

Grand Jury Report Criticizes Medford Police Department; Advises New Chief

(Editor's note: Following is the complete text of the report issued yesterday by the county grand jury, resulting from its investigation into circumstances surrounding the death of Camp White Member Lester W. Hurley last July 14.)

In the Circuit Court of the State of Oregon, for Jackson county:

REPORT OF GRAND JURY

The following is the report of the Grand Jury for Jackson County, Oregon, for the summer term of the Circuit Court of said County and State, from the third Monday in July, 1953, through the third Monday in October, 1953.

The following named persons appeared on Monday, July 27, 1953, and gave testimony before this Grand Jury in the matter of the investigation into the death of one Lester Hurley: Esther Clark, Arthur Klatt, Anne Barnett, Thomas Hall, Dixie Jorgensen, Kenneth Williams, Veryl Vanoose, Raymond Seely, Clifford Lacey, Loyal Heath, Clatus McCredie, John Snider, Dr. Arthur Schulz and Dr. Earl R. Leonard.

The written autopsy report of Dr. Homer H. Harris, director of the Crime Detection Laboratory, Oregon State Police, was presented and considered by the jury, and at the request of the members of the Grand Jury a copy of the report on the Medford Police Survey by William P. Beall Jr., was furnished the jury. Mr. Joseph E. Crawford, foreman, was appointed to study the report, and report its contents to the other members of this jury. Independent investigation of the Medford Police Department was made by members of this jury by questioning members of that department. The jury also inspected the City Jail.

The following is a summary of the facts surrounding the death of Lester Hurley, as found by this Grand Jury:

Lester Hurley was a man 62 years of age, a Navy veteran of World War I, a member of the Veterans' Administration Domiciliary Center at Camp White from December, 1949, until his death, except for several intervals of two or three months. Hurley was a tailor by trade and carried on his trade to some extent at the Center. He was an alcoholic to the extent that he had been arrested by the Medford City Police 10 times on drunk charges and picked up as a "sleeper" three or four times.

On Saturday, July 11, 1953, Hurley was in Medford. He purchased a pair of canvas crepe-soled shoes at a local clothing store, and also went to the Sewing Machine Center at 123 West Main st., in Medford. Mr. Hurley was well known to the owners and employees of the latter business, since he had done business with them for about two years. Between 2:30 and 3:00 o'clock p.m., July 11, 1953, Hurley came into the Sewing Machine Center. He talked with Mrs. Edith Clark, an employee, and with Mr. Arthur Klatt, the owner, relative to some repairs he wanted done on his sewing machine. He left

an order for thread, and went out. At about 3:00 or 3:10 p.m. he returned to get a package which he had forgotten. Both Mrs. Clark and Mr. Klatt stated that although they could smell the odor of alcohol on Mr. Hurley, he was not intoxicated, and that his mind seemed clear. Mrs. Clark stated that Mr. Hurley was pale and appeared ill.

Between 3:15 and 3:30 p.m. Hurley went into the Veterans Club at 42 North Front st. to get something to eat, and on being told that the restaurant was closed, he left. Witnesses stated that he did not appear intoxicated at that time. The employee of the Veterans Club left the club a few minutes after Hurley, and saw him lying on the sidewalk.

Mr. Hall testified that he was walking west on 6th st. near the intersection of that street with Front st., with his wife and daughter; that he observed Hurley walking north on Front st. to the south side of the 6th st. crosswalk, where he stopped. Witnesses stated that Mr. Hurley took a hesitating step or two sideways and walked several steps backwards, and fell heavily to the sidewalk near the water fountain which is located on Front st. near the entrance to Barneburg-Andrews Furniture Store. Witnesses stated that Hurley made no effort to break his fall, or to put out his hands to protect himself, but struck his head very hard on the pavement. Witness stated that although he was 30 to 50 feet from Mr. Hurley, he could hear Hurley's head strike the concrete. Mrs. Dixie Jorgensen also witnessed the fall from the northeast corner of the intersection at 6th and Front sts.

At the request of Mrs. Verna Flowers, a customer of the furniture store, a call was made to the Medford City Police by Harry Barneburg of the furniture store. Mrs. Flowers stated that she didn't see that Hurley was injured until she came back out and looked at him. All witnesses questioned, who were present after Mr. Hurley's fall and prior to his removal by the Medford City Police, stated that it was their opinion that Hurley had been seriously hurt, and that they felt that he should have been taken to a hospital. Several witnesses stated that they expressed their views to that effect to Officer Vanoose after his arrival on the scene. Six witnesses stated that the blood from Mr. Hurley's head formed a pool approximately 6 inches in diameter on the sidewalk, and Mr. Robert Asher, the employee of the furniture store who scrubbed the blood from the walk, stated that a 1 inch to 1 1/2 inch clot had formed on the head wound by the time Hurley was removed.

All witnesses testified that at no time prior to his removal from the place where he had fallen, did Hurley show any signs of consciousness.

Officer Raymond Seely stated that he received the call from Barneburg about 3:30 p.m., or thereabouts, and that he radioed to Officer Veryl Vanoose to go to the scene.

Officer Vanoose testified that upon arriving at the scene, he examined Hurley and thought that he was drunk, or perhaps that he might be an epileptic, and that he didn't think the place on Hurley's head appeared serious. Officer Vanoose testified that he recognized the man as a Camp White, and a witness testified that Officer Vanoose radioed that information to Headquarters. Officer Vanoose stated that the blood spot on the sidewalk was "about the size of a dollar." The evidence shows that Hurley was loaded into the back seat of the police car and taken to Police Headquarters, where Officers Clifford Lacey, Loyal Heath and Raymond Seely assisted Officer Vanoose in carrying Hurley into the jail, where he was placed on the floor and his personal effects removed from his clothing. Sergeant Lacey felt Hurley's pulse, and he was placed on a cot in the jail's "Bull Pen," still unconscious, at approximately 3:45 p.m., Saturday, July 11, 1953.

Evidence shows that Sunday morning, when the "sleepers" were released, Hurley refused to leave and mumbled that he was sick. Evidence disclosed no other coherent statement made by Hurley after his fall. Chief of Police Clatus McCredie testified that after lunch Sunday he noticed Hurley in the area outside the "Bull Pen," and asked Officer Vanoose who it was. Upon being told, he instructed Officer Vanoose to put the man back in the cell and to call Camp White; that they could not have the man wandering around the hall. Officer Vanoose testified that he called Camp White, and after speaking briefly with someone, he was connected with the O.D. He stated that he told the O.D. that Hurley had fallen and hit his head and was pretty sick, and asked that an ambulance be sent for him, but that the Domiciliary refused, and told him to let Hurley come in on the bus Monday. Officer Vanoose states that he made the call about 1 p.m. Sunday, or thereabouts.

Dr. Earl R. Leonard testified that he was O.D. from 8:00 a.m. Sunday until 8:00 a.m. Monday; that a memorandum record is kept of all outside incoming calls, and that he received a call from the Medford City Police at 11:00 a.m. Sunday; that he was told that Hurley was in jail and that he was drunk. He testified that no mention was made of Hurley's being hurt or ill. He called Dr. Arthur Schulz, Chief Medical Officer, told him of the call, and was advised to let Hurley come in on Monday if he was drunk. Dr. Leonard says that he called back to the Police Department at 11:05 a.m., and so stated.

Hurley was kept in the jail until Monday morning, July 13, 1953. Chief McCredie testified that he called Camp White at about 10:00 a.m. Monday, and asked that an ambulance be sent for Hurley; that he was refused, and that he ordered Officer Vanoose to take Hurley to Camp White in the police car. Dr. Arthur Schulz testified that a check of the memoranda records of in-

coming outside calls revealed that no such call had been received by the Domiciliary.

Evidence indicated that no medical doctor was called to examine Hurley, although City Councilman John Snider testified that the sum of \$1000 has been budgeted for the payment of such services. Although Officer Raymond Seely testified that he booked Hurley as a "sleeper" immediately after he was brought in, Snider testified that Tuesday morning, July 14, 1953, he was informed of Hurley's condition by Dr. Arthur Schulz; that he wrote the name down on a slip of paper and took it to the jail where he asked Chief McCredie to check the records for Hurley's admission to and discharge from the jail. Snider testified that McCredie checked the records, including the "sleeper" book, and reported that there was no record of any one by that name. Snider testified that he has since seen Hurley's name in the "sleeper" book entered under date of July 11, 1953.

Hurley was brought to the Veterans Administration Infirmary at about 10:30 a.m. Monday in a comatose condition. Veterans Administration officers dressed his head. Three stitches were needed to close the wound in his scalp. A spinal tap showed almost pure blood in his spinal cavity, and he died at approximately 10:15 a.m. Tuesday, July 14, 1953, without regaining consciousness. Veterans Administration medical officers refused to sign the death certificate, and the matter was reported to the District Attorney's office for investigation.

The autopsy report of Dr. Homer H. Harris states that there were three ramifications of the fracture extending up to three inches from the area of trauma on the head with destruction of brain tissue in the area extending approximately 1/2 inch deep and hemorrhage up to 1 1/2 to 2 inches inside the brain. This was listed as the cause of death. Dr. Arthur Schulz testified that he was present at the autopsy; that in his opinion it was not likely that Mr. Hurley could have recovered, considering the extent of his injury, even though he had received immediate medical attention, but that his failure to receive such attention eliminated whatever slight chance for recovery he may have had.

Questioning of the members of the Medford Police Department revealed that no telephone or radio log is kept of either incoming or outgoing calls; that there is no continuous duty log kept which is carried over from shift to shift; that only a few of the personnel have had any training in first aid; that the officers are rotated from job to job, including a tour on the desk; that men are hired as officers without being properly screened, without receiving any training, or without previous experience and training. Investigation by this body indicates that there is inter-departmental friction, and that some of the officers covet and are after the positions now held by others, including the job of Chief of the Department.

CONCLUSIONS

1. Lester Hurley's injuries, which resulted in his death, were caused by an accidental fall.
2. There is no evidence of any criminal responsibility for Lester Hurley's death.
3. The Medford City Police were grossly negligent in the manner in which they handled Lester Hurley after his injury. Although it does not appear that such negligence contributed to his death, it is apparent that it did not contribute to his recovery.
4. That the negligence hereinabove referred to is the inevitable result of poor organization, complete absence of routine police procedures, and lack of officers training, rather than personal or individual fault of officer personnel. (Beall's Report.)
5. That most of the defects in the Medford Police system, which were pointed out by William P. Beall, Jr. in connection with the Medford Police Survey



With our cleaning methods, we insure you a thorough, sterile job. Brightens the colors, and removes wear-causing grit and sand.

Moth Proofing
Rug Cleaning
Upholstery Cleaning
Expert Furniture Cleaning
Ph. 2-4901 - 549 Fairmont

two years ago, still exist, and that apparently few of his major recommendations for the correction of these defects have been followed.

6. That existing City and Police Administrative personnel cannot or will not take the steps necessary to the adoption of the Beall recommendation.

Beall states: "No prisoner should be placed in the City Jail if he is known or suspected of being injured or ill, without first being examined and pronounced physically fit by a licensed physician." Had this been done the "Hurley incident" could not have occurred.

RECOMMENDATIONS

1. The Chief of the Medford City Police Department should be replaced by a man who is properly qualified in all respects to administer the affairs of the department.
2. The Police Department should be placed under a Civil Service system in order that the employment and discharging of officer personnel shall be on a merit basis, thus providing for a measure of job security in the Department.
3. Because of the departmental political implication mentioned hereinabove, it is strongly recommended that the job of Chief of Police be filled from outside the Department and Community.

Thursday, August 6, 1953

MEDFORD (OREGON), MAIL TRIBUNE—NINE

Tighter Traffic Jams Predicted by Officer

Chicago—(U.P.)—H. G. Kemper, president of Lumbermen Mutual Casualty Company, expects traffic jams to get tighter. He points out that during the past 10 years the number of registered vehicles in the United States increased by 62 per cent while total road mileage increased only 2 per cent.

If cars had been spaced evenly over the roads 10 years ago, there would have been 169 yards between each car. Today that distance would be 104 yards, Kemper said, and 10 years from now, 64 yards.

Kemper added that vehicles are being driven more today. The average mileage per vehicle has risen to approximately 9,500 miles per year, an increase of 16 per cent over 10 years ago. Total annual mileage covered by all vehicles has increased 87 per cent during the past 10 years.

It is with a deep sense of responsibility that this report is respectfully submitted this 5th day of August, 1953.

J. E. Crawford, Foreman
B. H. Boyer
Donald L. Harmon
Ruth A. Eberlius

Lewis A. Birkland
Harry E. Blackburn
Arthur E. Owen, Members

GIGANTIC EQUIPMENT AUCTION

SACRAMENTO, CALIF.
Sat. Aug 8th
(Starts 10 a.m.)

CRANES TRACTORS
CARRY ALLS
TRUCKS AND CARS
TRACTOR PARTS
OTHER EQUIPMENT
(\$339,000 Valuation)

for detailed equipment list, phone or wire

NATIONAL TRACTOR CO.

5331 Stockton Blvd.
Sacramento, Calif.
Phone: Hillcrest 6-6479

CANTALOUPE

10c EACH Jumbo Size 10c EACH Jumbo Size 10c EACH

PEPPERS LARGE STUFFING SIZE 3 for 10c

GREEN BEANS Fancy Blue Lake 2 lb. 19c

APPLES NEW CROP GRAVENSTEINS 3 lb. 25c

LETTUCE LARGE SOLID HEADS 2 for 25c

MEDFORD'S FINEST MEATS

T-BONE STEAKS Lb. 69c

ROUND STEAKS Lb. 69c

PORK SAUSAGE WE MAKE IT COUNTRY STYLE Lb. 39c

GROUND BEEF NO CEREAL NO WATER 3 Lb. \$1.00

PRESERVES HUNT'S—11 1/2 OZ. TUMBLERS
Blackberry 2/39c
Raspberry 2/39c

Grapefruit Sections H&D NO. 2 CAN
2 for 25c
Arden's Freezo..qt. 39c

SUNSHINE Vanilla Wafers 6 1/2 oz. Pkg. 17c
CLOVER-LEAF Wafers 7 oz. Pkg. 27c
Hi-Ho Crackers..lb. 29c
Graham Crackers lb. 31c

CATSUP 14-OZ. BOTTLE
Dennison's 2 for 29c
CARAMELS KRAFT - DAIRY FRESH
1 lb. 33c

GRAND VIEW MARKET and LOCKER PLANT

2330 Crater Lake Ave. Phone 2-8188
SPECIALS FOR FRIDAY - SATURDAY, AUGUST 7 - 8

PLENTY OF FREE PARKING

STORE HOURS
Weekdays — 8:00 a. m.—9:00 p. m.
Sundays — 10:00 a. m.—7:00 p. m.



BIG SCREEN for a small space...at a small price

- 1 Improved "Magic Monitor" circuit system gives clearer, steadier pictures automatically.
- 2 "Deep Image" picture tube—electron beam which produces the picture has been refined to micro-sharpness, for finer, deep-image pictures.
- 3 New long-distance reception steps up picture performance, increases sound sensitivity.
- 4 New automatic UHF-VHF tuner can receive all stations in any area. Has twice the sensitivity of many other UHF tuners.
- 5 New wider range of cabinets—more new styles than ever before!

Other RCA Victor models priced from \$179.95 Ask about the RCA Victor Factory Service Contract.

It's New 21" RCA VICTOR television \$269.95

Feldman & Olson Electric Store

237 East Main Phone 2-2456