

CONVENTION 2018 — PASSING THE BATON

The True Meaning of ‘Protect and Serve’

OTLA’s Dream Team of Creighton Rose & Park to receive the 2018 Arthur H. Bryant Public Justice Award

It took six long years for Adalberto Flores-Haro and his family to receive justice. And for six long years three dedicated legal warriors worked the case to fight for their client and ultimately all Oregonians.

On March 13, 2012, the Flores-Hato family were victims of avoidable, overreaching police brutality and egregious negligence.

This all-too-common theme, especially in communities of color, played out in North Portland. Two Washington County tactical officers, trying to serve a high-risk search warrant to a suspect in the area, suddenly ran through the Flores-Haro’s yard without warning. Fearing intruders and wanting to protect his family, Flores-Hato stepped out his front door with a revolver to scare them away. The officers opened fire on him, spraying bullets throughout his house while his wife and children huddled together inside. At gun-point, the officers ordered Flores-Haro’s wife and children to leave their home, stepping over their father’s wounded and severely bleeding body as he lay on the stoop waiting for emergency care. He was hospitalized for 27 days, underwent 14 surgeries, and has permanent and lasting injuries. The emotional distress inflicted on his family, all of whom were treated like criminals will never be forgotten.

Guardian Beth Creighton first took the case with partner Michael Rose. Creighton has taken on many tough civil rights cases. But this case.... this case rocked her to her core. “The glaring racism of the entire operation, the blatant devaluing of an entire community just struck me. They tried to graphically demonize and discredit



David Park, Beth Creighton, Michael Rose and their client Adalberto Flores-Haro.

our client to avoid taking any responsibility. We weren’t having it,” said Creighton. She knew by representing the Flores-Haro family and telling their harrowing story, she would not only help the family, but hopefully force policy changes within the SWAT operation and beyond.

Taking on the police force required some extra, legal fire-power, so David Park was added to the team to handle the courtroom maneuvering and trial work.

“This case is about a SWAT team that lost track of its primary duty, which is to protect innocent citizens,” David Park said in his moving opening statement.

The defense would try to argue that Flores-Haro pointed his gun and fired at the officers, but his injuries and lack of bullet casings at the scene, proved otherwise. Jurors were shown an image from a Portland police surveillance plane catching the officers dragging him by his severely injured arm from his front porch to about 100 feet away, instead of placing him on a stretcher. The officers’ indecencies, in light of their gross tactical errors, just kept stacking up. Critical medical attention was delayed. The terrorized and crying children, still in their pajamas, were kept in a separate squad car from their mother. This innocent

family was detained for hours and not allowed to see their father and know how he was doing for close to eight hours.

Parks pin-pointed the pervasive injustice of it all in his closing, “They treated Mr. Flores-Haro as another obstacle in their way, in order to accomplish their mission, rather than treating him as one of their missions in the first place – to protect the community.”

Just as with the James Chasse case, where police brutality resulted in the death of an innocent, mentally ill man, Creighton and Rose knew how to build

their case against the force. As tireless advocates for society’s underdogs, they left no stone unturned preparing for the eight day trial. Creighton credits Rose as the “brains” behind all the rulings in the case, anticipating the Washington County police defense would flip the facts and place blame on the victims. Rose was masterful in knocking back each and every attempt at discrediting their client, one by one.

Ultimately, the federal jury of ordinary people sent a clear message: We will not and can not accept this type of behavior by those officers sworn to protect us. “What’s so remarkable about this case,” expressed Creighton, “is that all the things that would normally be obstacles in obtaining justice for an immigrant client, particularly in this political climate, in the end just didn’t matter to the jury. They felt the disempowerment inflicted upon the Flores-Haro family and sympathized with it. That’s what we drew upon and it was powerful.”

Adalberto Flores-Haro isn’t able to return to work and still experiences a lot of pain. Nonetheless, this proud, family man spends three to four days a week volunteering at a local food pantry, preparing food boxes and placing food on shelves because it makes him feel “a little useful” and is a way for him to give back to his community.