

# Man who killed Rainier police chief pleads guilty to murder

Butts eligible for parole in 49 years

By MAXINE BERNSTEIN  
The Oregonian

Daniel Armaugh Butts, who fatally shot Rainier Police Chief Ralph Painter eight years ago using the chief's own gun, pleaded guilty Tuesday to aggravated murder and was sentenced to life with the possibility of parole after nearly 49 years.

He also pleaded guilty to attempted aggravated murder and guilty except for insanity to six other charges.

Butts, 29, muttered, "Yes, your honor," when Columbia County Circuit Judge Ted E. Grove asked him if those were his pleas in a courtroom packed with Painter's seven children, mother, two brothers and former police colleagues, as well as Butts' family members.

Butts wore a blue suit and blue-striped tie and sat at the far end of the defense table beside his two lawyers. He looked down during most of the two-hour hearing.

Ten members of Painter's family spoke. They took turns sitting at the opposite end of the prosecution table, facing Butts. A handful of Columbia County sheriff's deputies stood in the entrance to the courtroom and two deputies stood behind Butts.

Photos of Painter, in uniform as chief and with his children and grandchildren, were set up in a display at the front of the courtroom.

Painter's wife, Amy, said Butts robbed Ralph Painter's children and grandchildren of many years with their loving and caring father and "Papa Ralph" who enjoyed taking them fishing and hunting and was preparing the night before his death to return home to help his youngest son, Riley, then 7, with basketball drills before his first practice.

She said the love of her life died "protecting his community from evil." The family has put its faith in the criminal justice system, "but there is no penalty harsh enough," she said.

"You did not succeed in ruining our lives," she told Butts. "We still live on with Ralph's memory. I choose to forget how Ralph died. I choose to only remember how Ralph lived."

Riley Painter, now 15, sat beside his mother and tearfully read a typed letter to his father, sharing how he wished he could get "one more shoulder ride" or "one more Disney trip" with his father. Riley said he's now running track and thinks his father would be proud of him.

"I now have more time without you than I had with you — 7 years, three months and five days," he said. He then looked up at Butts and struggled to continue, but added, "You may have taken my dad's life but his spirit will always live on. I can only wish for one more bear hug, but I will never get one."

Mother Kathy Painter, 83, helped to the prosecution's table with her youngest son, Manuel Painter, began, "You took my son ... I feel you killed my son in cold blood. I also feel you knew what you were doing. No family should wait eight years to have justice for their loved one."

### Eligible for parole

Butts will not be eligible for parole until he's 70 and will be returned to the Oregon State Hospital in Salem.

He essentially was sentenced to 48 years and nine months under an unusual "dual jurisdiction sentence" governed by both the state Psychiatric Security Review Board and the Oregon Department of Corrections. His sentence starts from the date of the crime, with Butts getting credit for the eight



Beth Nakamura/The Oregonian

**Daniel Armaugh Butts fatally shot Rainier Police Chief Ralph Painter eight years ago.**

years already served. He'll initially be under the authority of the psychiatric review board and it will be up to the board to determine when or if he'll ever be transferred to prison, according to the lawyers involved in the case.

Columbia County District Attorney Jeffrey Auxier called the plea deal a "practical, pragmatic decision," recognizing Butts' substantial mental illness. The judge accepted a psychological evaluation from March 20 that said Butts suffered from schizophrenia at the time of the killing and still does.

Butts was able to enter guilty pleas to the murder and attempted murder charges because the judge last July found Butts' symptoms of schizophrenia had diminished with hospitalization and forced medication and that he was competent to aid in his own defense.

The sentencing marks the end of years of legal wrangling over Butts' mental state and came after several sit-down settlement conferences led by Multnomah County Senior Judge Jean K. Maurer between September and January. It also marked a departure for the Columbia County District Attorney's Office to consider a

plea in a homicide case, but Auxier said he believed "it was appropriate under the circumstances."

"This plea agreement acknowledges that there is substantial evidence that Daniel Butts does in fact suffer from a mental illness, but that his mental illness was never an excuse for the killing of Chief Ralph Painter," Auxier said.

Butts, of Kalama, Washington, has been housed most recently at the Oregon State Hospital and ordered to face regular mental health evaluations.

Painter, 55, was a 25-year veteran of the Rainier Police Department and led the force for five years. His death devastated the small community of about 2,000 on the Columbia River and left his large family, friends and colleagues grief-stricken.

Police say Butts wrested Painter's gun away during a struggle on Jan. 5, 2011, after the police chief responded to the Sound Authority stereo shop on a call about a man

acting suspiciously. Butts shot Painter once in the head. Butts was wounded in a short gun battle with other officers.

One of the attempted murder charges involved Clatskanie Police Chief Marvin Hoover, who raced to the scene and got into a shootout with Butts. The other involved civilian Charles Buchanan, who "exposed himself to great harm" while rushing up to render immediate aid to Painter "after he was executed," Auxier told the court.

The guilty-except-for-insanity pleas came on two counts of first-degree robbery with a gun, two counts of first-degree burglary with a gun and one count each of unauthorized use of a vehicle and first-degree theft.

### Family approved

Painter's family approved the plea deal, partially to put an end to the extensive legal maneuverings, hoping the plea would curtail an appeal, said one of Painter's younger brothers, Alan Painter, 62.

Alan Painter said he hasn't seen any police reports but contends the police chief was knocked out and then Butts took Ralph Painter's gun out of his holster and "proceeded to shoot him execution style."

Another brother, Manuel Painter, told Butts, "I, too, have problems with mental illness and drugs. My brother was right there to help me. ... That day, if you would have asked, he would have helped you. ... I don't hate you. What you did to my family is what I hate."

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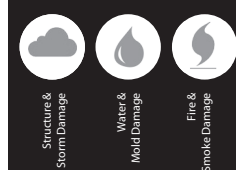
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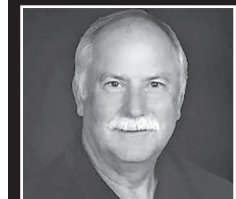


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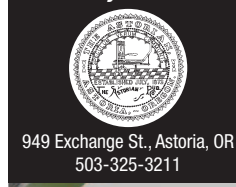
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