and killing him because he was black.

A road rage shooting

Salem police officers responded the afternoon of Oct. 26, 2020, to reports of a shooting in the 3300 block of Pipebend Place NE.

Police found Graham dead at the scene from multiple gunshot wounds.

North, who was standing near a gray Volkswagen Golf at the scene, was detained. He told police: "It was self-defense. The guy pulled a gun on me."

Officers found a .50 caliber handgun lying in the street behind North's car.

According to court records, three women riding in the car with Graham recounted the events leading up to the deadly shooting.

One woman said she noticed North's car as the group turned west onto Mission Street SE from the Interstate 5 offramp.

Though she didn't see it happen, she told police she suspected Graham cut off North's vehicle.

North then honked his horn, yelled at Graham, repeatedly pulled up next to him and veered toward him without hitting the BMW as if he were trying to run him off the road.

One woman said she heard North yelling "F--- you" and "You're nothing but a n----- and the KKK is gonna

come to get you," according to court records.

After Graham turned north onto Hawthorne Avenue, the first passenger said North pulled up next to the BMW and continued to yell similar "derogatory racial statements" at the next intersection.

The woman said Graham drove straight through the intersection and pulled off onto Pipebend Place NE. Graham allegedly told his passengers: "I'm gonna pull over and hopefully he'll go away and maybe he'll pull in."

She said North parked his Volkswagen behind them and Graham got out of the car.

Shortly after, the woman said, she heard "two loud booms" in "close succession."

She said she had been looking down at her phone until she heard the booms, but when she looked up, she saw Graham on the ground through the rearview mirror.

She got out of the car and started yelling and walking toward North — who she said was holding a firearm by his side — but stopped when he started yelling at her to get back.

As she went to help Graham, the woman said she saw North kick a gun that had been on the ground about an inch or two from Graham's feet. She described it as a black revolver.

When police interviewed North, he said he acted in self-defense. He said he came from Eugene for a construction job in Salem.

North told officers he owned a construction company and that he had pulled into Pipebend Place NE because he needed to go to the pipe warehouse near the location of the shooting.

Police contacted the business where the shooting occurred and found North did not have an account with the business North named.

When police called the number listed for the business North named, it went to a different company in Salem. Representatives for the company said they purchased the company North claimed to own, but they didn't have an office in Eugene and had no record of North working there.

Appeal Tribune

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Phone: 503-399-6773

Fax: 503-399-6706

Email: sanews@salem.gannett.com

Web site: www.SilvertonAppeal.com

Staff

News Director

Don Currie
503-399-6655
dcurrie@statesmanjournal.com

Advertising

Westsmb@gannett.com

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Published every Wednesday by the Statesman Journal, P.O. Box 13009, Salem, OR 97309.

USPS 469-860, Postmaster: Send address changes to Appeal Tribune, P.O. Box 13009, Salem, OR 97309. PERIODICALS POSTAGE PAID: Salem, OR and additional offices.

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The instances include a Eugene Police case in 2015 when two people reported North driving dangerously and confronting a driver on a roadside "in a rage," according to court documents."

A passenger riding in North's car claimed to have been picked up while hitchhiking on I-5. He said North acted in self-defense and Graham was driving aggressively.

Further investigation revealed the passenger was actually North's adult son. In a motion submitted by the Marion County District Attorney's Office, prosecutors said the son's account to police differed drastically from his grand jury testimony.

In the weeks after the shooting, community members gathered for a vigil outside the Marion County Courthouse.

"Herman was a warm soul and if he was your friend, he was your family. Everybody gravitated to him," Graham's ex-wife Dusty Graham said during the service. "Everybody loved him and he would give his last for you, he was that type of person. He didn't deserve to die."

According to an obituary from Johnson Funeral Home, Graham was born in Portland but grew up in Georgia. He served in the U.S. Navy and later returned to Portland to be closer to his mother.

He was survived by his father, his children and three siblings.

Several family members spoke at North's sentencing. Two photos of Graham — one smiling and one in a casket — were shown in the courtroom.

Khristy Lewis said her brother's death could have been avoided.

"I don't understand," she said. "I probably never will."

Kimberly Lawson said her brother had a big heart and loved his children, who he will never see grow up.

She said she doesn't hate North but felt like he had shown no remorse.

"All you had to do was turn left, sir," she told him.

North declined to speak at his sentencing, choosing to shake his head "no" when Geyer addressed him.

Court documents point to North's pattern of road rage

Prosecutors fought to include evidence of prior instances of when North was charged with criminal and traffic offenses, some involving road rage incidents, in Lane County and other counties.

North's defense attorney, John Kolego, argued to suppress the state's proposed evidence of other crimes, arguing it would be "unfairly prejudicial" to North, as well as confuse the issue at hand, mislead the jury and constitute unnecessary evidence considering there were a number of

witnesses at the scene.

The instances include a Eugene Police case in 2015 when two people reported North driving dangerously and confronting a driver on a roadside "in a rage," according to court documents.

Another police case from 2018 involved several people reporting North driving aggressively. One person said it felt like North was "hunting him down" before the victim was able to get away. North was arrested for reckless driving in both cases.

Prosecutors noted that since 1999, North had also been charged with reckless driving, unlawful possession of a firearm, careless driving, unsafe passing, felony elude, hit-and-run, criminal mischief and reckless endangering.

Following arguments from prosecutors and North's defense attorney, Marion County Judge Courtland Geyer allowed evidence from the 2018 and 2015 incidents to be included in the trial.

After six days of jury selection and a trial, the jury returned with a verdict: guilty of second-degree murder and not guilty of first-degree bias crime.

Deputy District Attorney Matthew Kemmy asked for a sentence of life with a minimum of 25 years, with no eligibility for alternative programming.

Kolego conceded that was the statutory minimum and did not request a shorter sentence.

When delivering his sentence, Geyer circled back on what Lewis said — the events of Oct. 26, 2020, were completely avoidable.

He pointed to the testimony of the two victims in the 2015 and 2018 road rage cases.

"They were still so frightened by what happened," Geyer said. "It struck me that they were frightened that exactly what had happened to Mr. Graham might have happened to them."

He said North's actions showed a pattern.

"There were so many opportunities for you to have learned a different way of conducting yourself," Geyer said.

He said he would impose the recommended sentence of life in prison "without hesitation."

This story includes reporting from Virginia Barreda and Emily Teel

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