

Inquest inadequate

Use of a public jury of inquest to probe facts surrounding the March 14 fatal shooting of Rickie Johnson, 17, by Portland policeman Kenneth Sanford was preferable to bringing the matter before a grand jury, whose proceedings by law are veiled in secrecy. But the jury's advisory finding of justifiable homicide does not mean that public concerns with the matter have been satisfied.

The open inquest was needed to clarify a complex factual situation (the wound in the back of the victim's head, for example), compounded by alleged racial overtones (four blacks killed by police gunfire in less than a half-year), and intense, mounting interest in police procedures and judgment in this case.

The public inquest served the purpose of placing in the witness chair virtually everyone who had firsthand, factual knowledge of the slaying. It probably established as well as could any investigation — open or secret — the who-what-where-when-by whom facts it was empowered to explore. And five of six jurors felt the factual findings required a verdict of justifiable homicide. The public nature of the hearing should put to rest any notion that the outcome could have been rigged by police or by the district attorney — contentions that might have arisen after a secret hearing.

But the inquest jury procedure failed to elicit sufficient testimony or lead to any findings as to whether police procedures were adequate in this case or whether they should be changed to forestall similar fatal results in the future.

The 1973 Legislature took away the right of grand juries to issue reports on matters of public concern. The inquest jury is not empowered to go beyond its factual findings and its verdict. So, where is the public forum to answer questions of philosophy, policy and procedure that remain unanswered? These questions are important: At what level of command should decisions be made as to how armed suspects in a house be apprehended with the least risk to officers and to the suspects? What are appropriate standards of police behavior in such circumstances? Is police enforcement applied with variable vigor in black and white neighborhoods? Why? What should be done about it?

Mayor Neil Goldschmidt and members of the Albina Ministerial Alliance and the Black Student Union at Portland State University have agreed to explore a list of suggestions coming both from the black community and city sources. But how? In City Council sessions? In neighborhood meetings? Through police community relations officers? No really satisfactory answer has been forthcoming.

The new Precinct Councils, staffed with citizens and created to help the police explore community concerns and neighborhood law enforcement problems, offer a possibility, but they are almost brand new, they have no track record that will satisfy the broader public, and the issues at stake may be too large, anyway, as a first venture.

The ball is now in the hands of the mayor. He must find a suitable public forum to continue the dialogue.

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