



Rod Underhill, District Attorney
1021 SW Fourth Avenue, Room 600
Portland, OR 97204-1193
Phone: 503-988-3162 Fax: 503-988-3643
www.mcda.us

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Judge returns verdicts in three co-defendant attempted murder trial

Today, Multnomah County Circuit Court Judge Benjamin Souede returned verdicts with regard to 26-year-old Rashad Banks, 26-year-old Nakiem Brown and 27-year-old Christopher Jordan following a nine day trial wherein the state presented evidence to show that a nine year old boy and his mother were both shot multiple times inside their apartment.

Banks, Brown and Jordan all waived their Constitutional right to a 12-person jury trial and proceeded to have their cases presented directly to Judge Souede.

Judge Souede convicted Banks of four counts of attempted murder in the first degree with a firearm, two counts of assault in the first degree with a firearm, one count of burglary in the first degree with a firearm, three counts of unlawful use of a weapon and one count of being a felon in possession of a firearm with a firearm enhancement. Sentencing is scheduled for February 21, 2020 at 9 a.m.

Banks was acquitted of two counts of attempted murder in the first degree with a firearm, two counts of criminal conspiracy to commit murder and one count of unlawful use of a weapon.

Judge Souede acquitted Brown of all counts with the exception of one count of being a felon in possession of a firearm with a firearm enhancement. Sentencing is scheduled for February 18, 2020 at 8:30 a.m.

Judge Souede acquitted Jordan of all counts.

This investigation started on May 22, 2017 at approximately 4:30 a.m. when a Gresham Police officer heard approximately three gunshots coming from his location. While the officer performed an area check, emergency dispatchers received multiple 9-1-1 calls from community members reporting a shooting in the 1300 block of Northeast 183rd Avenue in Gresham, Oregon.

Inside the apartment, officers located four people: Cherie Thompson, 29, Lamar Horsley, 9, Ervan Ronell Herring Jr., 24, and a two-year-old female.

Neither Mr. Herring Jr. nor the two year old girl were injured.

Ms. Thompson had been shot three times. Lamar had been shot nine times.

"They were not injured," said Multnomah County Senior Deputy District Attorney David Hannon, who prosecuted this case with Multnomah County Deputy District Attorney Eric Zimmerman. "They were not hurt. They were shot and they were maimed."

Gresham Police Officer Jonathan Buck grabbed Lamar's blood-soaked body and carried him to an ambulance after realizing the severity of the boy's gunshot wounds.

Other officers were sliding their hands down the two year old girl's body and across her arms and legs "to see if there were bullet holes in her," SDDA Hannon said.

About an hour after the shooting, doctors at Legacy Emanuel Medical Center told police that Lamar had been shot in the head, neck and abdomen and that his condition was critical and unstable. Lamar lost his left eye as a result of this shooting and continues to experience complications including some partial paralysis to the left side of his body.

"His favorite thing to do is go swimming," DDA Zimmerman said. "And he can't do that because of this cowardly act."

During the investigation, Ms. Thompson told police she heard what sounded like someone kicking the front door of her apartment so she picked up her son and placed him in the bedroom with Mr. Herring Jr. and his daughter for safety.

Mr. Herring Jr. told police that he heard the glass to the apartment's rear sliding door break and then heard what sounded like a gun being loaded inside the living room.

Mr. Herring Jr. was uncooperative with investigators. When called to testify at trial he claimed he could not remember nearly any of the facts that resulted in Lamar being shot.

Ms. Thompson testified that while she was in the bedroom with the three other victims, someone walked inside and started shooting indiscriminately. She testified that she screamed out for the person to stop because there were "babies in the room."

As a result of the injuries to Lamar, the East Multnomah County Major Crimes Team was activated. Detectives from the Gresham Police Department, the Multnomah County Sheriff's Office, Oregon State Police and the Port of Portland Police Department responded to the apartment to begin an investigation. Officers assigned to the Gun Violence Reduction Team with the Portland Police Bureau also responded to assist.

Detectives located multiple 9 mm and .40 caliber shell casings inside the bedroom, which indicated the likely presence of more than one shooter.

During the investigation, law enforcement determined the intended target of the shooting was likely Mr. Herring Jr.

"They set out with a plan," said DDA Zimmerman of the shooters. "They were hunting."

During the investigation, law enforcement collected digital forensic evidence that the state alleged showed that Banks, Brown and Jordan all communicated with each other prior to, and after, the shooting of Lamar and his mother. Furthermore, the state alleged the group communicated with other known Hoover criminal gang members to plan and facilitate the attempted murder of Mr. Herring Jr., a rival gang member.

It was the state's theory that Banks and Brown were the shooters in this case, and that Jordan guided Banks, Brown, and potentially others to the apartment complex based on his familiarity of the location.

After the verdict, Multnomah County District Attorney Rod Underhill said, "The violence that transpired on May 22, 2017 was unprecedented. It shocked the community and put real fear into the lives of so many people who believed that children were being targeted. We are remarkably proud of Lamar who had the strength and courage to come to court and testify. He is resilient, and he is a remarkable young boy. Today's verdict does not diminish what happened to Lamar or his family, nor does it lessen the lasting trauma for the family and for the responding officers, paramedics, detectives, doctors and nurses."

Prior to announcing his verdict, Judge Souede granted a motion of judgement of acquittal for all three defendants with regard to Count 4 (attempted murder in the first degree), Count 8 (attempted murder in the first degree) and Count 17 (unlawful use of a weapon).

The lead investigators on this case was Gresham Police Detective Fredrick W. Huffman IV and Gresham Police Detective Adam Wright. Multnomah County District Attorney Victim Advocate Chanel Thomas served as the primary victim advocate.

Like in all criminal and civil matters, electronic copies of court documents, which are not subject to a protective order, are available to the public through the Oregon eCourt Information (OECI) system.

No additional information can be released by the Multnomah County District Attorney's Office at this time pursuant to the Oregon Rules of Professional Conduct.

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Contact: Brent Weisberg, Communications Director
Multnomah County District Attorney's Office
Phone: 503.988.6567 | Email: Brent.Weisberg@mcdca.us