

Officer Accused of Excessive Force History

Cop who shot Perez previously accused of brutality

BY JAYMEE R. CUTI
THE PORTLAND OBSERVER

The officer who shot and killed Jason Jahar Perez after pulling him over for a routine traffic stop March 28 was accused of using excessive force against another unarmed African American motorist, in September.

A complaint was filed with the Internal Affairs Division on Sept. 11 following the incident in which North Precinct Officer Jason Sery was accused of beating a man with a club after pulling him over for playing music too loudly.

A north Portland mother said she had flashbacks to Rodney King's beating in Los Angeles, when she, along with a large group of neighbors, watched her son get beaten by Sery and another officer.

The accusation came just days after the Albina Ministerial Alliance announced its findings about the deadly May 5 police shooting of Kendra James, a 21-year-old African American mother of two.

Police officials told a different story about the events at the time. Sgt. Brian Schmautz, a police spokesman at that time, described the incident as a case where the suspect, Daemon Bowman, became aggressive toward officers and identified himself as a gang member.

"From our perspective it was a very straightforward situation where a person became unnecessarily violent toward the officers and screamed at officers," Schmautz said.

One officer was injured in a struggle with Bowman, reporting pain to both knees, an injury to his shin and swelling around the knee cap.

Bowman, 29, was pulled over at his apartment building on north Lombard Street. He said police told him his music was too loud. He also was driving on a suspended license.

Bowman said he was not given the chance to cooperate with officers, but



A photograph taken late last summer shows Toni Allen and her son, Daemon Bowman in the parking lot of their north Portland apartment building, where they say Portland Police Officer Jason Sery and another officer beat Bowman with a baton. Sery is the officer who shot and killed James Jahar Perez, 28, during a March 28 traffic stop in north Portland.

PHOTO BY MARK WASHINGTON/THE PORTLAND OBSERVER

instead, was slammed face-first into the dirt, maced and struck more than 20 times by police with batons.

Photos taken the following day show Bowman with scrapes and several large, swollen bruises to his buttocks.

Schmautz, reading from the police report, said the officer struck Bowman "at least one time" to subdue him.

crowd became unruly and shouted obscenities at officers, Bowman was brought to the Justice Center and was arrested for resisting arrest, assault and disorderly conduct.

A judge sentenced him to 15 months of probation for resisting arrest, and dropped the other two charges.

Bowman's mother, Toni Allen, said

'They were beating him like a dog.

They hit him about 30 times.

— North Portland resident James Carter who said he witnessed Portland Police Officer Jason Sery and another officer use excessive force during a disturbance last summer

Bowman admitted to having been involved in gangs in California, but said he has no gang ties in Portland. He said officers harassed him about having gang relations when they saw tattoos on his hand.

Schmautz said that because the

officers shouted racist epithets at the crowd and threatened to mace them, as well.

James Carter, a resident at the complex where Bowman and Allen live, said, "They were beating him like a dog. They hit him about 30 times."

In another complaint, Sery was named with a second officer in an August lawsuit claiming excessive force against a man knocked unconscious at the Astro gas station at 2809 N. Portland Blvd. The city paid a \$5,000 settlement in that case, but said Sery arrived at the scene after the man had been taken into custody.

In yet another incident, Sery was accused of being in a heated encounter with a man who said he just stepped out of his house on North Fox Street on Jan. 16, 2003. Darren Luethe, 28, said he walked out to lock up his van when he heard an officer scream for him to get out of the car.

He said Sery accused him of failing to use a turn signal, grabbed him by the arm, prevented him from entering his house to obtain identification and handcuffed him. He was charged with driving uninsured, driving while suspended and having a broken taillight.

Police Bullet Hit Motorist in Heart

Autopsy finds victim had high level of cocaine

(AP) — A bullet to the heart killed an unarmed black man shot three times by police during a traffic stop, according to autopsy results released Friday.

James Jahar Perez, 28, was struck in the left arm and the left side of his chest by the other two bullets, said Dr. Larry Lewman, deputy state medical examiner.

Perez also had an "extremely high level" of cocaine in his system, Lewman said.

His family accuses police of planting the drugs.

Perez was shot March 28 by Officer Jason Sery after Sery, 29, and his partner, Officer Sean Macomber, 30, stopped Perez for failure to use a turn signal.

Police radio logs show the shots were fired 24 seconds after the officers called in the stop.

Lewman noted that a Taser gun fired by Macomber likely had no effect because the second of two darts needed to administer an electric shock failed to make contact with Perez.

He said two plastic bags containing what appear to be drugs were recovered from Perez's mouth during the autopsy. Two additional bags were found in his pants pocket. The contents are being analyzed by the Oregon State Police.

Blood test also showed marijuana use in addition to the high levels of cocaine, Lewman said.

Cocaine users typically build up a tolerance to the drug that allows them to use increasingly larger amounts, triggering unpredictable behavior, paranoia, seizures and sometimes death, Lewman said.

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