

Justice Is Everyone's Business

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Seeking to Restore Integrity and Public Trust in Our Justice System

June 29, 2020

TO: Members of the Oregon House and Senate Judiciary Committees.

The Oregon State Bar Association and the Commission on Judicial Fitness and Disability do not question the veracity of the information presented herein, but refuse to take corrective action. The question now becomes: Who runs the justice system in Oregon -- and who benefits?

As we have all recently learned, sometimes civilian policemen behave as if they were soldiers on a battlefield and use inappropriate force against civilians. The deaths of George Floyd, Rayshard Brooks, and Brionna Taylor are examples. Here is a graphic example of what happened when the Salem police behaved like soldiers. Luckily, this victim survived!

The facts: On January 22, 2019, the Salem SWAT Team bombarded a residence at 1050 Summer Street, NE with incendiary grenades for *four (4) hours*. Why? The SWAT Team was trying to persuade a single (unarmed) man, Kenneth Ketchem, to exit the house. Police records show that they shot tear gas grenades in the specific area where they suspected Ketchem was sheltering. By launching half-pound grenades at him at 300 mph, they violated specific manufacturers instructions. The results? This photo shows Ketchem's intestines oozing through the rupture in his abdomen. The doctors who performed life-saving surgery removed the 40 mm projectile from Ketchem's torso.



After the resulting fires in the house abated, a police detective removed spent SWAT incendiary debris from the fire scene. The police asked the Fire Marshal's office to conduct a "criminal" investigation of the fires. That is, before the investigation, the Fire Marshal's office was informed the fires resulted from a *criminal* act -- arson.

The same police detective who removed the SWAT Team's incendiary debris from the fire scene escorted a Deputy Fire Marshal (DFM) through the wreckage, telling her where to look and what she was seeing. He told her that the SWAT incendiaries had no part in starting the fires. She adopted the detective's statements as her own and wrote her report.

A BIC cigarette lighter was found in the debris under the back deck of the residence. The Fire Marshal's report ignored the four (4) hours of incendiary SWAT bombardment and speculated the fires might have been started by "a lighter." Ignoring the SWAT bombardment, the District Attorney has focused on the BIC -- and charged Ketchem with arson.

Ketchem insists he did not start any fires and refuses to plead guilty. He wants a jury trial, but the District Attorney's Office has been pressuring him to accept a plea bargain. Ketchem has been held in jail without trial for 17 months on \$1 million bail, in violation of his U.S. and Oregon Constitutional right to trial -- and the imposition of excessive bail.

How did the incident start? According to several eye witness statements captured in police reports, Ketchem had earlier been chased through Salem streets by a man who was brandishing a gun. Ketchem said he went to the house at 1050 Summer Street NE seeking shelter and was admitted by the homeowner. Police records indicate the gun-toter himself called police and triggered the SWAT Team deployment.

Why didn't Ketchem come out of the house when asked? Apparently he was terrified of his pursuers -- and with good reason. Look what they did to him! But let's give Mr. Ketchem a chance to speak in his own defense. Let's give him his Constitutionally guaranteed trial. But now, in June 2020, 17 months after the incident, he has not been brought to trial.

One of the people responsible for this situation is the District Attorney, Paige Clarkson. She knows the police removed SWAT ordinance from the fire scene before the Fire Marshal inspection and that her case rests on tampered evidence. She ignores compelling evidence that SWAT Team incendiaries caused the fires. Moreover, she has not charged the man who chased Ketchem with a drawn gun on city streets, despite the eyewitness statements captured in police reports.

Judge Thomas Hart, a former prosecutor, was assigned to the case. Please go to our webpage: At a *pre-trial* hearing, you can hear Judge Hart contemptuously addressing Ketchem and pronouncing him guilty -- *before* the trial over which Hart is to preside.

We published these details in *Everyone's Business* at <http://www.everyones-business.org/SummerStreet/index.html> . Please examine the documentation yourself and listen to Judge Hart's voice.

In another pre-trial hearing, in open court, on the record, Judge Hart threatened *Everyone's Business* with prosecution for "interfering with the prosecution." Interfering with the prosecution is a felony in Oregon. Why should a reporter be threatened with criminal prosecution for reporting the facts?

I have written fully documented complaints to the Oregon State Bar Association concerning the conduct of Paige Clarkson, and to the Commission on Judicial Fitness and Disability concerning the conduct of Judge Thomas Hart. They are available on our webpage at the end of Chapter 7. Neither body found fault with Clarkson's or Hart's conduct.

You may wish to get in touch with the Salem Chief of Police and ask if he has reprimanded the officers involved in wounding Ketchem and those involved in removing the SWAT ordinance before the Fire Marshal inspection. Will the officers who removed the SWAT ordinance be permitted to testify about their evidence-tampering at the scene?

Once again: The Oregon State Bar Association and the Commission on Judicial Fitness and Disability do not question the veracity of the information presented, but refuse to take corrective action. So the question becomes: Who runs the "justice" system in Oregon -- and who benefits?

Sincerely,

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