

## Investigation finds Seaside shooting justified



### Officer fired at Ferry after fellow officer was shot

By KYLE SPURR  
The Daily Astorian

The findings of the Seaside shooting investigation show Seaside Police Officer David Davidson was legally and morally justified in shooting and killing Phillip Max Ferry.

Ferry was being arrested on a felony assault warrant Feb. 5 when he shot and killed Seaside Police Sgt. Jason Goodding. Ferry

was then shot by Davidson and later died.

Clatsop County District Attorney Josh Marquis, the Oregon State Police and Clatsop County Major Crime Team released the findings and identified Davidson, a Seaside Police officer since late 2012, during a press conference today at the Judge Guy Boyington Building in Astoria.

"The purpose of the investigation deals primarily with the shooting of Mr. Ferry," Marquis said. "The murder of Jason Goodding was not the primary focus, not because it doesn't profoundly affect us, but because the legal issue is whether the surviving offi-

cer was justified in using deadly force."

According to the investigation, both officers came across Ferry, a known felon, at about 9:20 p.m. in downtown Seaside. Goodding verified there was a warrant out for Ferry's arrest. He called out repeatedly to Ferry by name, identified himself as a police officer and told him to take his hands out of his pockets.

Ferry refused and kept saying, "You ain't going to like it."

Goodding told Ferry he was under arrest. Davidson took out his Taser, announced the weapon and fired it toward Ferry, who seemed to drop to the ground.

Goodding moved in, at which point Ferry fired a single gunshot from a semi-automatic pistol. Goodding was wearing a bullet-proof vest, but the bullet came in under the vest.

An autopsy conducted by Oregon State Medical Examiner Karen Gunson determined Goodding's injuries were immediate and fatal. Medical intervention could not have saved him.

Davidson fired several rounds from his service weapon, according to the investigation, striking Ferry in the hand, arm and buttocks. The shots that struck Ferry appeared less serious at the scene.

Ferry continued to yell at the

police officers. He was transferred by ambulance to Columbia Memorial Hospital, where emergency doctors worked on him for about half an hour before pronouncing him dead.

Goodding was transported to Providence Seaside Hospital, where he was pronounced dead.

A fourth man was at the scene downtown, but has not been identified or charged with any crimes.

"Every piece of evidence, every witness, leads us to the same conclusion — that Phillip Ferry, with a long history of resisting arrests and assault on police officers, was

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Phillip Max Ferry

### Talking Trash

## Local efforts prolong life cycle of trash



Joshua Bessex/The Daily Astorian

A worker drives an excavator around piles of recovered item at Trails End Recovery.

## Reclaiming construction materials, recycling cans for band help keep trash out of landfills

Second of two parts

By ERICK BENGEL  
The Daily Astorian

On Friday, The Daily Astorian traced the journey of Clatsop County's curbside trash and recycling. ¶ The fate of the trash is pretty straightforward — a one-way trip via Recology Western Oregon from the curb, to the Astoria Transfer Station, to the Riverbend Landfill in McMinnville. This journey forms the path of least resistance for the county's discarded materials, unless individual and business intervene to keep the reusable materials out of the "waste stream."

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### ASTORIA BAND BOOSTERS

The nonprofit Astoria Band Boosters holds a can-and-bottle drive from 1 to 3 p.m. on the first Sunday of each month as a fundraiser for the band programs in the school district.

The Boosters own a 26-foot reconditioned U-Haul truck (dubbed "The Moosemobile") and typically collect close to a truck-full of empty beverage cans and both glass and plastic bottles, according to Kathleen Strecker, a member of the nonprofit's advisory board.

Community members drop off their donations at Astoria High School, while band students and their parents sort them by material and pack them into the truck.

The Boosters feed the kids pizza, and then one or two parents make an appointment to drive the Moosemobile to the Oregon Beverage Recycling Cooperative in Portland, which pays them the standard 5-cent or 10-cent return rate.

"Even with the cost of the pizza and the fuel for the truck, it's worth it to not have to stand at the bottle return machines locally, plunking them in one at a time," Strecker said in a message.

The Boosters usually earn between \$750 and \$1,000 a month from the can drives, an amount that funds instruments, music, transportation, contest fees, equipment and anything else for the band programs at the high school and middle school that the school district no longer pays for, she said.



Courtesy of Ingrid Klaaborg  
Phillip Max Ferry, left, with Ingrid Klaaborg in 1993.

## Ferry's ex-wife speaks of a damaged man

By ERICK BENGEL  
The Daily Astorian

SEASIDE — The ex-wife of Phillip Max Ferry — the felon involved in the fatal altercation with Seaside Police Sgt. Jason Goodding — remembers him mostly as a loving and well-intentioned man who was damaged and wanted to be better.

Ingrid Klaaborg, a 61-year-old Seaside resident originally from Switzerland, met Ferry in 1991, married him and gave birth to their twin girls in 1993. She divorced him in 1996 but saw him regularly until about 2001, when he began retreating further into drug abuse.

"Part of them go away," she said. "They're unreachable."

For the first 10 years of their relationship, though, she tried to be a positive influence on Ferry.

"I did better than average, I know that. But you can always do better, right? So maybe I could have made a bigger difference," she said. "I tried for a long time, because I loved him. And we still love him."

When Goodding attempted to arrest Ferry on a felony assault warrant in downtown Seaside on Feb. 5, Ferry, 55, produced a firearm and shot the officer. A second Seaside officer then shot Ferry.

Ferry's family was notified the next morning.

"It's a very tragic incident. It's very tragic when the end of a story is like that. You keep hoping that things don't turn out this way," she said. "I'm really sorry for everybody that got hurt."

A week later, many of Ferry's relatives and some neighbors gathered at Klaaborg's homestead on U.S. Highway 26 to pay their respects.

"There (were) people I didn't even know. They just showed up," she said. "It was quite something, really."

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## A spoiled salmon, a judge and an unlikely bond

### Fick, Scalia struck up friendship

By DERRICK DePLEGGE  
The Daily Astorian

U.S. Supreme Court Justice Antonin Scalia snagged a wild salmon on the Clackamas River in 2007, but, unfortunately, the avid hunter and fisherman had to throw the fish back because it was a threatened species.

When Steve Fick heard the story, he sent a fresh salmon to Scalia's home in Virginia as consolation. There was one problem, though. The judge and his wife were out of town, so when they returned, they were greeted by a rotting fish.

"So I'm the only guy that's ever sent an Italian Supreme Court judge a dead

fish," Fick, the owner of Fishhawk Fisheries, remembered Monday.

The mix-up was the beginning of an unlikely bond between the Astoria fisherman and the conservative legal lion, who died Saturday at 79 of natural causes while on a hunting trip in Texas.

Fick, who got to know Scalia through attorney Brian Donato, spoke with the judge on the phone, lunched with him in Washington, D.C., and toured his chambers at the Supreme Court, where a trophy elk head was proudly on display.

"That was one of the things we had in common," he said. "We both have a passion to hunt and fish."

They were also both sons of immigrants. Scalia's father came to the United States from Italy; Fick's from Germany. Scalia was known for embedding an

originalist view of the Constitution in legal philosophy, and while he could be cutting in his opinions, he was often disarming off the bench.

On that visit to Oregon in 2007, Scalia, in a speech at the University of Portland, spoke of applying the "Shakespeare principle" to constitutional law. The judge told the story of a Jesuit high school classmate who was rebuked by a priest after criticizing "Hamlet." "When you read Shakespeare," the priest had said. "Shakespeare's not on trial. You are."

Fick recalls once telling state Sen. Betsy Johnson, D-Scappoose, who is known for her bluntness as well as her accessibility, that she reminded him of Scalia.



Courtesy of Bob Toman  
U.S. Supreme Court Justice Antonin Scalia, right, caught a wild salmon on the Clackamas River in 2007 with guide Bob Toman. The judge had to throw the fish back because it was a threatened species. Bruce Buckmaster, an Astoria fisherman, took the photo with Toman's camera.

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