

Inside the James

Getting Away with Murder

continued ▲ from Front

office, peers of the officer and assistant police chiefs. It will scrutinize police policy and procedure according to training, tactics and equipment. With reference to those topics, the board will recommend whether Officer Jason Sery, who shot Perez and Sean Macomber, who pulled him over for failure to signal a turn, should keep their jobs or face any sort of discipline.

The board is expected to begin its review no later than this summer, according to a spokesman from the Portland Police Bureau. The mayor's office, however, has expressed hope that the bureau can accelerate that.

The Albina Ministerial Alliance, a group of African American religious leaders, say they will include the Perez shooting death with their ongoing scrutiny of the police bureau.

"We're going to continue our pursuit for changes within the Portland Police Bureau with regards to recommendations that have been made... to demonstrate how such changes could help prevent the occurrences of wrongful death of citizens by use of deadly force by the Portland Police Department," said Dr. T. Allen Bethel, alliance president.

He said he was not completely satisfied by the public inquest proceedings, but that the outcome was satisfactory.

"The proceedings did not get at disclosing as much information as I would like to have seen presented and I would have liked for the line of questioning to be more forceful," he said. "Given the narrow scope that the jurors had to deal with, the only verdict that could have come out of that was homicide."

Both Sery and Macomber testified at the public inquest, reiterating that they feared for their lives because they believed Perez had a gun. Both officers placed heavy weight on a gaze from Perez, which they say made them feel like targets with Perez noting their positions to take aim at them.

No weapons, however, were found on Perez or in his car.

Some community members took issue with the process of the inquest, calling it "officer friendly" and criticized the absence of a cross-examination after witnesses were "tossed softballs" by Schrunk, who conducted the inquest.

Others were distraught that prior excessive force complaints against Sery were not aired at the inquest. Sery was named in at least three separate excessive force incidents since January of 2003.

Foxworth was one among 40 experts and eyewitnesses testifying before the jury, but his testimony was limited by the ongoing internal review, which could take several months to resolve.

A statement from the Perez family was read by Schrunk at the conclusion of the inquest.

The statement suggests that the facts in the case show Perez was pulled over by police based on his race and expensive car and that the officers' mindset of fear was responsible for his death.

According to the statement, "Perez was killed because one Portland police officer badly over-reacted to an unarmed man's actions, and this over-reaction was caused, in part, by a policy of training officers to be afraid and mistrustful of Portland citizens."

The message from Perez's family cuts to the heart of the matter, according to Gordly.

"I hope that the city of Portland was paying attention and I hope that the citizens of Portland read every single word of the Perez family statement," she said. "That statement speaks volumes about what is wrong and what needs to be corrected and the family's words need to guide the next step."



The Perez family and supporters listen to testimony inside the courtroom.



Multnomah County District Attorney Michael Schrunk questions Officer Sean Macomber, who pulled over James Jahar Perez less than 25 seconds before he was fatally shot by Macomber's partner.



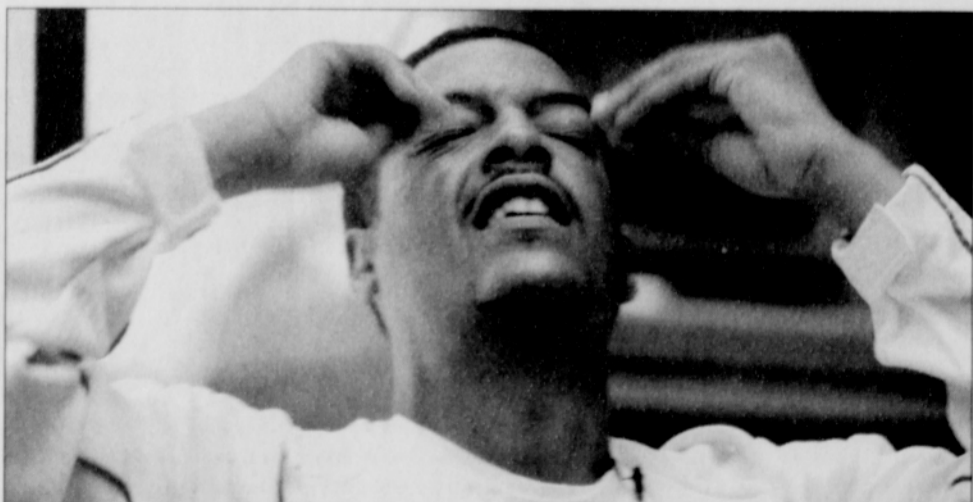
Attorney Elden Rosenthal is surrounded by his clients from the Perez family.



Melodie Presler was in George Park when officers pulled over James Jahar Perez. She said Officer Jason Sery approached Perez's car with his gun drawn. Sery says he didn't.



Norman Brown told the public inquest jury that he had been in the car with James Jahar Perez minutes before he was pulled over and fatally shot by police.



Dirk Tyler, at the scene of the police shooting, watched the encounter with James Jahar Perez from outside the door of City Food Market. He knew Perez from a football team they played on in their youth.