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PORTLAND POLICE BUREAU
INTERNAL AFFAIRS DIVISION
Confidential Taped Statement
Lynn Courtney/#13609

Interview Date: March 3, 2010
IAD #: 2010-B-0004
Complainant: Portland Police Bureau
Interviewed: Kenneth Boyer

COURTNEY: This is Lynn Courtney of the Internal Affairs Division and today's date is March 3, 2010, the time is 10:24 a.m. I'm placing a telephone call to Kenneth Boyer, B-o-y-e-r, who was a witness on IAD Case #2010-B-0004.

BOYER: Hello?

COURTNEY: Hello, Kenny?

BOYER: Yeah.

COURTNEY: Hello, my name is Lynn Courtney. I'm an investigator in the Internal Affairs Division for Portland Police Bureau.

BOYER: Uh-huh.

COURTNEY: And we're doing an administrative review on the shooting involving Aaron Campbell.

BOYER: Yeah.

COURTNEY: Is now a good time to talk? It sounds like you just got up or something?

BOYER: Yeah. Yeah. I just did because I just got up. I got all my children here and we're all just getting up.

COURTNEY: Do you have a few minutes to talk or - -

BOYER: Yeah, I got a few minutes here.

COURTNEY: Okay. I understand and I spoke to Robert Montgomery, but I understand in reviewing the reports that you were with him when you observed this incident from your bedroom window.

BOYER: Yes.

COURTNEY: And at what point did you initially become aware that there was something going on outside?

BOYER: There were a lot of officers outside with guns.

COURTNEY: Uh-huh. And were you drawn to anything they were saying in particular at the time?

BOYER: Huh-uh. No, no because my windows was closed at the time. My window was closed and it started (inaudible) so yeah, so my girl told me there were a lot of officers outside point - - and got guns out so that's what made me to watch.

COURTNEY: So when you looked outside, what exactly did you see?

BOYER: What did I see?

COURTNEY: Yeah.

BOYER: You mean before they shot him or?

COURTNEY: Well, what did you first see? You just saw some officers in the parking lot or?

BOYER: Yeah, they was in the parking lot. They was all, they was all, they was all scattered everywhere with guns, pointing their guns at a, pointing the guns at a house. I didn't know which apartment they were pointing at, but they were pointing at Aaron's I guess, so.

COURTNEY: Okay. And did you know Aaron? Had you met him or were you friends with him?

BOYER: Yeah, I met him. Yeah, oh yeah, I knew him, but uh ah, really good friends with some of his family.

COURTNEY: Okay.

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CONFIDENTIAL TAPED STATEMENT

IAD #2010-B-0004

Portland Police Bureau / Kenny Boyer

March 6, 2010

Page 2

50 **BOYER:** Like his cousin and his brother.
51 **COURTNEY:** Okay. And then I assume that you know or are friends with Adrienna?
52 **BOYER:** Oh, Adrienna?
53 **COURTNEY:** Yeah.
54 **BOYER:** Yeah, yeah, I know her, too.
55 **COURTNEY:** Okay. And then at the point where you're looking out your window, do you see
56 Adrienna or her kids?
57 **BOYER:** I seen the kids. I didn't see Adrienna. I didn't see her at all.
58 **COURTNEY:** Okay, so you saw the kids when they left the apartment or at what point did you see the
59 kids?
60 **BOYER:** When - - I guess when Aaron let the kids come out. And then the kids, all three of them,
61 walked toward the officer.
62 **COURTNEY:** Okay. And then how much longer after the kids, after you saw the kids, did you see
63 Aaron come out?
64 **BOYER:** The kids came out, Aaron probably - - I'm not quite sure, I don't want to say, but I think
65 probably less than an hour, less than an hour, or a good hour after the kids came out, after the kids
66 came out then like probably 45 minutes to an hour then Aaron came out.
67 **COURTNEY:** Okay. And what did Aaron do when he came out?
68 **BOYER:** He came out with his hands up.
69 **COURTNEY:** Okay. And how were they up? Tell me about that.
70 **BOYER:** His hands were, his fingers were crossed, I mean they were (inaudible) on the back of his, uh
71 on back of his head.
72 **COURTNEY:** Okay. And then what happened when he came out?
73 **BOYER:** When he came out he had his hands on his head and he's walking backwards, he walking
74 backwards, and uh when he did, he kept walking towards the officer, walking backwards.
75 **COURTNEY:** Okay, and what kind of pace was that? Was he walking slow, fast, normal?
76 **BOYER:** Like normal.
77 **COURTNEY:** And are the officers, did you hear them saying anything to him at the time?
78 **BOYER:** There was, uh, ah, they was yelling, they was yelling. There was more than one officer
79 talking and they just uh, once Aaron kind of got in the middle I only heard one officer say, they were
80 all yelling and talking, I only heard one say uh, Aaron get down.
81 **COURTNEY:** Okay. How many officers did you hear giving him commands I guess?
82 **BOYER:** Like three, more like three or four officers telling him, you know, I just heard one officer tell
83 him to get down.
84 **COURTNEY:** Okay. One officer told him to get down?
85 **BOYER:** Yeah, that's what I heard.
86 **COURTNEY:** Okay. So are you hearing different voices? I mean you know from officers, voices, you
87 know.
88 **BOYER:** I mean I heard an officer say get down, yeah, yeah before he said that I was hearing
89 numerous of officers saying different things, different stuff, it was like yelling.
90 **COURTNEY:** Okay. And how close did he get to where the officers were?
91 **BOYER:** How close?
92 **COURTNEY:** Yeah. I guess he's backing up toward their car, right?
93 **BOYER:** Yeah, yeah, that's, but he didn't even like, he wasn't even far as, he wasn't as far to the point
94 where, he wasn't far to the point where everybody was reachable or he was a threat to the officers.

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CONFIDENTIAL TAPED STATEMENT

IAD #2010-B-0004

Portland Police Bureau / Kenny Boyer

March 6, 2010

Page 3

95 **COURTNEY:** Right.

96 **BOYER:** So he wasn't that far. I mean because he wasn't that close to them. The words I heard

97 officers tell him to get down and then Aaron started talking.

98 **COURTNEY:** Okay.

99 **BOYER:** And Aaron was saying if you all want to shoot me, go ahead and shoot me because you're all

100 going to shoot me anyway.

101 **COURTNEY:** Okay.

102 **BOYER:** That's what Aaron said and while he's saying that he's in the middle of the parking lot and

103 he took another few steps back and they started hitting him with bean bags. Started shooting him with

104 bean bags and got shot with them several times.

105 **COURTNEY:** And where are his hands when he got shot with the bean bags?

106 **BOYER:** His hands were still on his head.

107 **COURTNEY:** Okay. And then could you tell where those bean bags strikes?

108 **BOYER:** They were all striking him on his back, his side, you know, they hit him on his back and that

109 last one got him was on the mid-back on the like the mid-level where they got him, that was the last

110 one. In my opinion it looked like to me by the angle I was at, that Aaron wasn't trying to make it look

111 like he was pulling out for a gun, he did it to - - because he was rubbing, he was rubbing the part where

112 the bean bag hit him and once he was rubbing himself. Then I believe he rubbed himself, the officers

113 they would take that as a threat I think they would have shot him, but they didn't shoot him right then

114 and there when he put his hands on his back and was rubbing himself. They shot at him when after he

115 rubbed himself, he ran, he kind of jogged.

116 **COURTNEY:** Okay. When he rubbed himself or reached behind his back is he doing that while he's

117 still standing or had he taken off back toward the apartment at that time?

118 **BOYER:** No. He was going kind of toward the apartment.

119 **COURTNEY:** Okay.

120 **BOYER:** But it was just common sense that he was doing that to shield himself.

121 **COURTNEY:** And do you remember, was it his right or left hand that he reached back with?

122 **BOYER:** That was his left hand.

123 **COURTNEY:** His left hand?

124 **BOYER:** That was the left hand.

125 **COURTNEY:** Right hand.

126 **BOYER:** Left.

127 **COURTNEY:** Left hand, okay. I'm sorry, I couldn't hear you too well there. And was he reaching like

128 his lower back right around the waist area or where was it that he was reaching?

129 **BOYER:** It wasn't toward the waist area because if he did that now it would look like he was pulling

130 out a gun and start shooting at the officers. He didn't do it like that.

131 **COURTNEY:** Okay.

132 **BOYER:** You know, anytime that you get hit on the back of your left side, you're not going to, nine

133 times out of ten you're not going to use your left arm. That's kind of awkward to use your left arm to

134 rub your left side. You're going to use your right arm to rub your left side. So he was using his left arm

135 on his left side. He did it so he won't make it look like he might be drawing out a gun. That child was

36 just griefin over his brother that's what that was.

137 **COURTNEY:** Okay. So it was his right arm.

138 **BOYER:** No, no, no, it was his left only he rubbed it because if it was his right arm, that would have

139 made it look like he was drawing out a gun.

COPY

CONFIDENTIAL TAPED STATEMENT

IAD #2010-B-0004

Portland Police Bureau / Kenny Boyer

March 6, 2010

Page 4

140 **COURTNEY:** Okay. So it's his left arm to the left side of his back or the right side of his back?
141 **BOYER:** Yeah, he got hit with the bean bag on his left side.
142 **COURTNEY:** Okay.
143 **BOYER:** And he was rubbing his left side of his back with his left hand.
144 **COURTNEY:** With his left hand.
145 **BOYER:** With his left hand, exactly. Because if you had seen the way he did it you wouldn't even take
146 it as threat oh he got a gun.
147 **COURTNEY:** Right.
148 **BOYER:** Yeah, if you would have seen that you would have knew right, he don't have no gun,
149 because of the way he did that, know what I'm saying. Now, from the back of him, if he would have
150 done that with the right arm, that would have made it look like he was going for a gun, but he didn't do
151 it like that though.
152 **COURTNEY:** Okay.
153 **BOYER:** Then he tried to jog himself back toward the 37 apartment, that's the apartment number 37,
154 and once he got almost there he tried to shield himself and then he got shot.
155 **COURTNEY:** Well, this is good to clear up because apparently you were interviewed by a Detective
156 Slater after this incident and he indicated that you told him that Campbell reached back with his right
157 hand to his left waistband area.
158 **BOYER:** No, no, that's not true. That's the reason my grandma and my family don't want me to talk to
159 you about this no more because it feels like they're putting words in my mouth, telling me what I said
160 and then my granddad said I got nothing to lie about, it's just something that I witnessed. So I feel like
161 these officers out there are putting me and my family in harm's way because I don't want my friends
162 because I have to protect my family.
163 **COURTNEY:** Sure.
164 **BOYER:** Ever since this Aaron shooting happened and people calling me giving me support or me
165 going to my kids witnessing a man getting murdered and not an officer, not nobody come up to me and
166 not one time, and try to offer me counseling or should I get this or get that, I mean, I mean, just for
167 experiencing what I went through. Because I never in my life witnessed nobody getting shot or nothing
168 and it kind of freaked me out. It seems like his family, the officers, everybody got me going to court,
169 giving me a subpoena, all this. I have six kids and this is just so hard.
170 **COURTNEY:** I know the Grand Jury, you testified there and you told them you were nervous and
171 scared.
172 **BOYER:** Oh, yeah, yeah because my friends and family. I'm on probation. I'm supposed to get off in
173 three months so my friends, family, they're scaring me telling me I got to watch out for the (inaudible).
174 I said hey, I never had to watch out, I'm not doing nothing wrong. I'm just here raising my kids every
175 day, you know, oh yah like I mean I don't believe everything people say. At the same time I want to
176 protect my children and my family and it seems like now due to the news on TV. It seems like
177 everybody knows where I stay at and I really just uh, I don't know.
178 **COURTNEY:** Now your bedroom window, how far away is that from the parking lot?
179 **BOYER:** 30-40 feet away.
180 **COURTNEY:** 30 to 40 feet away?
181 **BOYER:** Yeah. My backyard is right in his front yard, yes.
182 **COURTNEY:** Okay. And then did you see after Aaron was shot. What happened then as far as what
183 was going on with the officers at that point?
184 **BOYER:** After he was shot they let the K9 dog go on him.

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CONFIDENTIAL TAPED STATEMENT

IAD #2010-B-0004

Portland Police Bureau / Kenny Boyer

March 6, 2010

Page 5

185 **COURTNEY:** Uh-huh.

186 **BOYER:** They let the dog go on him and when they let the dog go the dog was over there for like three
187 or four seconds, that's it. The dog, when the dog got to him the dog realized he was gone, he wasn't a
188 threat to them. The dog turned around and the officers told the dog to heel.

189 **COURTNEY:** Uh-huh.

190 **BOYER:** And the dog went back to the officers and uh, and that was it uh, they stood by until the swat
191 team came.

192 **COURTNEY:** And did any officer after the dog came back try to go up and approach him?

193 **BOYER:** No, they didn't go up and approach him at all, they just kept yelling at him.

194 **COURTNEY:** Okay.

195 **BOYER:** They kept yelling at him for like a good hour, almost an hour. Aaron, move your left leg,
196 Aaron, move your right leg. Let me know if you're still, if you're still alive and breathing. Aaron, this.
197 They were all saying a lot of stuff so.

198 **COURTNEY:** Right.

199 **BOYER:** I was like, whoa, because the shotgun, they shot him with a AR-15 seems like that gun they
200 were so loud I just knew _____ he was gone.

201 **COURTNEY:** And at the point he was shot was he walking back, running back, fast walk? How
202 would you describe his gait?

203 **BOYER:** When he came out the door he walked out backwards so when he got hit with the bean bag
204 he started going forward and not one time Aaron turned around, not at one time he turned around to the
05 officers, he had his back turned the whole entire time, so yeah, so he dropped back forward going back
206 to the apartment.

207 **COURTNEY:** Was it a fast pace or?

208 **BOYER:** No, it was like jogging.

209 **COURTNEY:** Jogging?

210 **BOYER:** Yeah.

211 **COURTNEY:** Okay. And in doing so were his hands like pumping like a jog or what was he doing
212 with his hands at the time?

213 **BOYER:** Well, when he was jogging, no, okay, he was still rubbing his back. He was still rubbing
214 when he was jogging.

215 **COURTNEY:** Okay, okay. And then now you said you have some concerns with your family and
216 stuff. Has anybody approached you or threatened you or um, said anything to you that you should say
217 this or don't say this?

218 **BOYER:** No. Uh, no, no. His mother came by because she was grieving so, and another family,
219 nobody blamed me or nothing, you know, huh-uh, nobody threaten me nothing.

220 **COURTNEY:** Okay. And nobody told you that you should say one thing or another?

221 **BOYER:** No, not one time, no. The mom, she didn't even call. She just came and you know, she just
222 wanted to see from where I seen it and she was crying.

223 **COURTNEY:** Have you been interviewed by the media or anything? TV, papers, anything like that?

224 **BOYER:** Uh, no. Uh, one news person came and me and her got into it I mean I didn't seems she
225 didn't have no respect about my privacy and all that because I just felt like I did enough and you know,
26 I did several things to cooperate and I don't want to sound rude because you know, bringing up my
227 past, but at the same time though its like if my _____ aint nobody else gonna do it. So I'm just
228 trying to take care of my responsibility and get back to my wife because my grandmais already upset
229 about they didn't offer me any counseling no nothing. You know. So I'm just (inaudible).

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CONFIDENTIAL TAPED STATEMENT

IAD #2010-B-0004

Portland Police Bureau / Kenny Boyer

March 6, 2010

Page 6

230 **COURTNEY:** Sure and have you been influenced by anything you've seen on TV or news accounts?
231 Has that caused you to change your opinion on anything you saw?
232 **BOYER:** Influence on it? Influence as on what?
233 **COURTNEY:** As far as what you saw.
234 **BOYER:** Excuse me, can you give me one second please. Hello?
235 **COURTNEY:** Hello?
236 **BOYER:** Can you give me one second please?
237 **COURTNEY:** Yeah.
238 **BOYER:** Hello?
239 **COURTNEY:** Hello.
240 **BOYER:** Sorry about that. Oh, okay. Do you mean like since I witnessed the shooting, do you mean
241 did anybody change my _____?
242 **COURTNEY:** Like news accounts, like if you read anything or seen on TV, has that caused you to
243 form a different opinion as to what you saw or influenced your perception as to what happened that
244 day?
245 **BOYER:** Oh, no. No because I stuck to what I said. I mean the only thing that (inaudible) on the news.
246 **COURTNEY:** Right.
247 **BOYER:** And that's it. But you know, I'm just kind of upset with the officer, there were two officers
248 that came here a few days after the shooting.
249 **COURTNEY:** Right.
250 **BOYER:** They, those are the ones that interviewed me, wrote down what I said, but they were, but
251 they lied on me, they made it look like I was cooperating with the cops. I don't got nothing against no
252 cops, I got nothing against his family, but they knew they could have handled that in a different
253 situation and that's it. But the officers that was here, they left my house and made it seem like I said
254 something about - - they said the total opposite and that's where I said to myself I don't want to do this
255 no more because they lying on me as it is.
256 **COURTNEY:** Now, Kenny, did you hear or know anything about Aaron being suicidal, or holding a
257 gun to his head?
258 **BOYER:** I didn't hear none of that. I just knew that his brother died. I knew he was grieving because
259 my girlfriend works at the hospital. She works at OHSU where his brother died, you know.
260 **COURTNEY:** And the reason I'm asking is I'm reading in the report where they said you uh,
261 mentioned that Campbell held a gun to his head and was suicidal and he was holding kids.
262 **BOYER:** No, no, see that's what I mean. If you can help me out and verify that. I didn't tell nobody
263 that.
264 **COURTNEY:** You didn't say that.
265 **BOYER:** I didn't say that to the officer. I'll bet it was the same exact officer that came over here and
266 gave me that report.
267 **COURTNEY:** And then continued to say I feel in my heart that you all were doing your job.
268 **BOYER:** No.
269 **COURTNEY:** I don't want to say the cops just killed him for no reason.
270 **BOYER:** No, no. They is lying. They is lying. The officer, I can tell, I can tell he was fishy when he
271 came over here. When he came over here he was acting fishy. He was acting all kind a like tough tough
272 towards me, he wanted me to be nervous. I knew what kind of game he was playing. Now he going to
273 come over here, he's going to come over here to hear my voice and now he gonna mess up my words.
274 He could have recorded it, I wish he recorded it him over here lying on me. I never said he had a gun. I

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CONFIDENTIAL TAPED STATEMENT

IAD #2010-B-0004

Portland Police Bureau / Kenny Boyer

March 6, 2010

Page 7

275 said, the only thing I did say was if you all see Aaron with a gun, if you seen Aaron with a gun and he
276 pointed it at you all, you ought to have to use deadly force. That's what I told him. The officer, he
277 wouldn't even look at me eye to eye contact when I was talking to him. He disrespected me 100
278 percent and yeah, and so.

279 **COURTNEY:** Now, Kenny, is there anybody else we should talk to? Do you know of anybody else
280 that witnessed this thing or has information that we should talk to?

281 **BOYER:** No, sir. But I would think that - - I want to ask you a question.

282 **COURTNEY:** Sure.

283 **BOYER:** Do you think, do you feel that I should probably call my granddad and hire an attorney
284 because I don't feel, see now I don't feel comfortable now because this officer is lying on me and then
285 he's going to try to leak that to Aaron's family and I stay here with my children. So I don't get it why
286 they're trying to put me in harm's way.

287 **COURTNEY:** Well, your Grand Jury testimony was different than what you told the officer. Right?

288 **BOYER:** Everything got said and what I saw I said and I told the truth. I didn't switch up my words
289 for nobody. So I'm saying the officer is lying on me. He's doing that, I understand, he probably wants
290 to save his friend from getting in trouble and all that, I understand he's doing that. Obviously, he don't
291 give a damn about me, he don't even know me. So, of course, he's going to come and say what he says,
292 but I'm just saying. So the _____ of what I said, he just took my words and just mixed them up.

293 **COURTNEY:** Okay. Now I know Robert was over there. Was anybody else over at your house that
294 saw this deal?

95 **BOYER:** No, just Rob.

296 **COURTNEY:** Just you and Robert.

297 **BOYER:** Yeah. That's why I, that's another reason why I know what the officer is saying because Rob
298 was there.

299 **COURTNEY:** We're just trying to find, make sure that we locate and identify and speak with all
300 witnesses who have information on this deal.

301 **BOYER:** So basically me and Rob, both of our testimony match together because he seen what I seen.
302 He saw what I saw.

303 **COURTNEY:** Right.

304 **BOYER:** (Inaudible) about the officer lying on me and all that because basically is he going to say
305 that in court that I said this or that?

306 **COURTNEY:** Well, of course, I wasn't there, but and I'm just reviewing reports on this deal.

307 **BOYER:** Because I don't have to go back to court or nothing, right?

308 **COURTNEY:** No, huh-uh, you've already been, right?

309 **BOYER:** Yeah.

310 **COURTNEY:** You went to the Grand Jury.

311 **BOYER:** So all that's done and I have nothing to worry about.

312 **COURTNEY:** Right.

313 **BOYER:** Okay.

314 **COURTNEY:** Okay. Now here's the deal. Do you want to write down my name and number in case
315 you have any other concerns?

316 **BOYER:** Sure. Okay. What's the number?

317 **COURTNEY:** The number is 503-823-0998.

318 **BOYER:** 0998?

319 **COURTNEY:** Yeah, and my name's Courtney, C-o-u-r-t-n-e-y.

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CONFIDENTIAL TAPED STATEMENT

IAD #2010-B-0004

Portland Police Bureau / Kenny Boyer

March 6, 2010

Page 8

320 **BOYER:** Do you think, can you help me out with that? With that officer sir that is trying to get me in
321 trouble or something?
322 **COURTNEY:** No, you mis - - uh, nobody's trying to get you in trouble. Nobody's trying to get you in
323 trouble.
324 **BOYER:** I mean obviously he is if he's saying what I did not say. I said nothing like that and told the
325 news people. I _____ trying to mess my words around.
326 **COURTNEY:** Kenny, that's going to be in my report. What you're telling me now.
327 **BOYER:** Okay.
328 **COURTNEY:** Okay?
329 **BOYER:** Yep.
330 **COURTNEY:** Okay, Kenny, have a good day.
331 **BOYER:** You too.
332 **COURTNEY:** Bye.
333 **BOYER:** Bye.
334 **COURTNEY:** That interview with Kenny Boyer ended at 10:49 a.m.
335
336 10b0004-int-boyer
337 Transcribed: 3/6/10 @ 1:45 p.m. Ruth Harnisch

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