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## Crowd gathers at City Hall to protest order reinstating Portland police officer who shot Aaron Campbell

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By Maxine Bernstein, The Oregonian

Members of the Albina Ministerial Alliance and others gathered outside City Hall today to protest an arbitrator's ruling that ordered Ronald Frashour be reinstated as a Portland police officer.

Some carried signs that read "No more immunity for shooting up community" and "Accountability Now." Others shouted: "Frashour has got to go" and "No more killer cops."

The arbitrator concluded that the city of Portland lacked cause to fire Frashour for his fatal shooting of Aaron Campbell, 25, an unarmed African American man, in 2010. The ruling also ordered Frashour be returned to work with lost wages.

The Rev. LeRoy Haynes, chair of the alliance's Coalition for Justice and Police Reform, called the arbitration decision "outrageous" and urged a federal review of the state arbitration system.

"This decision says that those who are elected that they cannot hold police officers in this city accountable," Haynes bellowed, from the steps outside City Hall.

"It says any police officer can do what they want to do," Haynes. "It means we cannot trust our police department."

Haynes said a "critical review" of the Frashour arbitration decision is needed and urged federal justice department officials to investigate the state arbitration system because of its long history of ruling in the favor of Portland police.

The Rev. T. Allen Bethel, president of the alliance, said he asks the president of the Portland Police Association to "please look at your heart.....because what is happening is not enduring you or the bureau to the city."

"It is time for Frashour to leave the bureau!" Bethel said.

"This can't go on! But we'll keep marching on," said Minister Mark Knutson of Augustana Lutheran Church in Northeast Portland while leading a chant.

He chided the arbitrator for being swayed by William Lewinski, an outside expert called by the police union who testified about the action-reaction training principle - that an armed subject can draw a gun and fire, even while running away, before an officer can respond.

Knutson said the arbitrator should have considered the "action-reaction" advice that parents of young children of color in the community are given - "Don't even move if you are pulled over for you may be shot dead," he said.

Aaron Campbell's stepdad John Davis also spoke, decrying the arbitrator's ruling and the system that allows it.

"I don't have any problems with police officers or unions but there's something wrong with this decision," Davis said.

"This is a slap in the face to our communities," said Martin Gonzalez, a community activist.

Also among those speaking to the crowd was Tom Steenson, the Campbell family's attorney. He told the crowd that the Department of Justice "should come in (and) get rid of the (Police Bureau's) training division."

Steenson said he's come to the conclusion that "there's no way for this city to control this union and the police bureau."

He said he stands among the crowd with a "heavy heart and grave concern," after having counseled many families whose loved ones have been killed by police.

He said he's tired of telling relatives that "the officers who inflict the death will get away with it."

Midge Purcell, director of advocacy for the Urban League, said she's a mother who is concerned about her children's encounters with police and spoke out against the arbitrator's ruling.

As did Eleya Fugman, an Occupy Portland activist. She said she condemns the ruling, and will join with the Albina Ministerial Alliance, to protest Frashour's return to uniform.

Jo Ann Hardesty, a former state representative, said the issue is not a racial one, but one about "humanity" and respect for life.

Dan Handelman, of Portland Copwatch, recited other disciplinary actions against Portland police that were overturned by an arbitrator, dating back to 1981, the infamous possum incident when officers were fired but reinstated after leaving a dead possum on the doorstep of an African American-owned restaurant.

"Here we go again," Handelman said he thought, when he learned of the Frashour arbitrator's ruling. He faulted the arbitrator for not considering the bureau's use of force policy, that says officers should use the least force possible.

Handelman said he calls Lewinski's action-reaction principle the "Superman theory," questioning how Campbell, while running, could have - if he had been armed - pulled out a gun, fired and hit an officer faster than an officer who had his AR-15 rifle already focused on Campbell could fire.

"That makes no sense," Handelman said.

More than a hundred people marched around City Hall after the speeches, continuing their chants. The Rev. Haynes led the march, holding a sign that read, "Stop, Look, Listen, Don't Shoot."

In Friday's decision, arbitrator Jane R. Wilkinson found there was "an objectively reasonable basis" for Frashour to believe that Campbell, 25, posed an immediate risk of serious injury or death to others. But she noted "it was a close call."

While the Portland police union president applauded the decision, Mayor Sam Adams, who serves as police commissioner, said the city would appeal the ruling.

At Monday's protest, Portland city council candidate Teresa Raiford questioned why no city officials were outside, joining the crowd.

"Where are our leaders?" Raiford asked.

An appeal to the state Employee Relations Board would be limited. Under state statute, the three-member board would not determine whether the arbitrator made the right decision. Instead, the board would decide whether there are any grounds for an appeal -- for example, did the arbitrator consider all pertinent evidence, exceed her power, base the ruling on a material mistake, or did the ruling violate public policy or law.

"Their area of review is very narrow," said Robert Nightingale, state conciliator with the Oregon Employment Relations Board.

On Jan. 29, 2010, Campbell was distraught and suicidal over his brother's death earlier that day. He emerged from a Northeast Portland apartment, with his back toward officers and his hands behind his head. Officer Ryan Lewton, who said he was trying to get Campbell to put his hands in the air, fired six bean-bag rounds at him. Campbell turned and ran toward a parked car. Frashour fired a single shot at Campbell from his AR-15 rifle, striking him in the back and killing him.

Police Chief Mike Reese fired Frashour in November 2010, calling it unreasonable for Frashour to believe that Campbell posed an "immediate threat" of death or serious injury. He found Frashour erred in viewing all of Campbell's actions in the worst light. He said Frashour seemed to focus only on his rifle without noticing what was going on around him, and refused to acknowledge that the bean-bag rounds that struck Campbell could have caused a pain reaction, such as running away.

**More**

[The Oregonian's continuing coverage of the fatal shooting of Aaron Campbell by a Portland police officer.](#)

The city pointed out that no other officers drew their guns or fired; that officers are reluctant to testify against a fellow officer; and noted inconsistencies in Frashour's testimony to the arbitrator compared to what he told detectives.

But the arbitrator countered that a reasonable officer could have concluded that Campbell was armed. It was reported he had threatened suicide; his girlfriend told police he usually carries his gun in his jacket pocket, and had texted her "don't make me get my gun, i ain't playing."

Further, when he ran, "there was sufficient evidence for a finding that Mr. Campbell made motions that appeared to look like he was reaching for a gun," she ruled.

She found Frashour's observation that Campbell was reaching into his waistband to be credible, based on three independent witnesses who described a similar movement.

-- [Maxine Bernstein](#)

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