

LAW & JUSTICE

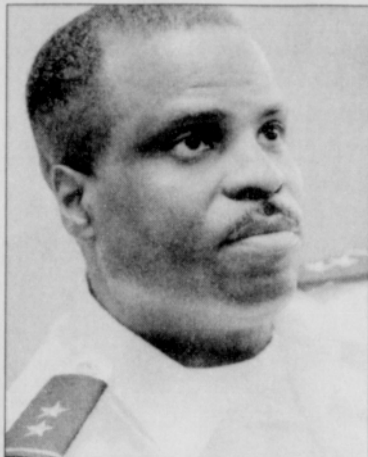
Foxworth Wanted McCollister Fired

Records in Kendra James death opened

(AP) — As an assistant police chief two years ago, Derrick Foxworth voted to fire the officer who fatally shot an unarmed black motorist during a traffic stop, police records show.

Foxworth was the only one of three assistant chiefs to recommend that Officer Scott McCollister lose his job for unsatisfactory performance, according to the records obtained by The Oregonian. The other assistants suggested a suspension.

Former Police Chief Mark Kroeker suspended McCollister without pay for 5 months after concluding



Chief Derrick Foxworth

that McCollister's actions leading to the May 5, 2003, shooting were tactically unsound.

Then-Mayor Vera Katz soon forced Kroeker's resignation, largely over the handling of the police shooting, and elevated

Foxworth to chief.

According to the records, Foxworth found that McCollister's use of deadly force fell within bureau policy but recommended that the officer be fired for unsatisfactory performance.

McCollister, 29, returned to work in February 2004. He is challenging his suspension.

A federal jury last week cleared McCollister of wrongdoing in the fatal shooting of Kendra James, a 21-year-old woman whose death angered many Portland residents.

McCollister told investigators that most of his body was in the car when he tried to extract James from the driver's seat during a traffic stop. When she put the car into drive, he instinctively fired to save his life, he testified.

In an after-action report dated

June 3, 2003, North Precinct Cmdr. Bret Smith determined that McCollister's actions fell within bureau policies and training, but he identified problems in officer tactics that preceded the shooting.

Smith's report faulted McCollister for entering the car, restricting his ability to control James and putting himself at a tactical disadvantage from which he couldn't retreat.

Moreover, Smith faulted McCollister, and Officers Rick Bean and Kenneth Reynolds, who were also at the scene, for failing to talk to each other and develop a plan to remove James.

Smith cited the inexperience of each officer. McCollister had just more than two years with the bureau; Bean, 18 months; and Reynolds, less than three years.



The late Notorious B.I.G., at the 1995 Billboard Music Awards.

Mistrial in Rapper's Wrongful Death Case

(AP) - A mistrial in the Notorious B.I.G. wrongful death case means the rap star's family won't get immediate answers about his slaying, but they can file a new lawsuit seeking to link his unsolved 1997 killing to a Los Angeles Police Department corruption scandal.

U.S. District Judge Florence-Marie Cooper declared a mistrial July 6 after she expressed concern at a hearing Tuesday that the LAPD had deliberately withheld evidence.

The trial was interrupted when an anonymous tip led to the discovery of large numbers of LAPD documents that hadn't been

turned over to family attorneys.

B.I.G., born Christopher Wallace, was 24 when he was gunned down in 1997 while leaving a crowded late-night party at a Los Angeles museum. The New York rapper also known as Biggie Smalls was one of the most influential hip-hop artists of the 1990s. His albums "Ready To Die" and the posthumously released "Life After Death" are regularly listed among the best in the genre.

Family attorneys, who had requested either a mistrial or default, plan to refile the suit with new allegations against the LAPD and Mack's one-time partner Rafael Perez.



Lil' Kim whose real name is Kimberly Jones exits Manhattan federal court following her sentencing, Wednesday, July 5, in New York. (AP Photo)

Lil' Kim Does Time for Perjury

Female rapper gets 366 days in prison

(AP) - Rapper Lil' Kim's raunchy lyrics and revealing outfits helped her become one of hardcore rap's first female stars. Now she's poised to break another barrier: becoming the first big-name female rapper to go to prison.

The Grammy winner was sentenced July 6 to one year and one day for perjury and conspiracy - a term far less than the three years and seven months sought by prosecutors.

Kim escaped a stiffer sentence after telling a judge she was a "God-fearing good person" who regretted lying to a federal grand jury about a 2001 shootout outside a Manhattan radio station.

U.S. District Judge Gerard Lynch said he had weighed the idea of sending a young black entertainer to prison far longer than Martha Stewart, who spent five months behind bars after a false statements conviction.

Lynch suggested Lil' Kim - her real name is Kimberly Jones - deserved more time because she had lied about a violent crime, not a white-collar scheme.

But the judge also credited Lil' Kim with

returning to court and admitting she had lied all along to protect members of her entourage.

Lil' Kim said she wanted to "take complete blame" for the actions of her assistant, Monique Dopwell, who's awaiting sentencing for the same crimes.

The former sidekick and mistress of the late Notorious B.I.G., she has become known for her revealing outfits and suggestive lyrics. She won a Grammy in 2001 for her part in the hit remake of "Lady Marmalade."

The perjury case stemmed from a gun battle that erupted outside WQHT-FM, known as Hot 97, when Lil' Kim's entourage crossed paths with a rival rap group, Capone-N-Noreaga.

Before the grand jury and at the trial, the rapper claimed she did not notice two of her close friends at the scene of the shootout - her manager, Damion Butler, and Suif Jackson. Both have pleaded guilty to gun charges.

Jurors at Lil' Kim's trial saw radio station security photos that depicted Butler opening a door for the rap star, and two witnesses said they saw her at the station with Butler and Jackson.



PHOTO BY MARK WASHINGTON/THE PORTLAND OBSERVER

Headstones line the Rose City Cemetery, where a former employee was accused of disrespectful language in the workplace.

Rest in Peace?

continued from Front

The board is the state agency responsible for licensing and regulating the funeral service industry in Oregon. Recently, they suspended the funeral service license of Orcutt for using the n-word with other employees and in the presence of an African-American customer in February.

According to the notice released by the board, Orcutt was also suspended for using inappropriate language about an obese corpse.

"The conduct described, taken individually or collectively, fails to meet the minimum accepted standards of the death care industry and ... is therefore grounds for disciplinary action," the notice said.

That kind of behavior is offensive and reprehensible.

— State Sen. Avel Gordly

"That kind of behavior is offensive and reprehensible, and therefore I believe the Mortuary and Cemetery Board has taken appropriate action for now," said Gordly, an African-American lawmaker who represents the Rose City area. "Our office will continue to monitor the situation."

The suspension, made on June 29, is only set for 30 days. Under state administrative rules, Orcutt may request a formal hearing before the board.

Bryan Guard, public relations representative for the cemetery, said Orcutt was not the person to use the n-word. It was another employee, he said, but the behavior is still viewed as inappropriate.

"John just really views this as an unfortunate and sad event. He has had good relationships with the African-American community and values them," Guard said.

"At no time do we condone inappropriate language by our staff. We demand the highest level of respect for our clients, and will continue to do so," said Rose City Manager Jon Ollerenshaw.

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