Portland Police Bureau

Detective Investigation: Keaton Otis

May 2010

Portland Police Bureau
1111 SW 2nd Ave.
Portland OR 97204

DATE PRINTED: 05/24/10

PPDS NUMBER: 1588602

NAME: OTIS, KEATON DUPREE FBI:
SEX: M RACE: B DOB: 01-04-1985 SID:
HGT: 6 02 EYES: BRO SKIN: FPC:
WGT: 200 HAIR: BLK BIRTH PLACE: HFP:

MCL NBR:

PHONE NBRS: HOME:(503)[redacted] CELL:(503)[redacted]

LAST KNOWN ADDRESS-MOST CURRENT FIRST ASSOC DATE
3541 N HOUGHTON ST PORTLAND 06-28-98

ASSOCIATED VEHICLES

NO ASSOCIATED VEHICLES FOUND

PPDS NAMES ASSOCIATED TO CRN

NO ASSOCIATED CRNS FOUND

ASSOCIATED CASES

CASE NBR 1038353 AGENCY PORTLAND POLICE REPORTED DATE 05-12-10 INVOLVEMENT VICTIM
LOC OF OCCURRENCE NE HALSEY ST / NE 6TH AVE ISEC1 PORTLAND
OFFENSES 1: HOMICIDE-LAW ENF SHOOTING 2: FORCE-DEADLY-GUN-FATAL

CASE NBR 1011533 AGENCY PORTLAND POLICE REPORTED DATE 02-09-10 INVOLVEMENT SUBJECT OF REPT
LOC OF OCCURRENCE N COLFAX ST / N CONCORD AVE ISEC1 PORTLAND
OFFENSES 1: VANDALISM-UNSPECIFIED 2: DISORDERLY CONDUCT

CASE NBR 9862701 AGENCY PORTLAND POLICE REPORTED DATE 06-28-98 [redacted]
LOC OF OCCURRENCE ESSEX PARK
OFFENSES [redacted]

CHARGES

CASE NBR: 9862701 AGENCY: PORTLAND POLICE
CHARGE- [redacted]
DA NBR JUV/CIR CT [redacted]
DISPOSITION- CK OJIN/DACTS/CONTACT CT

MISCELLANEOUS INFORMATION

NO MISCELLANEOUS NAME INFORMATION FOUND

END OF RECORD 1588602
TERMINAL ID X60D

RUN DATE / TIME 05/24/10 16:19
RUN BY KAMMERER, ERIK W

LEDS records not provided.

PORTLAND POLICE BUREAU | **SPECIAL REPORT** | ☐ INFORMATION ☐ CONTINUATION ☐ CLEARANCE ☐ SUPPLEMENTAL | Page/Of 1/11

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353		OFFICER INVOLVED SHOOTING

☐1. UNFOUNDED ☐ 2. PENDING ☐ 3. SUSPENDED ☐ 4. CLR BY ARREST ☐ 5. EXCEPTIONAL ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME: 051210/1821

THIS REPORT DATE/TIME: 051910/1810

LOCATION OF OCCURRENCE: NE 6TH AVE / NE CLACKAMAS ST

PERSONS CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	010485

ADDRESS	ZIP	PHONE
3541 N HOUGHTON ST	97217	UNKNOWN

SUBJECT OF THIS REPORT: INTERVIEWS OF WITNESSES / CRIME SCENE CANVAS

PROPERTY RECEIPT NO.: 1203597

NARRATIVE/PROPERTY ITEM CODE — S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev

COMPUTER ENTRY
☐ Person

OPR
☐ Vehicle

OPR
☐ Crime/ Prop

OPR
☐ Book

NO CONNECT INFORMATION

NONCONNECT INFORMATION

Persons Interviewed:

[redacted]
M/W, DOB: [redacted]
Home address: [redacted] Ave
Portland, OR, 97212
Home phone: [redacted]
Work phone:

[redacted]
F/B, DOB: [redacted]
Home address: [redacted] Ave
Portland, OR, 97211
Home phone: (503) [redacted]
Cell phone: (503) [redacted]
Work phone: (503) [redacted]

[redacted]
F/H, DOB: [redacted]
Home address: [redacted] SE Morrison St
Portland, OR, 97233
Cell phone: (503) [redacted]
Work phone: (503) [redacted]

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective A. H. Dran	34502	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special		
SUBJECT'S NAME		SEX	RACE	DOB	
OTIS KEATON DUPREE		M		010485	
LOCATION OF OCCURENCE					
NE 6TH AVE / NE CLACKAMAS ST					

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ITEM | CODE

Persons Interviewed (continued):

[redacted]
M/W, DOB: 112354
Home address: [redacted] Ave, [redacted]
Portland, OR, 97232
Cell phone: (503) [redacted]

EXHIBITS

1. Property/Evidence Receipt 1203597:

Item 1. One (1) CD copy of four witness interviews

Item 2. One (1) copy of diagram drawn by [redacted]

I seized the above listed items at the Detective Division and submitted them to the Central Precinct Property Room.

Police Personnel Mentioned:

Detective E. Kammerer, DPSST #29988
Detective Division/Homicide Detail/Lead Detective

Detective Sergeant K. McGlathery, DPSST #26847
Detective Division/Homicide Detail/Scene Supervisor

Detective T. Harris, DPSST #27566
Detective Division/Afternoon Shift

Detective J. Musser, DPSST #40710
Detective Division/Afternoon Shift

Criminalist H. Durham, DPSST #33027
Forensic Evidence Division

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
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SUMMARY

On May 12, 2010, at approximately 7:00 p.m., I was assigned to assist Detective Kammerer with the investigation of an officer involved shooting which occurred near the intersection of NE 6th Ave and NE Clackamas St in Portland, Oregon. During the evening hours of May 12, 2010, I conducted recorded interviews with [redacted] and [redacted] On May 13, 2010, at approximately 12:27 a.m., I conducted a recorded interview with [redacted] The following are summaries of their statements. Please refer to the transcripts and/or the audio recordings for complete details.

Additionally, on May 13, 2010, at approximately 3:31 a.m., I entered the crime scene to assist with a final canvas. At approximately 3:40 a.m., I located what appeared to be a spent bullet underneath a piece of heavy equipment that was parked across the street (west) of OTIS' vehicle. I stood by with the bullet until Criminalist Durham could mark it's location for photographic documentation and collection.

STATEMENTS

Summary of [redacted] Interview:

[redacted] said he was riding his bicycle westbound on NE Halsey St, on the north side of the street. He said he was stopped for the stop sign at the intersection of NE Halsey St and NE 6th Ave when he observed the incident. [redacted] said at the stop sign, he saw a car stop and a police vehicle pull along side of it with its warning lights on. [redacted] said the police car stopped very quickly.

[redacted] said the police vehicle was close to but behind the car that had stopped. He said two police officers exited their car and approached the side of the car they had stopped. [redacted] said they began talking to the driver. He described the encounter as being calm at first. [redacted] said it appeared to be a normal stop and decided to stay and watch.

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10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
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LOCATION OF OCCURENCE: NE 6TH AVE / NE CLACKAMAS ST					

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[redacted] said after a period of two or three minutes, one of the officers told the person in the car to raise his hands up, and the person complied. He said he had a better view of the officers than the driver of the car because the windshield of the car the officers had stopped obstructed his view inside the car.

[redacted] said it appeared as though things began to get out of hand. [redacted] later clarified by saying the situation got tenser. He said it appeared as though the officers wanted the man to exit the car, but he refused to do so. [redacted] said the man was yelling at the officers and they were yelling back. He said he could not hear what was said due to hearing loss in his left ear. [redacted] said another police car arrived and an officer approached the car with what he thought was a taser, based on its appearance.

[redacted] said the officer with the taser had it raised up. Meanwhile, the other two officers' guns were in their holsters. He said the officers reached into the car and started pulling on the occupant of the car by his arms. He said the occupant of the car got belligerent and resisted their efforts. [redacted] said the situation escalated very quickly from there.

[redacted] said the officer with the taser fired it at the person in the car, and the person responded by leaning or slumping over. He said very quickly afterward, there were shots fired by the officers at the person inside the car. [redacted] said he could not see well enough to determine if the person inside the car had a weapon to fire back.

[redacted] said more police cars arrived, and his attention shifted toward the arriving officers. He referred to the situation as "controlled hysteria." [redacted] said he saw an officer open the passenger side of the car and pull the person partly out of the car. He said there was a group of officers standing to the right of and behind the car with their weapons pointed toward the person. [redacted] said eventually, the officers pulled the person out of the car.

[redacted] said at about that time, other officers yelled at him ([redacted] to get out of the way. He said he pushed his bicycle down the street toward a house. He said that was when someone pointed out to an officer that he ([redacted] was a witness to what happened.

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS KEATON DUPREE	M		010485

LOCATION OF OCCURENCE
NE 6TH AVE / NE CLACKAMAS ST

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[redacted] described himself as being neutral toward the police. He said he did not see anything he would consider unprofessional by the officers. He said the way they acted was how one would expect them to act in that type of situation. He said he did not see any provoking of the person inside the car. He described the officers' behavior as "casual" until the person refused to exit the car.

During follow-up questions, [redacted] said the car the officers stopped was a beige Toyota. He said the Toyota seemed to be pulling over in a normal fashion. [redacted] said the police car was not a standard police car with overhead lights and stripes. He said it was a dark blue police car. [redacted] said the police car appeared to be traveling faster that the Toyota when it stopped quickly.

[redacted] said the two police officers approached the Toyota from the driver's side of the Toyota. He said he only saw the driver inside of the car and figured it was a normal stop for a traffic violation. In regard to the officers' positioning at the Toyota, [redacted] said both officers were standing side by side slightly behind the driver's door of the Toyota.

In regard to the commands [redacted] heard the officers give, he said they were saying, "Raise your hands up...raise your hands over your head" in a firm, emphatic tone. [redacted] said the tall, bald officer was the one giving the commands. He said the driver complied by raising his hands but did not put them behind his head. [redacted] was unsure of the eventual position of the driver's hands because of the obstructed view through the windshield of the car.

I asked [redacted] about the second police car that arrived. He said that car had one or two officers in it and they appeared to box the subject's vehicle in. During this time, he said he could hear additional sirens in the area. [redacted] also clarified that the original two officers reached in through the driver's window to pull on the driver. He then said it looked as though only the tall, bald officer was reaching in for the driver. [redacted] said it appeared as though the officer and the driver were engaged in a tug of war.

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OTIS KEATON DUPREE	M		010485

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[redacted] said the officer that fired the taser fired it through the open driver's side window of the car. After the taser was fired, the driver either leaned or slumped toward the passenger side of the car. Later in the interview, [redacted] said the driver's back was facing toward the windshield with his head facing the seats. Shortly after the taser was fired, [redacted] heard at least four to six gun shots fired in rapid succession without a pause or recurrence of gun fire. He said the original two officers were the ones firing their weapons at the driver. [redacted] said the officer that fired the taser did not engage the driver with his handgun.

[redacted] said the scene seemed controlled but later said it was more of a "fluid dynamic." He said if he felt he was in danger, he would have left the area. [redacted] said he was too far away to see if any officers left the scene immediately afterward. He said he saw lots of additional officers arrive. [redacted] said when he eventually left the immediate area, he walked north on NE 6th Ave to a nearby house where he contacted a police officer. While he was walking, he periodically looked back to see what was going on.

Summary [redacted] Interview:

[redacted] said she was riding in her car with her brother, [redacted] She initially said they were driving north on NE Halsey St approaching a stop sign, however she later clarified they were driving west on NE Halsey St. She said she noticed a burgundy car in the road. [redacted] said they drove around the car, and when they did, she noticed an elderly African American female convulsing inside the burgundy car.

[redacted] said after they passed the burgundy car, they stopped at the stop sign. As she looked to her left, she saw officers with their guns drawn. [redacted] said the officers told them they needed to get out of the car because they were in the "line of fire." She said they exited their car and approached the African American lady in the burgundy car. [redacted] said the lady told them the police had a man out and where shooting at him. [redacted] said after a few minutes, she heard popping sounds. She thought the sounds were from a taser. [redacted] said the African American lady told her the police had killed the man.

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[redacted] said the burgundy car with the elderly African American female was also facing west on NE Halsey St and was approximately one car length east of the stop sign. I stopped the interview briefly to allow other investigators to use the room we were in. The interview resumed within a few minutes inside [redacted] NE Clackamas St.

When I resumed the interview, I asked [redacted] where exactly the burgundy car was she mentioned earlier. She said it was a parked approximately one car length east of NE 6th Ave, in the middle of the road. [redacted] said the female was seated in the driver seat. She said when they drove around the burgundy car, a police car drove around them and parked in the middle of the intersection. The officers told them to get out of the way. [redacted] said that was when she looked to the left and saw the officers pointing their guns. She also said she saw someone or something lying on the ground between a light gold car and the curb. [redacted] said the officers that were pointing their guns were 10-20 feet from the gold car.

[redacted] said they left their blue [redacted] [redacted] at the intersection when the officers told them to get out of the way. Afterward, they walked over to the elderly African American lady. [redacted] said the lady was crying and shaking, saying, "They killed him; I seen it; they killed him; I'm gonna tell..." Later in the interview, [redacted] said the lady told her she was at the stop sign when she saw the police firing. [redacted] said the lady told her she backed her car up to get out of the way and was in so much shock, she stopped it where [redacted] saw it.

[redacted] said she and her brother tried to get the lady out of the car because she did not know what was going on. [redacted] speculated maybe the lady was involved in a hit and run accident and the police had just caught the suspect.

I asked [redacted] if she was able to see the officers from her vantage point at the elderly lady's car. She said she could not. I asked [redacted] about the popping sounds she heard. She said she thought they were from a taser because she has heard a taser before.

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Summary of [redacted] Interview:

Prior to interviewing [redacted] I was told by the officer that was waiting with her that she spoke limited English and would require a Spanish translator. I was unable to locate a Spanish speaking officer via dispatch. The interview was conducted via speaker phone with the assistance of the Language Line and operator #5565.

[redacted] said she was [redacted] that was nearby. I noted [redacted] of the intersection of NE 6th Ave and NE Halsey St. [redacted] said she was [redacted] when she heard sirens. She looked outside and saw a gold car. Next to the car were four police officers talking to the occupant inside the car.

[redacted] said two more [redacted] colored police cars arrived and parked in front of the gold car. She said the driver of the [redacted] police car that parked on the left side of the gold car ran to the left side of the gold car. The rest of the officers went to the right side of the gold car. [redacted] said seconds later, she heard a gunshot then two more. She said the first shot was quieter than the other two. [redacted] said she then heard more gunshots that sounded the same as the second and third shots she originally heard.

I asked for clarification in regard to the positioning of the officers. [redacted] said that the single officer ran to the passenger side of the car and the other officers went to the driver's side. I also asked for clarification on the shots she heard. [redacted] said the first shot was quieter than the rest. The second shot was louder than the first, and the rest of the shots sounded the same but were louder than the first two.

I asked [redacted] if she saw the officers fire their weapons. She said she saw the officers surround the car and was able to see and hear them shooting. [redacted] said from her vantage point, she was able to see the officers toward the front of the gold car firing their guns as they were stepping backward, away from the car. She could not see if the officer(s) on the sidewalk fired their guns or not because her view was blocked by the other officers. She said she saw an

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Detective A. H. Dran	34502	DET	A	GEN	

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officer on the sidewalk run toward the back of the car. [redacted] also said she did not see any officers go down.

I asked [redacted] if she heard the officers yelling anything. She said she heard yelling after the gunshots. She said she thought the officers had just killed someone and the incident was over, so she exited McDonald's and continued to watch from the parking lot. [redacted] said she saw the officers pointing their guns at the car and heard them yelling commands.

I asked again for [redacted] to clarify the positioning of the officers during the shooting. [redacted] said the two [redacted] police cars were parked in front of the gold car. There were four officers on the driver's side. [redacted] said she was focused on the officer that went to the passenger side because he did not have his gun drawn. She said he was the only officer on the passenger side of the gold car. [redacted] could not remember if there were any officers standing in front of the gold car's engine.

I drew a car and labeled it "gold car." I asked [redacted] to draw for me where she saw the officers, using circles to represent the police officers. [redacted] said the first four circles represented the officers that were already there on the driver's side. [redacted] explained that the driver of the car labeled 1 went to the passenger side of the gold car. She said the passenger from car 1 and the two officers from the car labeled 2 went to the driver's side of the gold car. She did not see if anyone had a taser.

I asked [redacted] how many people were in the gold car. She said she was able to see a driver and passenger. I asked if she saw where those people went. [redacted] said she could not because the [redacted] police cars were blocking her view. [redacted] insisted she saw two men in the gold car because they both had short hair. I asked if they had the same haircut. She said they did. [redacted] also said both occupants of the car were wearing light colored shirts. She was not able to tell what race they were.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective A. H. Dran	34502	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS KEATON DUPREE			M		010485
LOCATION OF OCCURENCE: NE 6TH AVE / NE CLACKAMAS ST					

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO--List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
ITEM 5: ADDITIONAL PROPERTY--Record no more than four additional items of property in the narrative--and/or use a Special Report and attach as additional pages.
ITEM 6: ADDITIONAL OFFICERS--List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM | CODE

Summary [redacted] Interview:

[redacted] apartment was a ground level, studio apartment located [redacted] said he was seated at his computer table on the southwest side of his apartment when the incident took place. Directly west of his computer table was a large window. [redacted] said his blinds were open but the window was closed at the time.

[redacted] said he heard sirens and looked outside. He saw a police car pull up with its lights going. The first thing he heard was, "Put your hands up." He said the rest was indiscriminate yelling. [redacted] said he could not tell if the officers were talking to each other or trying to talk to someone they were trying to arrest. He said the layout of the building prevented him from seeing much of the action.

[redacted] said he saw a couple of officers exit their car and walk north. Then suddenly, he heard five to seven rapid shots. [redacted] said he moved from his window to the bedroom area of his apartment. He said at that point, the shooting stopped. [redacted] said he looked out the window again and saw officers access their trunk to retrieve more equipment. He said he remembered distinctly hearing one officer yell, "Put your hands up! Do it now!" He said the officer yelled it several times.

[redacted] said he thought he heard three individual shots afterward. He thought the original shots sounded like fire crackers. However, due to the construction of his apartment, the sounds were muffled. [redacted] said after the fifth or six command of "Do it now" he heard a shot, then more talking or instructions, then another shot. He said they were in a sequence of three. He said the shots were loud. [redacted] originally thought they were from a shotgun, but decided the officers would not use a shotgun on someone to get them to surrender.

[redacted] said afterwards, the officers "retrenched" and backed something up. He said he did not want to go to his window to see exactly what was going on. I asked what he saw the officers remove from their trunks. He said he could not be certain, but thought the officers put vests on. He said he saw someone put a

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS KEATON DUPREE	M		010485

LOCATION OF OCCURENCE
NE 6TH AVE / NE CLACKAMAS ST

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ITEM	CODE

helmet on. [redacted] also saw one officer retrieve an assault rifle and one retrieve a shotgun. [redacted] said the officers then started "roping things off."

[redacted] said in all, he saw at least three marked police cars, but maybe five. He also saw a car (unknown if marked or not) double park briefly, and then take off. [redacted] insisted he saw the officers backing something up and giving directions on how to back the vehicle up. [redacted] could not tell what it was the officers were backing.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective A. H. Dran	34502	DET	A	GEN	

JREAU OF POLICE
319 NW INDUSTRIAL WAY, STE. B4
ORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No. 1203597	05/12/10 1900 AM (PM)		10-338353

ONLY | EVIDENCE | FOUND PROPERTY | PRISONER'S PROPERTY | SAFEKEEPING

PROPERTY TAKEN FROM:	LAST NAME	FIRST	M.I.	SEX	DOB
DENIED OWNERSHIP ☐	N/A				
HOME ADDRESS	CITY	STATE		ZIP	
OWNER OF PROPERTY	LAST NAME	FIRST	M.I.	SEX	DOB
HOME ADDRESS	CITY	STATE		ZIP	PHONE

INVOLUNTARILY RELINQUISHED PER ORS 133.525 FOR SAFEKEEPING

SIGNATURE

TYPE OF INCIDENT: Officer Involved Shooting | OFFICER: A. Dec #5402/0873 | UNIT/STATION: Detective Division

LOCATION WHERE SEIZED/FOUND/RECEIVED: | INVESTIGATION/REPORT #: | UNIT/STATION:

☐ DEFENDANT ☐ SUSPECT	LAST NAME	FIRST	M.I.	SEX	RACE	DOB

FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORGIN FOR ITEMS LIST QUANTITY, SUBSTANCE, ETC.	STLN	FOR PED USE ONLY
ICD of interviews w/ [redacted], [redacted], [redacted], and Dicbold		
Diagram Drawn by [redacted]		

LOCKER	DATE	RECEIVED BY
C-6		

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

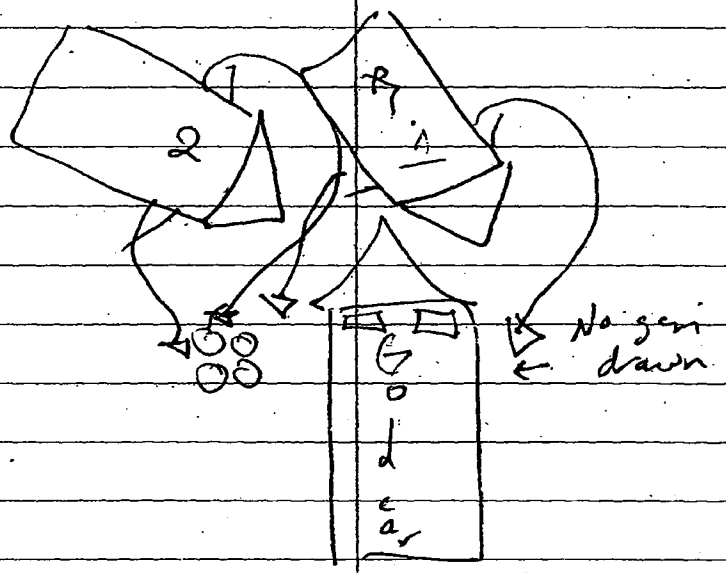
INVENTORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION DATE: TIME:	BY	WHITE - RECORDS COPY YELOW - CITIZENS RECEIPT PINK - WITH PROPERTY

02-01-10

PER/1203597

10-38353

Exhibit 2



Drawn on 5/12/10

by

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Dran: This is Detective Arjay Dran, DPSST #34502. It is 2156 hours on Wednesday, 0512 Wednesday, 2010. I'm here with Tony Harris and [redacted] Now [redacted] it was brought to my attention, uh, that, um, you had some information about what happened her today and before we start talking about that, um, you understand that this conversation is being recorded, correct?

[redacted] Yes.

Dran: And, you, I have your permission to do so?

[redacted] Yes.

Dran: Okay. So tell me, um, tell me what you know about, about today.

[redacted] Well I was in a car with my brother, [redacted] going northbound on Halsey and we approached a, a red or burgundy vehicle until we went to go around it and as we were going around it we seen like a elderly African American woman like going into a (inaudible) say convulsions and so as we approached the stop sign, as we looked to our left we see police officers out with their guns drawn and they told us that we had to get out of the car because we were in the line of fire and after that we got out and approached the burgundy car to see what was going on with the elderly African American lady and she was just saying that the police had a man out and was shooting at him or whatever and after that happened we, we had been out of the car approximately two to three minutes we heard like I would say five to six popping sounds maybe it was, like the sound of maybe a taser gun, it wasn't loud enough to be like a regular gun and so we just moved to the back of the car and the elderly African American lady got out crying hysterically saying that the police had killed whoever they were involved with I guess.

Dran: Okay. Alright. Um, just some follow up questions for you.

[redacted] Okay.

Dran: When, um, you said you were, you said you were northbound on Halsey, were you going towards the river or, uh, away from it?

[redacted] Towards the river.

Dran: Okay. Um, and it was just you and your brother in the car?

[redacted] Yes.

Dran: Okay. And, um, where was this, uh, red or burgundy vehicle in relation to, um, 6th Avenue where this happened?

[redacted] It was like a car length behind the stop sign.

Dran: Ok.

McGlathery: I'm sorry to interrupt, um, I'm going to have to move you guys back in there if you could.

Dran: Okay.

McGlathery: Um, because I need this.

Dran: Sure, okay.

McGlathery: Sorry.

Dran: Uh, its 10 o'clock, we're going to stop the interview temporarily.

Dran: Okay, we're back on tape. The time is, uh, 2201. And so last we were talking I was asking you about to clarify exactly, um, where this, uh, red car was in relation to, to you guys when you were driving westbound on Halsey.

[redacted] Um, like a car length, um, in front of us.

Dran: Was it parked or was it driving?

[redacted] It was parked.

Dran: Okay. And where was that car in relationship to, uh, the stop sign at 6th Avenue?

[redacted] I would say within a car length.

Dran: Okay.

[redacted] Because we had enough room to go around the car and be with in the lines of the stop sign and not be over the line where the stop sign was.

Dran: Okay. And when you went to go around that car you said you saw an elderly lady that was having convulsions?

[redacted] Yeah.

Dran: Where, where was she?

[redacted] She was in the front seat of the driver…

Dran: …of that maroon car?

[redacted] Yes.

Dran: Okay. And, uh, what, what drew your attention away from her to see the, the officers, um, at the car, the other car?

[redacted] Because at the same time as us going around her, um, there was police officers coming from behind us.

Dran: Okay, okay.

[redacted] Cars coming behind, uh, and so they like pulled in front of us into the middle of the intersection so I'd say right there and I'm just like "what the heck is going on?" and we heard yelling about get out the car we were in the line of fire and so instantly we like looked to the left to see what was going on, where the police was going you know and we seen that there was police officers out with their guns drawn.

Dran: Did you see what they're, what they were focusing their attention on?

[redacted] I seen a guy it looked like he was laying on ground or something was laying on the ground between a, uh, small like light goldish colored car, um, and the curb and its like they had their guns basically drawn at the car.

Dran: Okay. How close were officers to this person that was on the ground?

[redacted] Um, I would say anywhere from like maybe not too far away, I'd say maybe 10, 20 feet maybe.

Dran: Okay. And did you see anybody else in the car?

[redacted] No, I didn't see nobody I just seen that there was something laying on the ground and it could possibly been a person and that police with their guns drawn and it was like there, it was like as to say they were like facing us so like if they were to fire anything it would come our way so I just looked and instantly turned to get out the line of fire like they had said. I was in the line of fire so I just wasn't like focusing on exactly really how many people were there.

Dran: Sure, you just, sounds like you saw something going on, there were a lot of police and there were guns being pointed and

[redacted] exactly

Dran: and you wanted to get out of the way. Okay. Now from what you were saying previously it sounds like you, you've sort of, focus your attention back on this, this lady that was inside the car.

[redacted] Yes.

Dran: Did you get out of your car at that point to, to talk to her?

[redacted] Oh yeah, once they said we were in the line of fire we got out the car…

Dran: …just left your car right…

[redacted] …left the car right there.

Dran: Okay, which car, which car were you guys in?

[redacted] It's a [redacted]

Dran: Okay, okay. So this, this, uh, older lady you she was, you said she was an African American lady and that she was convulsing, was that, was she having a medical episode or what, what was happening?

[redacted] She was doing, uh, she was doing a lot of crying and shaking and saying "oh they killed him, I seen it, they killed him" and I was like what the heck are, is going on and she just kept saying "they killed him, I seen it and I'm going to tell and I can't believe this, it's one thing to hear it happen but then to see it it's another, they killed him." It's like "wow."

Dran: Okay. Did she, did she, uh, mention anything if she knew this person or?

[redacted] No.

Dran: Okay.

[redacted] No.

Dran: Um, and while, so you're talking to her at the, at her driver's, were you, driver's side of her car?

[redacted] Yeah, I'd say between her, her the car and the door because me and my brother was trying to get her out the car to see what was going on with her because we didn't know at the time what was going on with the police. We didn't know if she had gotten in a car accident and they ran and got the people that hit her or we didn't know what was going on so we was just trying to get her out the car to see what was going with her.

Dran: Okay. Um, from where she was positioned with her, in, with her car,

[redacted] Um-hm.

Dran: Um, were you able to see the activity with the officers or were you out of, out of sight at that point.

[redacted] Out of sight.

Dran: Out of sight, okay.

[redacted] Um-hm.

Dran: And you'd mentioned to me earlier before we had to, to move rooms here that, um, you heard, um, five or six popping sounds...

[redacted] ...popping sounds, yes.

Dran: And you said you thought you said maybe one of those was a taser.

[redacted] It sounded more like of a, like a taser than a gun.

Dran: Have you heard a taser, uh,...

[redacted] ...yes, and...

Dran: ...fired before?

[redacted] Yes, it wasn't like a boom, it was like a (cracking sounds).

Dran: Like a crackling.

[redacted] Yeah, a crackling noise.

Dran: Okay.

[redacted] So it sounded like it could be a taser not like a gun shot.

Dran: Okay, but the other, the other sounds you heard, the popping sounds, did those sound like, like gun shots or did they sound like something different perhaps?

[redacted] No, I just heard the sound of when I had got out the car and, uh, was back away from the car, the vehicle I was in like a crackling noise I didn't hear no other type of noise, boom sounds or anything.

Dran: Okay, so I, I think I mis, I misheard you when you were originally, we were talking and, uh, the command post back there the, the popping sounds you heard ...

[redacted] ...yes, it was like crackling sounds...

Dran: ...those were just the crackling sounds of the taser.

[redacted] Yes.

Dran: Okay.

[redacted] Yeah, yeah.

Dran: Okay, got you. And then, um, did you hear anybody yelling anything or saying anything or?

[redacted] No, no I didn't hear anything.

Dran: Did you see anything else that, that sticks out in memory that, that, uh, you thought was important to, to remember or, or strange, or?

[redacted] No, other than I just seen something like between the car and the curb the, the car door was open, I seen something on, between the curb and the car door on the ground I don't know, it was a person or what but there was something on the ground in between the car and curb.

Dran: Okay, and which, which door of the car, which side of the car was that door on.

[redacted] On the door closest to the curb.

Dran: Okay, do you remember which side of the car that would be, driver's side or passenger's side?

[redacted] Um, I'm trying to think. It was, uh, I believe it had to be let's see if I see, I think the car was like positioned this way with the door open because I like could, uh, think I seen the back side of the car door. I seen the back side of the car door, I believe…

Dran: …okay, so, so from, from memory what, what would that tell you, which, which, uh, which side, uh, passenger side door or driver side door would have been open.

[redacted] Let me see, I think it was the driver door.

Dran: Okay.

[redacted] I think it was the driver door.

Dran: Okay, but you're not, you're not…

[redacted] …I'm not…

Dran: …but you're not, you're not 100% sure?

[redacted] I'm not a hundred percent sure.

Dran: It sounds like this all happened pretty fast.

[redacted] Yeah.

Dran: So that I understand the sequence of events, you said that and I, I apologize for going over this again but I want to make sure…

[redacted] …it's okay…

Dran: …that we're totally clear. Um, so you and your brother are driving, um, westbound on Halsey

[redacted] Um-hm.

Dran: as you're approaching the stop sign with 6th Avenue, you see a maroon or red car parked on the, uh, was it in, on the right side of the road?

[redacted] Yes.

Dran: Was it parked normally or was it parked…

[redacted] …in the middle street it wasn't like…

Dran: …so it…

[redacted] …like they just stopped.

Dran: She just stopped. Okay.

[redacted] Yeah.

Dran: Okay, you were able to, uh, or well your brother was driving you said?

[redacted] Yes.

Dran: Okay and, and that, um, [redacted] you said, [redacted] [redacted] he was able to maneuver his car around her car and when you looked over you saw that there was an, an elderly black lady inside the car and she was convulsing

[redacted] Um-hm.

Dran: uh, then you proceeded to the stop sign and you saw police officers coming up from behind you and saw when you looked left you saw police activity

[redacted] Um-hm.

Dran: centered around a beige or gold…

[redacted] …colored car…

Dran: …car that had, uh, the officers had their guns out and they were pointing their guns towards and, and not at you but in, in, in…

[redacted] …yeah…

Dran: …your direction…

[redacted] …exactly…

Dran: ...so that would be north and you saw something, uh, you saw the door was open, you saw something sticking out, um, from inside of the car and, and it was partially on the, on the curb or the sidewalk. You didn't know if that was a person or, or what...

[redacted] ...no I seen something on the ground in between the car and the curb there was something on the ground.

Dran: Like, uh, what kind of a something.

[redacted] I don't know it could've been like if it was a person it was a shirt I seen, I think it was black and like a cream color it was something of some type of material on the ground.

Dran: Okay, okay...

[redacted] ...so it could end up being a person but I wasn't...

Dran: ...you don't know exactly what it was...

[redacted] ...I wasn't looking hard on it to see what it was but there was something on the ground between the curb and the car door being open.

Dran: Okay, okay. So you, you scanned, as you're scanning, as you're looking to see what the heck is going on, you hear officers yelling at you that you're in the line of fire, that you're in the way, that to move so you, uh, you and your brother get out of his car and you retreated back, it would be east on Halsey,

[redacted] okay

Dran: to the elderly lady that was in the car convulsing,

[redacted] Um-hm.

Dran: and she was crying and shaking and saying that she'd seen it all, and they'd just, they "just killed him"

[redacted] yeah

Dran: and, and, uh, she was going to tell on them and

[redacted] yeah

Dran: and, uh, did you ask her any questions about, about what, what she saw?

[redacted] She started to go tell, um, to say stuff but the officer that had came to talk to us told her that he would suggest that she not saying anything until she talks to a detective.

Dran: Okay.

[redacted] But she was just saying that she was at the stop sign, she seen it all, police started firing and she had to back her car up to get out the line of fire and she was in so much shock she just stopped her car where it was parked at, at that time.

Dran: Okay, and while, while you're talking to her, while you're listening to what she's saying, that's when you hear the, the popping sounds that you, you thought was a, a taser going off.

[redacted] Yes.

Dran: Okay, um, and, uh, I can't remember, did you say you heard people yelling or?

[redacted] No, I didn't hear nothing.

Dran: Okay, and then, and then you didn't hear any other noises that sounded like, like gunshots.

[redacted] No, all I could hear was like police sirens, that's it. Nothing else.

Dran: Okay. Okay. And then, um, tell me if I'm wrong at that point that's when an officer talked to you to, um, have you, asked if you wouldn't mind waiting around to talk to one of us about, about what you saw and what you heard.

[redacted] Exactly.

Dran: Okay. Has, uh, has [redacted] been spoken to?

[redacted] No, he hasn't.

Dran: Okay, was he the one who was asking about you as you were, was he the one standing up on the wall?

[redacted] He has on a red hoodie with letters across it.

Dran: Okay, okay. We'll go back and we'll, we'll, we'll find [redacted]

[redacted] That's probably my step-dad you were talking about.

Dran: Oh, okay. Okay. And I just want to confirm, um, your last name is [redacted], like [redacted], first is [redacted] and it's [redacted] like [redacted] middle is [redacted] like [redacted]

[redacted] Yes.

Dran: Your birthday is [redacted] of [redacted]

[redacted] Yes.

Dran: And you live at [redacted] NE 12th Avenue in Portland, 97211.

[redacted] Yes.

Dran: And, uh, home phone 503 [redacted]-[redacted]

[redacted] Yes.

Dran: Cell phone [redacted]-[redacted]

[redacted] Yep.

Dran: Work phone 503 [redacted]-[redacted]

[redacted] Yes.

Dran: I forgot to ask you where you work.

[redacted] I work at the [redacted].

Dran: Oh, okay. What do you do out there at the [redacted]

[redacted] I'm a dispatcher.

Dran: Oh, okay. What do, what do you, what do you dispatch?

[redacted] I dispatch wheelchairs out to people.

Dran: Okay.

[redacted] That need assistance.

Dran: That's like a whole city out there isn't it, with inner workings (inaudible).

[redacted] Yes.

Dran: I bet you're pretty tired too even, even (inaudible).

[redacted] I've been up since four o'clock this morning.

Dran: I hear you…

[redacted] …I have [redacted] I'm ready to get home to.

Dran: Oh, I hear, I appreciate you sticking around. Uh, we go off or turn the recorder off do you have any questions for me? Anything you can think of that, uh, might be important for our investigation.

[redacted] Uh, no. All I want to know when we will be able to move the car and go home, that's about it.

Dran: That unfortunately, you, you, there is a series of questions you can ask me that you can ask me that I don't have the answer to, that's one of them, but I'll try to find an answer for you as soon as I can. Um, Tony can you think of any questions?

Harris: No, nope.

Dran: Okay, alright.

Harris: Sounds good.

Dran: Okay, we're going to go ahead and stop the recorder the time is 2214.

Transcribed Verbatim with Punctuation Added at 1640 on 052110, S. Maier.

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Dran: This is Detective Dran, DPSST #34502, it is 2000 hours, on Wednesday, May 12, 2010. I am at, uh, an office at the intersection of Sixth and Clackamas with [redacted] a male white, date of birth [redacted], home address is [redacted] Avenue, in Portland, Oregon 97212. Home phone is [redacted], work phone is [redacted] and Mr. [redacted] is a database analyst for [redacted]. And Mr. [redacted] I just want to confirm that you acknowledge that this conversation is being recorded.

[redacted] Yes.

Dran: Okay, excellent. So I understand, uh, that this evening you were on your bicycle on your, uh, headed home or headed elsewhere other than work.

[redacted] Uh, I was just, uh, on a (clears throat) casual trip to, um, Lloyd Center to get some gifts for a trip I'm taking and I was just going to kinda make my way back to my house for dinner with my family.

Dran: Okay and can you tell me sir, um, which street were you on?

[redacted] Um, I guess it was Halsey.

Dran: Okay and which direction were you traveling?

[redacted] It would have been, um, west.

Dran: You were headed, towards Lloyd Center?

[redacted] No I'm sorry I got to get my directions straight, north is, I was heading towards downtown towards the river.

Dran: Okay so you were headed west.

[redacted] Yeah.

Dran: Okay and which side of the street were you on?

[redacted] Well I was on the legal side heading west so...

Dran: So it would be the.

[redacted] ...it would have been the north side of the street.

Dran: Correct, okay, uh, so westbound on Halsey on the north side of the street, were you on the, on the street or on the, on the sidewalk?

[redacted] On the street.

Dran: And, um, how close were you to the intersection of, uh, Northeast Sixth? That's the, uh, street that's just outside of us here.

[redacted] Well I was, I was on Halsey and I stopped at the stop sign at wherever the altercation occurred at.

Dran: Okay, okay, that would be Northeast Sixth.

[redacted] Sixth yes so I was at that intersection.

Dran: Okay so you were stopped, uh, stopped for the stop sign, excellent.

[redacted] Right.

Dran: And, uh, I'm just going to let you go ahead and tell me, um, I'll let you tell me what you, what you saw and what you heard, um, please let me know if your positioning moved at any point and, um, then I'll just follow-up with questions.

[redacted] Okay (laughs) here we go, um, essentially I was obeying the traffic laws, um, heading towards, um, Vancouver Avenue which I like to drive right up to 'cause it's a nice drive with the rest of the commuters and making my way over there, when I came to the stop sign, um, I waited because there was some excitement with a car stopping and a police car pulled along side of it with it's, um, um, lights on, warning lights the blue flashing lights were flashing lights were.

Dran: Um-hm.

[redacted] Um, it stopped in a real, very quickly, it didn't skid it just came to a very fast stop next to the other car very close to the other car, uh, and behind it I believe a little bit, well had to, and then (clears throat) the officers got out, there were at least two of them, they approached the, uh, side of the car that they had stopped and were talking to the driver and, um, while they were talking to the driver, um, it seemed to be a fairly calm situation, the driver was answering their questions, (inaudible) I couldn't see that he was being belligerent I

couldn't hear anything, him yelling or anything like that, two officers were questioning him, um, and it seemed to be just a normal traffic stop so I just out of curiosity I was just kinda standing there watching it, um, because, um, I wasn't sure if other officers were gonna come, if there was going to be a situation where I, I'd be really careful because they'd want to get by...

Dran: Sure.

[redacted] ...a police car or whatever, plus to be honest with you I was totally mesmerized, it's like this is really very different.

Dran: Right in front of you.

[redacted] Right in front of me it's like watching a movie.

Dran: Sure.

[redacted] Um, and while this is going on I was fairly calm, that's part of the reason I didn't leave, well this is a just a normal traffic stop I'll just hang around a minute or two, um, but over a period of I would say two minutes at the most, um, two to three minutes, um, one of the officers told the person in the car to raise his hands up and the person in the car did raise his hands up he did as he was told, and then, um, at least from what I could see through the windshield.

Dran: Okay.

[redacted] I had a better view of the officers than I did of the car, the occupant of the car because the windshield was between, uh, myself and him, so there was limited, less visibility. And then, um, things got a little out of hand as that progressed because the officers I believe wanted the gentleman to get out of the car and I don't think he wanted to. He was, he started yelling at 'em saying I couldn't exactly what he said, I have bad hearing in my left ear.

Dran: Okay.

[redacted] Um, but the officers said, started yelling back at him, yeah they did yell back at him, they raised their voices too and I believed they wanted him to get out of the car and I think he refused, um, at that point I guess another police car had shown up and somebody else, at least one of the officers had gotten out with a Taser, I recognized it wasn't a gun it was kinda blue colors or yellow colors or something like that.

Dran: Okay.

[redacted] And he, uh, had the Taser raised up and the other officers did not have guns drawn, they were just talking to the guy and wanted him to get out of the car and when he wouldn't they reached in and they, they grabbed him by his arms and started pulling on him to try to get him out of the car and at that point the, uh, the occupant of the car got very belligerent and was resisting them doing that, um, and then it just escalated very, very quickly, this all occurred in a matter of I would say a minute two minutes at the most.

Dran: Hm.

[redacted] The officer with a Taser at that point fired the Taser at the, uh, gentleman in the car at which point (clears throat) he slumped over or leaned over, I couldn't tell if it was slumping over because of the effect of the Taser or whether he was leaning over or whatever 'cause once again my visibility wasn't perfect because of the windshield. He obviously had gone from a sitting position to a, a leaning over position, um after the Taser had been fired and very quickly after that, um, there were shots fired, um, by the officers into the car at the occupant. I didn't see the occupant well enough to see if he had had a weapon to fire, to fire back at the officers or not, um, the only thing I saw was the officers firing at the individual in the car.

Dran: Okay.

[redacted] And at that point, um, there, oh, I mean this situation was escalating like exponentially, there were more police cars coming in, um, uh, my attention shifted from the car over to the other officers getting up, driving up with their cars and jumping out of the cars with weapons and, um, you know it was just, it escalated to a point of controlled hysteria, that's the way I would put it, um, and it, it, as the scene progressed after that, um, I think it must have been one of the officers opened the opposite, the passenger side of the car and pulled the individual out part way so he was halfway out of the car on the ground. At that point many other officers were standing around, um, to the right and behind the car with their guns drawn pointing at the guy just to make sure that he wasn't going to shoot back 'em. And later on they pulled him completely out of the car and by the time all that was going on there was a lot of excitement and the other officers told me, "You gotta leave, go away, bullets flying."

Dran: Right.

[redacted] And I said, oh, and I was, and there, to be honest with you I wasn't staying around to be an instigator I was just stunned watching this going on.

Dran: No I understand.

[redacted] And I was just in a state of shock going this is, this is unbelievable, um, and I just, uh, rode, not rode but pushed my bicycle down the block towards the house and that's when I saw Officer Norlin and he stopped me and yelled at me to get out of there, get out of there, and then somebody else told him that I'd seen, I had been a witness and I said yeah that's true and at that point he, he and I discussed what had gone on (clears throat) and that, that, at the time Officer Norlin and I were talking, that was probably not more than five, ten minutes after, uh, the shooting had occurred.

Dran: Okay.

[redacted] So it was very, very quickly after that.

Dran: Yeah they tend to actually happen very, very quickly.

[redacted] Yeah and I understand why he (clears throat) wanted to get a statement because my memory would, would be more fresh that way.

Dran: Yeah, yeah and some folks actually, um, you know for one reason or another they, um, either they clam up or they just decide they're gonna, they're gonna take off and then its just nice to be able to have something initially in case one of those two situations plays out.

[redacted] Right.

Dran: I really appreciate you sticking around to chat with us.

[redacted] Well you know its just one of these situations where, um, I'm a witness and its more or less my civic duty to report what I've seen regardless of who is at fault or whatever.

Dran: Sure.

[redacted] Just reporting the facts as they are, as they occur, um, I, I will say this, um, I didn't see anything that was, and I'm, I'm not just saying this because I'm for the police or against anybody else, I didn't see anything that was, that I would consider unprofessional by the, by the police officers that were there. Everything they did seemed to be, uh, what you would expect in that type of a situation, their behavior, their reaction to what was going on.

Dran: Okay.

[redacted] I didn't see any provoking of, of the individual in the car, or, in fact they were standing around talking very casually and they had a very relaxed attitude when they were first talking to the guy and it wasn't until they wanted to get out the car that the scene situation escalated.

Dran: Okay. Let me get caught up with my one sentence here.

[redacted] Yeah you just total got a total brain dump.

Dran: (Laughs) Yeah, no, you, you, that's, that's great that's what I want, I want, I prefer for, for people to, to tell me what they know what they saw and what they heard and then it's just much easier for me to go back later and ask questions and maybe do some paraphrasing and, and, uh, and just get some additional details.

[redacted] Yeah.

Dran: Um.

[redacted] I, I understand that. The only thing I don't want by the way is to have my name in the newspapers.

Dran: Okay I'll make a, a note of it, um, I can't.

[redacted] I don't want to be public and I don't want to have things like people calling me up saying, you know intimidating witnesses and all that kind of stuff.

Dran: Sure, sure, um, and we'll cross that bridge when we get to it, um, I think, um, well it's hard to say at this point, um, which path all this is gonna, is going to go, um, things seem to be very fluid and dynamic right now in the city as I'm sure you are well aware, um, so, um, I'll, I'll, when I speak to the, um, the lead investigators I'll, I'll voice your concern, and, and you know, your concern is, is one is shared amongst, amongst many believe me its.

[redacted] Yeah I don't want my family to get to get targeted.

Dran: No I understand, I understand, and, and based on my experience, um, from, from what I've, um, the cases I've been involved in, um, sorry I've got multiple phone ringing at the same time. Um, my experience has been is it, is it the media would, would usually try to contact and, and if you, you know, uh, we, we instruct folks until, until everything is said and done, um, we ask that you not talk to the media.

[redacted] Oh I don't want to talk to anybody (laughs).

Dran: Okay I understand. Just, just to preserve the integrity of the investigation, its not to try to keep anything from anybody, it's just that when too much information gets out then, um, uh, obviously potential jurors would get, would you know, they would potentially be, be tainted and we'd just like to keep things, um, kind of, you, not, not I don't want to say in house but keep things restricted to the folks who have the knowledge until the court proceedings are underway, so.

[redacted] The need to know.

Dran: Correct, correct. Um, we can get the basics out there, you know, the basic information about what, you know, what happened and this and that but until the investigation is done, until everything is said and done, um, that's, that's when we'll start releasing some more information and that's, that's how we've, that's how we've handled things, uh, most recently.

[redacted] I would just like to be known as a witness.

Dran: (Laughs) I understand, I understand and like I said I'll make sure that, uh, that that gets communicated to the two lead investigators. Um, okay and this point what I would like to do is, uh, just go back over, um, your statement and then, um, as I'm looking at it I'm sure I'll have some questions and I'll, we'll go from there. Um, so you were, uh, riding your bicycle, um, uh, actually back towards the downtown area, uh.

[redacted] Yeah I wasn't going to go downtown, yeah.

Dran: **Okay** but towards, you, you were riding your bike west, um, on, uh, on Northeast Halsey, on the north side of the street, um, so with traffic and there's a stop sign at that intersection for, for you and for vehicles and you, you had stopped at Northeast Sixth and Halsey for the stop sign. Um, your plan was to head toward Vancouver Avenue because you like, you like that path, um, for travel, um, while you were at the stop sign you saw a police car, uh, or a car with, that you presumed to be a police car because it had blue lights activated and make what you thought was a traffic stop on another vehicle. Can you, um, do you remember that other vehicle at all, what it, what it looked like?

[redacted] I think it was a light, like a beige Toyota.

Dran: Okay.

[redacted] Is that, I'd recognize the, the Toyota emblem on the front, on the hood.

Dran: Okay yeah we were trying to decide what color to call it – champagne or beige or gold or.

[redacted] No it was just, it was just, you know, a real light tan, like a…

Dran: Yeah.

[redacted] …beige that's the best I can say.

Dran: Okay now, um, when, when the officers, when the traffic stop came into your view, um, what was the driving behavior of the, of the, of that Toyota?

[redacted] Normal.

Dran: Normal?

[redacted] Just stopped.

Dran: Just, just like just pulling over normal.

[redacted] Just seemed like a normal traffic stop to me.

Dran: Okay and, um, the, uh, the police car in question, um, its kind of an odd question but what kind of a police car was it, was there anything special about it or different than the average or normal police car?

[redacted] I don't look at police cars, it wasn't a city car, what I consider a standard, um, Portland Police (inaudible).

Dran: Like with a light bar on top, white.

[redacted] White, blue stripes, the yellow Portland Police.

Dran: Okay so there was something different about the police car?

[redacted] It was dark.

Dran: Okay.

[redacted] Very dark, dark blue.

Dran: Okay and, um, you said that, uh, you said it was a quick stop.

[redacted] Um-hm.

Dran: And, and can you explain what that means (inaudible)?

[redacted] Well the car instead of slowing slowly pulling, um, behind the, uh, the car that was going to, um, issue the citation to or at least question the driver was going at a, a higher rate of speed than.

Dran: So the police car was traveling faster than the...

[redacted] Yeah, yeah.

Dran: ...the target vehicle.

[redacted] Right then he came to a quick stop.

Dran: Okay.

[redacted] Behind and to the left of the, the, uh, yeah, behind and just, just to the left of, uh, the car.

Dran: Okay alright and you said, and, uh, you said that two officers got out of the police car and, um, you said they approached the, uh, the driver, which side of the, of the target vehicle did they approach from?

[redacted] They approached it from the driver's side.

Dran: Okay both officers on the driver's side?

[redacted] Yes.

Dran: Okay. And, uh, you said that, uh, the officers were talking to the driver, did you see anybody else in the car?

[redacted] No.

Dran: Okay.

[redacted] I didn't really, I didn't really look to see if, to see if there was anybody else, I just saw the driver and I thought oh it's just a single occupant in the, in the car that they are stopping for a traffic violation, that was my initial impression.

Dran: Okay and so with the two officers, uh, at the driver's side of the car, um, how are, how are the officers standing, what, what I mean by that is, um, their positioning, um, at, at the car.

[redacted] They were, um, slightly behind the driver's door next to each other, um, and in a real, not a tense posture a casual posture, they didn't seem like they were alarmed or they were anticipating any type of violence.

Dran: Okay so, um, what I'm envisioning in my mind's eye is that they were, um, we call it stacked, um, so one, one officer is talking to the driver just behind the door panel basically.

[redacted] Um-hm.

Dran: Um, one standing there and the other one is just behind him or was he off to the side of him?

[redacted] Um, he was off to the side of him, I think, I'm pretty sure.

Dran: Okay, um, and, and, and I apologize but I got to be really…

[redacted] Oh no, no I understand.

Dran: …specific, um was he offset at all or was he shoulder to shoulder or…

[redacted] No, he…

Dran: …slightly in front of.

[redacted] (Clears throat) Do you mean the two officers?

Dran: Yes, yes.

[redacted] They, they were separated I mean they were.

Dran: What I mean is, um, uh, and there's an officer at the, the driver's door standing here, it sounds like what you are describing is a second officer was kinda standing to that officer's…

[redacted] Yes.

Dran: Left side.

[redacted] Yes.

Dran: Okay, okay. Okay so you say things seemed, uh, casual, um, and calm, um, you said that you were curious that this, this stop was happening right in front of you and it was kind of like…

[redacted] Yeah.

Dran: …watching a movie.

[redacted] Yeah.

Dran: Yeah.

[redacted] It's just you know it was jus one of these things were well that's unusual.

Dran: You got the chance to watch so might as well.

[redacted] Yeah I'm there.

Dran: Yeah.

[redacted] I'm on the way home, it's.

Dran: Yeah.

[redacted] It's the afternoon I'm just relaxing whatever.

Dran: Sure, sure I, I understand, that's one of the reasons what got me into this job was just that curiosity it's just how it is. Um, you said that, uh, this, this stop was maybe two to three minutes at the most, um, and you, you remember hearing one officer tell the driver to put his hands on, or to raise his hands.

[redacted] Yes.

Dran: Okay do you remember the specific words that were said?

[redacted] Raise your hands up.

Dran: Okay.

[redacted] Raise your hands over your head.

Dran: Raise your hands up.

[redacted] Raise your hands or raise your hands over your head. At that point I was going, hmm, this is not normal.

Dran: Okay now did the officer's tone of voice was it, uh, was it conversational tone was it quiet was it firm and, and loud?

[redacted] It was firm.

Dran: Okay was it louder than a conversational tone?

[redacted] Oh yes.

Dran: Okay.

[redacted] Yeah it was very emphatic raise your hands over your head.

Dran: Okay do you remember which officer said that.

[redacted] Um, it was a, it was a tall fellow that was, uh, that was, uh, bald or had a shaved head.

Dran: Okay, okay and the other officer was, was I'm, I'm sorry the tall officer the bald one was he the one that was at the driver's side door?

[redacted] Yes.

Dran: Okay.

[redacted] Um-hm.

Dran: Um, and the other officer when, when the bald, we'll call him the tall bald guy, when the tall bald guy gave that command did the other officer did his positioning change at all?

[redacted] Um, not really, um, they still maintained the save relative position…

Dran: Okay.

[redacted] …but they were obviously more agitated more tense.

Dran: Okay.

[redacted] The, the level of calmness had started to disappear when they were the, uh, (inaudible) the overall tenure of the situation had now gone from being calm and talking to more tension.

Dran: Okay I don't want to put words in your mouth and please correct me if I'm wrong but, um, what I'm kinda envisioning is things are, are go from casual maybe more of a relaxed, more of a relaxed posture and, and gait to with, with things escalating more rigid and perhaps more appearing to be more focused and, and concentrated on we've gone from casual to, um, things are gettin' kind of serious.

[redacted] Yes.

Dran: Okay, um, you said that, uh, after the, after the tall bald guy gave that command you said the driver did comply, he, and where did he do you remember, were you were able to see exactly where he put his hands?

[redacted] Um, what I saw was that he raised his hands, he didn't put them behind his head he just raised them up.

Dran: Okay, okay.

[redacted] And then, yeah, a short period after that they said put 'em behind your head.

Dran: Okay did he do that?

[redacted] Um, I think he started to and then, um, you know its really hard for me to say because as long as he had his hands up in front I could see what was going on, once his hands went back my visibility wasn't as good because of the windshield being there.

Dran: Okay was that just, just because of the inherent curvature of the windshield and were, was there any glare from the sun?

[redacted] No the sun had already gone.

Dran: Beyond or past it.

[redacted] Beyond, yeah.

Dran: Um, so just because of the contour of the windshield?

[redacted] Yeah.

Dran: Hold on just for a sec. Oh it looks like we've got some more investigators here. Um, okay so you said that, uh, at that point when, uh, when, uh, they told him to put his hands behind his head that's when things, you said that's when things started to get, uh, um, you said things got out of hand.

[redacted] Not really out of hand, they just got more tense.

Dran: Just got more tense okay.

[redacted] I mean there, the officers' postures got more rigid, um, instead of you know having slumped shoulders just you know casual it was like there was obvious, obviously more tension there.

Dran: Okay, um, you said that the officers wanted this, uh, this gentleman out of the car, did.

[redacted] I assumed that I mean it.

Dran: Okay, okay.

[redacted] I you know, a combination of, uh, being across the street plus, uh, I have bad hearing in my left ear in fact I've only got ten percent in my left ear, um.

Dran: Did you hear any commands about get out of the car?

[redacted] I did not.

Dran: Okay.

[redacted] Yeah I just assumed that was going, what was going on.

Dran: Okay, um.

[redacted] They may have said it in a more, in a softer voice or...

Dran: Sure.

[redacted] ...a voice that I couldn't hear.

Dran: Okay no that's fine, um, you said, you said the driver was, uh, was yelling back at the officers but you couldn't hear what he was saying.

[redacted] What he was saying no, it, it was going out the (inaudible) directly towards the officers.

Dran: Were you able to hear his, his voice yelling?

[redacted] Yes.

Dran: Okay.

[redacted] I just couldn't hear what the words were.

Dran: Okay, okay and now while this is happening I know it's happening very quick, um, was the driver's door still closed?

[redacted] Yes.

Dran: Okay had the officers changed position at all?

[redacted] Um, they were, there was a lot of back and forth going on, the occupant was yelling at them, they were yelling back at the occupant, um, and it was escalating, the, the, uh, the hostility or whatever you want to call it between the two was escalating.

Dran: The intensity?

[redacted] Yeah the intensity.

Dran: Um, did you see, were the officers, did the officers basically stay at that driver's side door?

[redacted] Yes, yes.

Dran: Okay, okay. Um, 'kay you said that, uh, while this is happening a, a third officer arrives.

[redacted] I didn't, you know, in the back of my mind like I said it's like watching a movie another car did come up and it's either one or two officers came and one of them had a Taser.

Dran: Okay.

[redacted] Yeah.

Dran: Where did that car stop in relation to where this is happening?

[redacted] He's, he came whipping up, up on Halsey and stopped to the front and to the left of the, uh, the two cars that had already been stopped. So you have the

two cars here at the intersection, here's me, the other officer comes up like this.

Dran: Okay did, uh, did that officer, um, in relationship to the, uh, to the target vehicle, um, how did that officer position his police car?

[redacted] Um, he looks like, he looked like he positioned it so the, uh, the, uh, the car that they had stopped…

Dran: Um-hm.

[redacted] …couldn't, couldn't get away.

Dran: Could not get away, okay call that a box in.

[redacted] Box in.

Dran: Yeah, okay so I think from what you were demonstrating, um, that they came in, that they were traveling, it would be eastbound on Halsey.

[redacted] Yes correct.

Dran: Okay.

[redacted] Yeah in fact I did, I did notice them, the cars coming in because all of a sudden there were a lot of other cars that were, you know you hear the sirens…

Dran: Um-hm.

[redacted] …and you know that I thought that obviously the radio call had gone out and there's a lot of other, uh, people and officers and cars that are responding to this and this guy happened to be the first one that…

Dran: Right.

[redacted] …got there.

Dran: Okay, um, okay so, uh, you said that, uh, one of those, one of the officers in that second car that arrived had a, a Taser out and you said it, it looked different because it was either blue or, or yellow.

[redacted] It didn't look like a gun I mean it looked like a toy almost.

Dran: Okay, um, do, and you said the other two officers that were, that had made the original stop at that point did not have any weapons out.

[redacted] No not that I saw.

Dran: Okay, um, the other two, uh, the two officers the original officers, uh, opened the driver's side door and, uh, you said they start pulling trying to…

[redacted] …actually…

Dran: …pull the driver out.

[redacted] They did not open the driver's side door they reached in.

Dran: They reached in.

[redacted] Correct.

Dran: Okay so they reached in through the window?

[redacted] Yes.

Dran: Okay, um, could you see what they were trying to accomplish by doing that?

[redacted] They were trying to pull him out of the car, they reached in they grabbed his arm and they were trying to pull him out of the car.

Dran: Were both officers actively engaged in that?

[redacted] Uh, at least the tall guy was the tall, the bald guy.

Dran: The bald guy?

[redacted] Yeah.

Dran: Okay.

[redacted] I don't think it would have been possible for anybody else to get in there 'cause it's just a window.

Dran: He's a big guy, the tall bald guy (laughs).

[redacted] Yeah.

Dran: So I imagine he took up most of that window space.

[redacted] Right.

Dran: Okay, um, you said that the, uh, the driver of the car was, was resisting and, uh.

[redacted] No obviously because he didn't want to come out (laughs).

Dran: Okay, what, what did, what were you able to see what, what indicated to you from his behavior that he was resisting their efforts?

[redacted] Well they were pulling on his arm they wanted to get him out and they were unsuccessful, (inaudible) he you know he was not complying with them pulling him out of the car, he was resisting (inaudible) well I'm not gonna let you pull me out of this car.

Dran: Were you were you able to see him his, him pulling back or his body shifting toward the passenger side of the car in an effort...

[redacted] Yeah.

Dran: ...like a tug of war?

[redacted] It looked yeah exactly.

Dran: Okay did you happen to notice if his car was listing at all during this if it was moving?

[redacted] No I didn't notice that.

Dran: Didn't notice okay.

[redacted] Um-hm, but you know like, like I said with all this action going on it may, it may have been but I didn't notice it.

Dran: Okay.

[redacted] I was focused on the police officer and the driver.

Dran: Okay.

[redacted] Everything else was like window dressing.

Dran: Oh I understand it, like I said I'd, I was gonna, I'm gonna ask some very specific questions so.

[redacted] That's fine.

Dran: Um, so you said that this, um, this third officer that arrived, um, fired his Taser…

[redacted] Yes.

Dran: …at the driver and at that point what was the, what the condition of the driver's side door?

[redacted] It was still closed.

Dran: Still closed okay so it, so it.

[redacted] The driver's side door was never opened.

Dran: Okay, okay so he fired the Taser through the, uh, through the open window?

[redacted] Um-hm…

Dran: ...um, and then from there you said, uh, very quickly after oh let me back up, you said the driver slumped over, uh.

[redacted] Yeah 'cause the Taser was fired.

Dran: Okay did.

[redacted] He either slumped over or he leaned over, but.

Dran: Okay at which, which side of the car was he leaning to?

[redacted] He was leaning toward the passenger side.

Dran: Okay.

[redacted] This is interesting after all this I'm finally starting to get the, the shock of what happened (laughs).

Dran: Yeah, no, if you need to take a break or anything let me know.

[redacted] No that's okay I just.

Dran: Okay, yeah, no, that's, that's human nature.

[redacted] It's normal.

Dran: Yeah believe me it's perfectly normal, congratulations you're normal (laughs).

[redacted] No I, I never doubted that.

Dran: Well some folks they you know after something like this, um, they start when you're talking to them, you can see that it's starting to set in.

[redacted] Um-hm.

Dran: And, and, uh, and some handle it better than others and that goes, that goes for the officers too, you know? It's just, its sometimes these traumatic things happen and, and it is what it is its traumatic and, and we're human beings so we all, we all react differently so, um, okay so the, the Taser's fired through the window, the driver leans towards the, either slumps over or leans you're not sure which, um, and towards the passenger side of the car and then you said, um, that's when shots start being fired inside of the car.

[redacted] Real quick I mean as soon as he, uh, leaned over or slumped over within five seconds ten seconds shots are being fired and I, that's when I, uh, after I, I watched him slump over and then I heard the shots and I looked to the right quick and I saw the officers had their guns out and they're (making soft firing noises – to, to, to, to, to) firing.

Dran: Which, which officers, um…

[redacted] It looked lie both of them.

Dran: …are we still talking about the two original officers?

[redacted] Two original officers both firing.

Dran: Where was the officer that had, that fired the Taser?

[redacted] He was still off to the, um, in his original position, he hadn't come close to the car or anything like that or either that he backed off.

Dran: Okay 'cause so the one that had the Taser you said that he, that he went up and fired the Taser into the car.

[redacted] No he fired the Taser from about five ten, well at least ten feet away.

Dran: Okay, okay, um, and he didn't, so he didn't move from that position after.

[redacted] Not that I saw.

Dran: Okay, okay, now did you hear the officers yelling anything at this point or anybody yelling at this point?

[redacted] Oh God, um, (sighs) no to be honest with you no all I heard was the gunshots (inaudible) heard and saw the gunshots.

Dran: Okay, um.

[redacted] They have, may very well have been screaming or yelling or whatever but if they were I didn't register it.

Dran: Okay and I, I gotta ask, do you, do you remember how many shots you heard fired?

[redacted] Whoa that's always the magic question, um, they were very fast and there was just one fusillade and I would guess bang, bang, bang, bang, bang at least, uh, four to six. Definitely multiple, I mean a specific number I don't know.

Dran: But, but it sounds like what you're describing they, they, they were in rapid succession.

[redacted] Oh God yes.

Dran: Okay.

[redacted] Yeah.

Dran: There wasn't a, well let me ask you, was there any, was there any pause in the gunfire and then, then a recurrence of it?

[redacted] No.

Dran: Okay.

[redacted] No one fusillade bang that's it, or bang, bang, bang, bang, bang that's it.

Dran: Alright did you see, um, you said, you said at that point, um, uh, uh, you described it as controlled hysteria and I, I think I understand what you mean by that, um, a very and correct me if I'm wrong, but a hectic chaotic scene and happening goings on but yet still under being controlled.

[redacted] Yeah in fact I would say that, um, the fact that I was still there is reflective of that is if it did get out of control I would have been out of there like a bat out of hell, but once again to me it was like watching a movie and, um, I didn't really feel like my own life or my own health were in, uh, jeopardy.

Dran: Okay.

[redacted] So, um, just based on that in itself to me says that they, you know, they were, the situation was, I don't know if you want to use the word controlled but there was, there was a fluid dynamic going on that proceeded from event to event that actually made sense.

Dran: I know, I know what you mean, having been there I know what you're describing, it's, it's just hard to explain to, to somebody that hasn't seen it or been through it.

[redacted] Yeah, yeah, um, and I guess I was telling Officer Norlin, I'm, I'm kinda desensitized to this 'cause I've seen a number of, um, obviously films, there's so much violence in film and on television that, you know it's, it's a real desensitizing thing so, and it was just like watching a, a movie.

Dran: Sure no I understand.

[redacted] I'm just going, this is very bizarre, but it's real life.

Dran: Right, okay. Um, now once, once the gunfire stops, um, did you see the, the three original officers that were, that were, the two, the, the two original and then the one with the Taser.

[redacted] And a lot more.

Dran: And, and a lot more. Um,...

[redacted] ...all of this was going on, more police cars come in, more officers come out with, with weapons.

Dran: Okay, um,...

[redacted] ...actually what I saw was a battery of weapons pointed at the suspect at that point.

Dran: Okay, um, anybody leave the area?

[redacted] Me.

Dran: You? Okay. What about any officers? Did you happen to see any officers, um, be removed from the area?

[redacted] No, I was too far away...

Dran: ...too far away?

[redacted] ...at that point.

[redacted] I was, at, at the time, um, by the time we got to the end of this drama, um, I had been told to leave the area even though I would have anyway and I was away from, um, out of, out of, um, sight of where I could see any of that anymore.

Dran: Okay. Did you go, did you go east on Halsey towards the houses? I think it's...

[redacted] ...no, actually I went, I went on sixth towards...

Dran: ...oh you went on sixth...

[redacted] ...towards, um, Broadway?

Dran: Okay, uh, year that, that general area so you went north on, on sixth.

[redacted] Right, and there was a house there that where a resident was standing at and she and I were discussing that and then Officer Norlin saw us and told us to get out of sight, that was about a block away.

Dran: Do you know if that resident saw what had, what had happened? Did she make any statements about she, she saw the incident?

[redacted] I, she didn't really say whether she did or not. We're all kind in a state of shock...

Dran: ...sure...

[redacted] because this is ongoing.

Dran: Um. (long pause) Okay so you said as the, as the scene progressed an officer opened up the passenger side of this, this vehicle.

[redacted] Um-hm.

Dran: And um, pulled the driver, pulled the driver you said half way out?

[redacted] It seemed like, yeah.

Dran: Which, which half of the driver was out of the vehicle?

[redacted] The torso…

Dran: …torso…

[redacted] Yes.

Dran: And, uh, where was his torso when (inaudible) and his head, where were they resting?

[redacted] On the, um, sidewalk adjacent to the car.

Dran: And I think you said the while this was going on there were a lot of other officer that were there pointing…

[redacted] …oh it was (inaudible)…

Dran: …weapons and, and, and down, down range. Okay and then, um, …

[redacted] …they were all drawn on the suspect.

Dran: Okay.

[redacted] They weren't sure if he was…

Dran: You said the officers were behind the, uh, target vehicle and to the right

[redacted] Yeah.

Dran: with, with their guns out.

[redacted] The passenger's side to the right.

Dran: Okay, um, and I think you said that was about the time when, when the officers were yelling, yelling to you to get out of the way, get out of the way.

[redacted] Oh yeah.

Dran: Okay.

[redacted] Get the hell out of here, you know the usual things that you would want to tell somebody.

Dran: Right. You understand why they're, why they're hollering that at you.

[redacted] Oh god, yes.

Dran: It's like going to the shooting range and taking up a position to watch at the, at the end of range.

[redacted] Yeah, and you know, you know obviously if I had my wits about me I never would have stayed there, but this thing, this thing unfolded so fast I was just...

Dran: In all from the, uh, from the time when, when the car came to a stop to when, um, the officers, um, well did you actually, so you didn't actually see them, uh, address him a second time, it's just that, that one time pulling him out, pulling his torso out of the car, his head and torso?

[redacted] Yeah.

Dran: How many officers were there, were there doing that?

[redacted] Well, there was, a (inaudible) a (inaudible) a number of officers, um, with their guns drawn behind the car on the passenger side.

Dran: How many went up with, to the, to the car?

[redacted] I'm guessing two.

Dran: Okay. Did you see two or you're just, you're just guessing two?

[redacted] I'm...

Dran: ...if you don't know, you don't know.

[redacted] I don't know.

Dran: Okay, that's fine, that's fine.

[redacted] I'm moving further and further away from the scene and I'm just thinking this is not good.

Dran: Do you, as you're moving away, you said you were pushing your bike. Did you, were you facing what was going on still or had you turned, turned away from it to, to get yourself out of, out of the way.

[redacted] I wheeled, I wheeled my bike directly, um, um, 6th Avenue away from it.

Dran: Okay, so you were…

[redacted] …periodically glanced over my shoulder…

Dran: …okay…

[redacted] …while I was walking away…

Dran: …okay, okay, that's what I was getting at. So your back was basically to the incident…

[redacted] …yes…

Dran: …and you were periodically looking back. Okay. Did you hear anything else, any other, uh, uh, gunfire or other sounds or?

[redacted] Nope.

Dran: Okay, alright. okay, what I was, what I was going to ask you is if you could estimate, um, and if you can't, I, I that's fine, I understand, um, from when the, the time this car stopped to when, um, you were retreating down to or up to that house.

[redacted] Oh, it was so fast. I would say not more than, um, between five and ten minutes max.

Dran: Okay, okay. Okay. Um, oh and I, I, I wanted to ask you again, I, I believe initially you'd mentioned that, um, you couldn't tell if the suspect had a weapon or not and, why is it that you couldn't, you couldn't tell?

[redacted] A combination of him, him, him being behind the windshield, um, the fact that he was slumped over I couldn't see his whole body, um, his back was towards me, um, there was no way I could've, could've spotted if he had had a weapon or not. There's just no way.

Dran: His back was towards you?

[redacted] Yeah.

Dran: So, he's slumped, so he's slumped with his, with his back facing, facing the windshield.

[redacted] Yeah, exactly.

Dran: Okay, so his, his face would have been facing the seats and…

[redacted] …yes…

Dran: …and okay, I got you.

[redacted] Yes, yes, yes. So I had, I had no way to know what was, what was going inside there.

Dran: I, I didn't expect you to be able see inside the, beyond the dashboard.

[redacted] I'm not Superman with x-ray eyes, no.

Dran: Well, you never know until you ask, you never know.

[redacted] Oh you know, it's fine.

Dran: Okay, alright. well, um, Mr. [redacted] I think I have, I think I've asked all the questions that I can think of at this time.

[redacted] Okay.

Dran: Um, is there anything else you can think of that, um, that I haven't asked you or any other information that you might have that would be helpful for the investigation?

[redacted] To be honest with you no. You're very thorough, um, you took down the initial statement and then you went back and covered all the facts and, um, you used your interrogation techniques to get things that I hadn't thought about.

Dran: I'm, I appreciate that. I'm not interrogating you, I'm, I'm interviewing you.

[redacted] Interviewing, yes.

Dran: Interrogation is when we go into confrontation mode with the, with the suspects. You're a witness, you're, you're the friendly ones. It's TV talk, but I understand where you are coming from and I, I, I appreciate the compliment.

[redacted] Yeah, no, I mean, yes, it's, it's pretty much as I stated and, we, we covered the material again you've gotten pretty much all the salient facts as I remember them and if I tried to say anything more I'd be probably inventing things.

Dran: Sure.

[redacted] I don't want to do that.

Dran: I appreciate that, thank you. Thank you for your candor. Okay, well, um, it is, uh, 2043 and I'm going to go ahead and turn the tape off.

Transcribed Verbatim with Punctuation Added at 1051 on 052110, S. Maier.

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Dran: This is Arjay Dran, Portland Police Bureau Detectives, DPSST #34502, the time is 10:44 PM it is Wednesday May 12, 2010. Um, I'm inside an office at the intersection of NE 6th Avenue and NE Clackamas Street in Portland Oregon at the scene of an officer involved shooting. I'm here interviewing, uh, a witness to the shooting and, uh, she, uh, understands that this is, conversation is being recorded, is, is that correct Ma'am?

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: Yes.

Dran: Okay, thank you. Now, um, since I haven't met you, can we, can I start by getting your and, I need to get your name and your birthday?

Interpreter: (Spanish)

[redacted] (Spanish)

Interpreter: [redacted]

Dran: [redacted] that's [redacted]?

[redacted] Yes.

Dran: Okay, uh, [redacted] is [redacted].

[redacted] Yes.

Dran: Do you have a middle name [redacted]

[redacted] No.

Dran: Okay and your birthday?

[redacted] Is [redacted]

Dran: Your home address please?

[redacted] It's [redacted] southeast, Morrison Street, Portland, Oregon

Dran: Do you know the zip code?

[redacted] 97233.

Dran: Do you have a home phone number?

[redacted] No, cell phone.

Dran: What's your cell number?

[redacted] 503-7[redacted]

Dran: Thank you. And I understand that or, you [redacted]?

[redacted] Yes.

Dran: It's a, what street is [redacted] on?

[redacted] What street?

Dran: Do you, do you know?

[redacted] Weidler and between Weidler and Grand Avenue, I don't know what is the number.

Dran: Okay and do you have a work phone number?

[redacted] Uh, yeah, 2 is, [redacted].

Dran: [redacted]

[redacted] [redacted]

Dran: [redacted]

[redacted] [redacted]

Dran: [redacted]

[redacted] [redacted]

Dran: Got it, okay. Now I understand that, uh, tonight when you were at work you saw something happen, uh, on 6th Avenue, over here that involved the police and somebody else. Can you tell me about what you saw?

[redacted] ((Spanish).

Interpreter: (Spanish).

[redacted] Okay. (Spanish).

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: (Spanish). I was just getting some details that I missed, she was going kind of fast.

Dran: I, no, that's okay I understand

Interpreter: And she claims that, uh, she was, she was at [redacted].

Dran: Okay.

Interpreter: Uh, then the others and also, uh, taking the money from the customers, but at the moment she was not doing anything. Uh, there was nobody there so she heard some sirens, (inaudible) she thought that something was going to happen, something was happening and she looked outside and saw a gold car that was parked in front of where she was and then she saw that next to the drivers car, that golden car, there were four police officers taking to the occupants inside of the vehicle. (Spanish).

[redacted] Okay, (Spanish).

Interpreter: Okay, (Spanish), well it just thinking past of that, two police units came, but not, they were not driving a normal white cars for the police, they were driving [redacted] cars. They arrived on the street, that's behind the McDonalds that I

forget the name of. And they park in front of the car, now two cars they got the, the [redacted] cars, uh, one, the one on the left side, the driver of that car went to the left side of the golden car that was parked there. The rest of the officers went to the right side. Now only seconds after that I heard one gun shot then a second one that was louder than the previous one, then a third one that was louder too. And then I started hearing more a gunshot, uh, but they were the same caliber as the second one, the loud one that I heard.

Dran: Okay, so, um, let me, let me back up just a little bit, originally when you saw the, the gold car, that was stopped, you said you saw how many officers standing at the car?

Interpreter: (Spanish).

[redacted] (Spanish).

Dran: Four.

Interpreter: (inaudible) there were four.

Dran: Okay and then, um, these two police cars show up, you heard sirens, these two police cars show, they are [redacted] in color, there not like normal police cars, um, you said that, uh, they parked in front of the gold car, the driver of one of the police cars went to the left side or, or, of the gold car, or that's the driver's side, while the other officers went to the passenger side?

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: Okay, (Spanish). No, no, no actually it happened the other way around, what happens, these two cars that arrive, uh, they parked right in front of the gold car, so they were front, uh, in front. Now one of the drivers of the [redacted] vehicle he, uh, stepped out of the vehicle and went to, uh, the passenger side.

Dran: Okay.

Interpreter: The other three went to the driver's side.

Dran: Okay. Um, okay and then now, um, I, I, I couldn't keep up with my notes from when she was taking about the, uh, the shooting, um, you said, can you, can you describe to me again the sounds that you heard the shooting sounds.

Interpreter: This is the interpreter, you asking me or?

Dran: Yeah, I'm, I'm, I'm asking you, yeah, to have her tell me about the shooting sounds again? Or have her, have her tell me.

Interpreter: Okay, (Spanish).

[redacted] Okay, (Spanish).

Interpreter: (Spanish).

[redacted] Uh-huh, (Spanish).

Interpreter: Okay, (Spanish). Well, uh, what happens, I heard, uh, the gun shot, the first sound, sounded like low, like it was lower caliber, then I heard a second one, that one was louder or stronger and then a third one that was even louder than the first and the second one, so I presume it was from a different gun. Then I heard a various, uh, gunshots, I don't know how many, that sounded just the same as the second, uh, gunshot that I heard.

Dran: Okay,

Interpreter: So I presume they were coming from the same gun or, uh, from the same caliber.

Dran: Okay that makes sense. Okay and, um, what, from a, from where she was a watching from the window was she able to see the officers actually shooting at the car?

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: Okay. Well, uh, yes, what happens, uh, when the officers got out of the cars they, uh, this happened really fast in a matter of seconds. I saw them, they, uh, were like surrounding the car and they were pointing their guns at the car. I did not see who, uh, shot first, but, uh, then I heard as if they were shooting. I was seeing and hearing them.

Dran: Okay. Um, did she see, did she see all the officers shoot?

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: Okay. Well, uh, I wouldn't be able to tell you that exactly, uh, a from where I was working from the window looking at that. I saw they were all pointed at the car, but, uh, then what I was able to see from where I was, is that the people that were in front of the gold car, they were shooting in and like, uh, walking back of it all. From, uh, like getting away from the car a little.

Dran: Okay. So they were shooting in the windshield?

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: I don't know where, but there were a pointing, uh, right in front of him.

Dran: Okay.

Interpreter: Next to the car.

Dran: Okay, and, uh, did she see if the officers on the passenger side of the car, so these would have been the officers that were on the sidewalk. Did she see if they shot at the car?

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: No because the ones that were in front were blocking my view.

Dran: Okay.

[redacted] (Spanish).

Interpreter: I saw that one of the officers were on the passenger side move to the back.

Dran: Okay. Did she see any officers go down? Like fall down?

Interpreter: (Spanish).

[redacted] No.

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: Okay (Spanish).

[redacted] (Spanish).

Interpreter: No, uh, what I saw was that the officers were around the car and then right after I heard the first shot I saw like the officers, uh, step in back just a little and then they started shooting but then, uh, after that I couldn't, they started shooting the car. After that I, I didn't see a more, there were people inside of the car or anything else, because I, I was in shock.

Dran: Okay. Okay. Did she did she remember, uh, hearing the officers or anybody else over there, um, yelling or talking?

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: Okay Well yes, they were yelling but that was after the gun shooting. After that happened, we thought well, they killed somebody there but we thought that it was finished so I went outside [redacted] to where's the parking lot and near the dumpster located on the right side. I thought that everything was finished and I saw that the officers were still pointing their guns at the car and they were yelling, giving orders. I didn't pay attention to what they were saying but before when I was looking through the window, I saw them talking, but I couldn't hear them, this time when I was outside I was able to hear that they were yelling, or giving commands.

Dran: Okay, okay and I apologize to come back to this, this topic again, but as far as the, the, the officers' positioning, um, at the gold car, I want to make sure that I'm 100% certain on, on, on what [redacted] is saying, um, there were, so, four officers on the driver's side, two officers in front of the car, like standing by the, the engine, facing, facing the front of the car and then how many officers on the passenger side?

Interpreter: Thank you. (Spanish).

[redacted] (Spanish).

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: (Spanish).

[redacted] (Spanish).

Dran: How many, how many officer standing in front of the car?

[redacted] (Spanish).

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: Okay. (Spanish).

[redacted] (Spanish).

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: Okay. (Spanish).

[redacted] (Spanish).

Interpreter: She says she draw, uh, she can draw it for you.

Dran: Okay, that would be great.

Interpreter: She explained to me so that the car and the gold car was parked the two police vehicles were parked in front, there were four offices on driver's side then she was paying attention to only one of the officers, that got out of the police cars, uh, she was paying attention to him because he didn't actually have, uh, his gun displayed, he was just like holding it, like when there ready to shoot or something, but it never, uh, displayed his gun. Now she says that only one, only that officer stayed on the passenger side and the rest of the officers went to the driver's side where the others went. I asked her if, uh, officers were in front of engine of the gold car, but she says she can't remember and she offered to draw it for you.

Dran: Okay, I'm going to, uh, I've drawn a, it, it's a box with an arrow, the arrow is the front of the gold car. Um, if she can draw just using, uh, an, uh, a circle, circle representing each officer , if she can draw where the officers were standing. And then if she can draw where the two [redacted] police cars were using the same kind of car shape that I made.

Interpreter: Thank you. (Spanish).

[redacted] Um-hm.

Interpreter: (Spanish).

[redacted] Uh-huh.

Interpreter: (Spanish).

[redacted] Okay.

Interpreter: Okay.

[redacted] Okay. This one here.

Dran: Okay.

[redacted] And they are here.

Dran: Okay.

[redacted] Uh-huh, and, and this is a, uh, (Spanish).

Dran: The [redacted] car?

[redacted] Uh-huh, [redacted] car.

Interpreter: [redacted] car.

Dran: Okay.

[redacted] And the, uh.

Dran: And then with circles if she could, if, the circles represent the actual officers where they were standing?

[redacted] Okay. (Spanish).

Interpreter: (Spanish).

[redacted] Uh-huh. (Spanish).

Interpreter: Okay, well the first, uh, four circles will be the officers, that where they were in the first place, outside of the driver door, driver's door.

Dran: Okay.

Interpreter: Like one to two meters away from that door.

Dran: Okay.

Interpreter: Those are the ones that was there before.

[redacted] Okay. (Spanish).

Dran: Okay.

[redacted] (Spanish).

Dran: Okay

[redacted] (Spanish).

Interpreter: (Spanish). And so on car number one that is, they opened the door and the driver went here, the passenger on that car went to, uh, here.

Dran: Um-hm.

Interpreter: And then on car number two, both driver and passenger they went to where the other officers were.

Dran: Okay. Okay and I think I remember she said that the officer that was driving car number one, the one that went to passenger side, he, did she say if he had his gun out or not.

Interpreter: Uh, she said no.

Dran: Did he have...

Interpreter: ...The fact that he was holding it like on his belt like they do when there about to shoot or something that they just stick it out and shoot, but, uh, uh, he didn't actually take out the gun.

Dran: Okay.

Interpreter: Really.

Dran: So the, so the gun was still inside his holster.

[redacted] He put it on, your hand here.

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: Never yes, well in the holster still, he never actually took it out.

Dran: Okay. Um, did she see if anybody had a, a yellow taser?

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: Okay

Dran: ...The shock, the stun gun, the shock...

[redacted] (Spanish).

Dran: All the guns she saw were black.

Interpreter: ...No, I saw, I saw them had their guns, they were black guns

Dran: Okay, okay. How many people were inside the gold car?

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: From where I was I was able to see two people, the driver and the passenger.

Dran: Okay. Did she see where those, where those two people went?

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: Okay. No because, uh, actually what happened is that a once still, the two other cars, they [redacted] cars came, they were blocking my view, so what I was looking at was just the officers.

Dran: Okay. Did she actually see, like the bodies or the two people sitting in the car or did, did it just, did it just look that way or she was, or she's guessing.

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: No, I saw two people sitting at the car.

Dran: Okay and can she tell me, um, did she what, what race and what sex they were?

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: Okay. The sex yes, they were males, and I'm saying there were males because they had the short hair.

Dran: Okay. Did they have the same, same kind of haircut?

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: Yes really short.

[redacted] (Spanish).

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: Well I could see, uh, that's why I'm saying that there were two, I could see that they had a light colored shirt.

Dran: Both of them had a light colored shirt?

Interpreter: Correct.

Dran: Okay and could she tell what race these two gentlemen were?

Interpreter: (Spanish).

[redacted] (Spanish).

Interpreter: No I will be lying if I tell you I did.

Dran: Okay, no I appreciate that. Um, okay, I'm going to ask my partner if she has any questions. Jenn any questions that you can think of?

Musser: No.

Dran: Okay. And did I introduce you at the beginning that you were here or present during the interview Jenn. It is Detective Musser who has been with us the entire time, um, during the interview. I apologize, um, and if you can tell her I'm, I'm going to go a head and end the interview and turn the recorder off, but I, I, still need to talk to her about arranging a ride home.

Interpreter: Thank you. (Spanish).

[redacted] (Spanish).

Interpreter: (Spanish).

[redacted] Okay, (Spanish).

Dran: Okay, I'm going to go a head and turn the recorder off and the time is 2314 or 11:14 PM

English portions Transcribed Verbatim With Punctuation Added. Parts marked (Spanish) are complete questions and dialog in Spanish. 052110 at 1442, S. Thoman

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL TAPED STATEMENT TRANSCRIPTION

Dran: This is Arjay Dran, Portland Police Bureau Detective Division. It is uh, May 13, 2010, the time is 12:28 am. I am with Detective Musser also of Portland and Mr. [redacted] And we are at uh, apartment number [redacted] And I'm sorry Mr. uh, [redacted] what is the actual physical address here?

[redacted] Uh, [redacted] NE Seventh Avenue.

Dran: Okay, thank you sir, and the zip code?

[redacted] 97232.

Dran: Okay. And Mr. [redacted] you have a [redacted] apartment that faces [redacted], which uh, faces out onto NE Sixth Avenue. Um, can you just tell me um, first off where, where you when this incident took place uh, this evening?

[redacted] Sitting right there.

Dran: In your uh, your computer table which a, a living room area, it uh looks like to the west is a large…

[redacted] …Sliding glass door…

Dran: …Sliding glass door with vertical blinds that go from floor to about a foot from the ceiling. Um, were the blinds open or closed?

[redacted] Open.

Dran: They were open, okay. How about the windows? Were they open or?

[redacted] The window was closed.

Dran: The window was closed, okay. So um, you're doing your thing at the computer and um, what, tell me what you, what you'd heard and saw.

[redacted] Well basically I hear the sirens.

Dran: Okay.

[redacted] I'm used to them passing, (inaudible) but uh, when I looked I uh, a cop car pulls past the, bubble gum machine or whatever they are.

Dran: Had the lights going?

[redacted] Yeah, the lights going so that caught my attention. Uh, parked, got out, he was yelling, I couldn't, oh and, the first thing I heard was uh, put your hands up. And then um, the rest of it's a lot of indiscriminate yelling. I couldn't tell most of the time whether they were yelling instructions to each other or trying to, you know, talk to somebody, that they were trying to arrest. Um, so – uh, from where I am, uh, this wing blocks me seeing much of the action.

Dran: Okay, okay.

[redacted] So just the cars there.

Dran: And we'll, we'll take a look there in just a second…

[redacted] …Yeah…

Dran: …So we can kinda get a vantage point.

[redacted] Yeah, uh, so – basically a couple of officers got out of their car and went in that direction.

Dran: Okay, walked to the north.

[redacted] And that's all I could see.

Dran: Okay.

[redacted] I could hear the voices. And then suddenly (gunshot sounds).

Dran: Okay.

[redacted] Hear five, six, seven shots. Very fast. So I got out of my seat and I came over here (laugh) before, to stop.

Dran: Right.

[redacted] And it didn't continue so then I came over and from behind over here looked out. Saw the officers come back and pop the trunk and start arming up I guess and putting on their vests and getting some of the more serious hardware. ____ Then the only other thing I can make out was one, it sounded like one officer,

sounded like same voice, um, repeated, um, something about put your hands up or whatever. Do it now. And he said it like five or six times and I was thinking, you know, this is the, the funny part about the law is, he says do it now, but since he can't actually shoot you, probably, then there's no real impetus to do it.

Dran: Okay. Right.

[redacted] So he just keeps saying. It sounds kinda foolish, but uh – then were, were there shots? Three individual shots?

Dran: I'm not sure to be honest with you how many shots.

[redacted] Because the gunshots didn't sound like shots. You know, the ones that went off all together –

Dran: Well what , what did, what did they sound like to you?

[redacted] Firecrackers.

Dran: Like firecrackers.

[redacted] Yeah, those are double glazed doors so it does cut it down. I didn't have it when I lived in LA, I've heard gunshots from the similar proximity. They sounded like gunshots.

Dran: Right.

[redacted] But with the door closed it sounded more like – but, uh, uh, after about the fifth or sixth time of do it now, it was like shots.

Dran: Okay.

[redacted] And some more talking. Sounded like another shot.

Dran: Okay.

[redacted] More talking and another shot. So there were three of those, but – I, I couldn't swear to them shots to tell the truth, but very loud noise.

Dran: So you would say that, um, okay so after the five or six times you heard put your hands up, do it now, um, shot, you hear talking, uh, and then, and then a shot and then was there more talking?

[redacted] It was like more instructions, you know.

Dran: Okay.

[redacted] Amount, you know, it's basically surrender.

Dran: Okay.

[redacted] Instructions.

Dran: Okay and how did those shots sound in relation to the others that you, you heard?

[redacted] I'm not a ballistics expert I –

Dran: I, I'm not asking you for, uh, may- what I mean by that, is, I'm sorry I should've rephrased the question better, or I should rephrase the question better. Were, were those shots louder? Was there more concussion? Were they softer, less concussion?

[redacted] It sounded louder. Um, I thought perhaps at first a shotgun, but then I thought no, that's, that's not, you don't try to get people to surrender with a shotgun.

Dran: Okay.

[redacted] You're shooting a shotgun you're probably trying to hurt them.

Dran: Okay. Um, and then what, what'd you hear after that?

[redacted] Um, oh, several times uh, the officers would come back and like re-trench. They, they backed something up I couldn't see from like, the way I, I had my blinds there. And I didn't want to go up and to the window, so –

Dran: Where, I'm sorry where were you when this, when this was all, you, you moved away kinda…

[redacted] …I sat there and then I moved over here when I heard the shooting.

Dran: Okay.

[redacted] The shooting didn't resume so I moved over here, so I was mostly blocked by the sink.

Dran: Okay.

[redacted] And just looked over that way.

Dran: And from here, there you were able to look out the window and…

[redacted] …Yeah…

Dran: …And see uh, officers come back to their, to a trunk and you said armor up. What'd you, what did you see them putting on or, or taking out of the trunk?

[redacted] Um, I couldn't swear to what I saw them taking out of the trunk, but what looked like um, officers in their normal uniforms suddenly had vests on. One guy had a, a serious assault rifle looking thing. Uh, there was a shotgun, so I just, guessing that uh, whatever happened made them want to, to - be better armed.

Dran: Okay.

[redacted] I mean 'cause uh, yeah, then I saw another one wearing a helmet.

Dran: Okay.

[redacted] You know, part helmet so - um, but yeah, and more police arrived on the scene, and then they were yelling instructions to each other. One uh, apparently wanted to block the sidewalk.

Dran: Okay. Okay.

[redacted] You know, mount the pavement and get up and block it. But I, I couldn't, and then they started roping it all off. I thought maybe something was going down at that house over there. You guys were laying siege to it.

Dran: Right.

[redacted] (Laugh) So –

Dran: Right. Okay – so in, in some um, (sigh) when, when you were at your comp- at your computer did you have music going or a, um…

[redacted] …Yeah…

Dran: …A movie playing or anything or you had music going? You had music going. Okay. What was the volume?

[redacted] Pretty much like it is.

Dran: Okay, so just kinda like am- ambient type of sound.

[redacted] Yeah.

Dran: Background type noise.

[redacted] Yeah.

Dran: Okay, and the, the blinds are open, but the sliders closed and, and you've mentioned that these apartments seem to be pretty well insulated from sound. That's been my experience when I've been inside the apartments.

[redacted] Yeah, the walls and that, not that, everything comes under the door though.

Dran: Yeah, yeah, yeah.

[redacted] I can hear everything out in the hallway.

Dran: So you, you uh, hear sirens and um, what kind of a, what did the police car look like that, that drove past?

[redacted] All I could see is the tops.

Dran: Okay.

[redacted] Pretty much.

Dran: Did the tops have the light bars on them?

[redacted] Yeah.

Dran: Okay.

[redacted] The one that was right outside did.

Dran: Okay.

[redacted] And another one that came in went past it.

Dran: Okay.

[redacted] Like I said, it looked like the back of some sort of vehicle, but I couldn't make it out.

Dran: Okay.

[redacted] So, um, but yeah, the few cop cars that I would say I knew were police cars were white with the uh, flashing lights on the top.

Dran: Okay, so it's, so it's after you heard the sirens and saw, how many cars did you see come up? I think you said it was two initially?

[redacted] Well I could see two pretty much at all times.

Dran: Okay and they were parked?

[redacted] The first one and then another came.

Dran: Okay.

[redacted] But at a different time there was one sort of double parked if you will.

Dran: Okay.

[redacted] Briefly, and they got out and deployed and then it moved on and so –

Dran: Okay.

[redacted] Uh, I probably, I probably saw four or five cars, but I can only swear to three.

Dran: Okay. So that one that pulled up and double parked and then took off, did that one have a light bar on top as well?

[redacted] Um – I think so, but I, I wouldn't say - definitely.

Dran: Remember the color on it?

[redacted] No I just assumed that they were white.

Dran: Okay.

[redacted] Um – but, you know. I, I can't bring the picture back in my mind to see it.

Dran: No, that's fine.

[redacted] This is what it was.

Dran: Okay. And, so after, after you heard the sirens and you saw um, the, the couple of police cars pull up. That's when you um, you heard yelling?

[redacted] Oh, different times. I mean when the first one pulled up, I mean, I have this notion that something had gone by, so I thought he was going to continue on away from here. Uh, so there was a police car with flashing lights I think gone past my window and I had seen that. But then when one stopped right outside there, then I had an inkling that there was something going on…

Dran: …Okay…

[redacted] …Closer. And they got out and they were yelling.

Dran: Okay.

[redacted] And walking in that direction.

Dran: Okay. Could you hear what they were yelling?

[redacted] Not, uh, distinctly until the um, put your hands up.

Dran: Okay, okay.

[redacted] Uh, and that was the only clear instruction. I think the earlier ones were talking to themselves.

Dran: Okay.

[redacted] Between themselves.

Dran: Okay.

[redacted] Yeah; 'cause the only things I had heard clearly were the instructions to, uh, you know, the criminals, whatever you call 'em.

Dran: Right.

[redacted] Um, except um, actually they were backing something up and they were giving directions for that.

Dran: Okay.

[redacted] Bring it back…

Dran: ...Like a, like a, like a piece of equ- machinery or something or a car or a person or?

[redacted] I couldn't make it out. I mean –

Dran: Okay. Okay. And then after you hear all this, this yelling and this conversing that's when you heard the, the rapid um, five or six shots and then you heard um, then you saw some guys coming back.

[redacted] Yeah.

Dran: And, and armor up so to speak, putting on vests and helmets and grabbing other types of long, long guns or other weaponry.

[redacted] Yeah.

Dran: And you hear um, commands um, for a –

[redacted] Put your hands up.

Dran: Put your hands up.

[redacted] Do it now.

Dran: And then, let me see, where did it go? (pause) You uh, sorry it, it's getting late for me, I'm, I'm trying to find, find it in my notes here. Um, you hear the one officer repeat five or six times, put your hands up, do it now. Um, then you heard a sho- a shot and then um, talking, then you heard another shot and then you described that talking as instruction like he's...

[redacted] ...Yeah...

Dran: ...Could, could you tell what the instructions were or?

[redacted] That was still the, you know –

Dran: Still put, put your hands up.

[redacted] Hands up, do it now.

Dran: Okay. And in total it, it was a shot, instruction or commands, another shot, more commands?

[redacted] ...Yeah, but they weren't bang, bang...

Dran: ...No they was, they were pops.

[redacted] (inaudible) say that and nothing would happen, I'm guessing.

Dran: Okay.

[redacted] And very loud sounds.

Dran: Okay.

[redacted] Louder than the, what I guess were the handguns because initially I could see their guns were drawn.

Dran: Where, from where were you able to see their guns from, from the window here?

[redacted] Oh yeah...

Dran: ...As, as they were moving up?

[redacted] Yes...

Dran: ...And moving north...

[redacted] ...When they first deployed they had their weapons and 9 milimeters...

Dran: ...Had guns out.

[redacted] ...is what they looked like.

Dran: Okay, okay.

[redacted] But uh – then all of a sudden they've got shotguns and assault rifles.

Dran: Right.

[redacted] With 'em so –

Dran: Okay.

[redacted] I don't know if it was an assault rifle or semi-automatic was firing one shot at a time would, I would presume it would be louder than a handgun.

Dran: Um-hm. Um, and, and it all depends on, on just the number of different uh, things that it depends on with uh, conditions, ambient conditions...

[redacted] ...yeah...

Dran: ...And, and this and that. And so um, hard to say. And we haven't actually, we've not been into the actual scene, scene. We've been on the periphery talking to witnesses so we're not privy to the information about what's contained within so – um, so it, its safe to say that really the only, the only part of the incident that you witnessed was uh, the initial police car go by and uh, then some more cars coming up, um, and then of- and then officers moving up with guns, with pistols or handguns drawn um, the, there's the what sounds like gunfire, you hear, well you hear people talking back and forth. They're say- yelling commands, there's, there's the gunfire, you see officers come back and gear back up again. Go back to the, in a northerly direction and then that's when you heard the, the series of the three shots with the instructions, you hear more like uh, internal instruction about blocking off intersections and this and that and is that a, a, a good summary of, of your knowledge of, of what was going on out there, what you saw and what you heard?

[redacted] Yeah.

Dran: Okay. Um, Jen can you think of anything that uh? Okay. I'm gonna go ahead and uh end the tape now. The time is 12:43 am.

Transcribed Verbatim with Punctuation Added 052110 / tb

PORTLAND POLICE BUREAU | **SPECIAL REPORT** | ☐ INFORMATION ☐ CONTINUATION ☐ CLEARANCE ☐ SUPPLEMENTAL | Page/Of 1/6

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353		OFFICER INVOLVED SHOOTING

☐1. UNFOUNDED ☐ 2. PENDING ☐ 3. SUSPENDED ☐ 4. CLR BY ARREST ☐ 5. EXCEPTIONAL ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
051210 - 1821	051710 - 1900

LOCATION OF OCCURRENCE: NE 6th Avenue / NE Clackamas Street

PERSONS CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	010485

ADDRESS	ZIP	PHONE
3541 N. Houghton Street	97217	Unknown

SUBJECT OF THIS REPORT	PROPERTY RECEIPT NO.
Interviews of witnesses	1213332

NARRATIVE/PROPERTY ITEM CODE — S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

COPIES: ☐ DET ☐ Central ☐ East ☐ SE ☐ North ☐ NE ☐ Traffic ☐ DVD ☐ ID ☐ Prop Room ☐ Crime Prev ☐ Intell

COMPUTER ENTRY: ☐ Person

OPR ☐ Vehicle

OPR ☐ Crime/ Prop

OPR ☐ Book

OPR

NO CONNECT INFORMATION

NONCONNECT INFOMRATION

DA COPY

Persons Interviewed:

[redacted] J.
FW, DOB: [redacted]
[redacted] SE 12th Avenue
Gresham, Oregon 97080
(503) [redacted]

[redacted]
MW, DOB: [redacted]
[redacted] NE 7th Avenue, Apt. # [redacted]
Portland, Oregon 97232
[redacted]

[redacted] M.
MW, DOB: [redacted]
[redacted] NE 7th Avenue, Apt. # [redacted]
Portland, Oregon 97232
[redacted]

[redacted]
MH, DOB: [redacted]
[redacted] NE 11th Avenue
Portland, Oregon 97211
(503) [redacted]

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective J. Tony Harris	27566	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th Avenue / NE Clackamas Street

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO--List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
ITEM 5: ADDITIONAL PROPERTY--Record no more than four additional items of property in the narrative--and/or use a Special Report and attach as additional pages.
ITEM 6: ADDITIONAL OFFICERS--List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM | CODE

Persons Interviewed (cont.):

[redacted]
MW, DOB: [redacted]
[redacted] NE 7th Avenue, Apt. # [redacted]
Portland, Oregon 97232
([redacted]

[redacted]
MB, DOB: [redacted]
[redacted] NE 7th Avenue, Apt # [redacted]
Portland, Oregon 97232
([redacted]

EXHIBITS:

Property / Evidence Receipt # 1213332

Item 1: CD-R of five recorded witness interviews.

SUMMARY:

On 051210, I was assigned to assist Detective Kammerer and Detective Slater regarding an officer involved shooting investigation which occurred near the intersection of NE 6th Avenue and NE Clackamas Street in Portland, Oregon. During the evening hours of 051210, I spoke with [redacted] and [redacted] and recorded the interviews. On 051310 at about 1815 hours, I spoke with [redacted] and recorded that interview. The following are summaries of their statements. See the transcripts and/or review the audio recordings for the complete record. On 051310 at about 1850 hours, I contacted [redacted] and he said he had not witnessed the incident.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective J. Tony Harris	27566	DET	A	GEN	

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SUBJECT'S NAME		SEX	RACE	DOB	
OTIS, KEATON DUPREE		M	B	010485	
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NE 6th Avenue / NE Clackamas Street					

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ITEM | CODE

STATEMENTS:

Statement of a witness, [redacted]

[redacted] said she works at [redacted] near NE 6th Avenue and NE Clackamas Street, and had turned north onto NE 6th Avenue from NE Wasco Street. She said she came to a stop about mid-block because she saw several police cars with the overhead emergency lights on, about one block north, on NE 6th Avenue. She said many police officers were out of their cars and then observed gun shots being fired. She said it appeared officers were firing from both sides, and rear of the suspect car.

[redacted] said she saw one officer fall to the ground and make his way to a "mound" of gravel. She saw other officers provide this officer with assistance. [redacted] told me she was primarily focused on the officer that went to the ground, but thought the officer went down, before hearing approximately 8 shots. [redacted] said she never saw any other involved persons, other than the officers. It should be noted during this interview, two brief interruptions can be heard. First, someone needed a key to the restroom and second, [redacted] answered her cell phone for a very brief conversation.

Statement of a witness, [redacted]

[redacted] told me he was walking west on NE Clackamas Street approaching NE 6th Avenue when he saw police cars with emergency lights and sirens chasing a white Nissan, northbound on NE 6th Avenue. [redacted] said when he reached NE 6th Avenue, he noticed the white Nissan stopped on NE 6th Avenue near the next street to the north which is NE Halsey Street.

[redacted] said he approached the car stop area and saw the officers were having a problem getting the driver out of the car. [redacted] also stated he believed the keys were still in the ignition because he saw the brake lights were still on. I asked him to describe what he meant by "problem." [redacted] said he heard the officers say repeatedly, "stick your hands out the window... and be cooperative." [redacted] added he was half a block away and he could easily hear specifically, what the officers were saying.

[redacted] believed there were at least two or more people in the suspect car. He said he believed this because officers were on both sides of the suspect vehicle, engaging them

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10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th Avenue / NE Clackamas Street

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ITEM | CODE

verbally. [redacted] said he saw many officers with their Tazers out, and saw at least two Tazers deployed, one from each side of the car.

[redacted] said as he got closer he could see the car occupants' heads turning in the car as if they were arguing with each other. [redacted] stated immediately after the officers' Tazers were deployed, he heard an officer yell "gun." [redacted] said he then saw all the officers draw their guns and heard lots of shots. He said it seemed liked the first shot fired, came from inside the car, out of the window. [redacted] told me as soon as that happened, he saw officers fire several shots into the car. I asked [redacted] if he saw muzzle flash or smoke from within the car and he said no due to the angle of the sun against the window glass. He said he assumed the first shot came from within the car due to the time lapse between the first shot and then the volley of shots by the officers.

[redacted] said after several shots had been fired, he saw on officer fall to the ground. [redacted] added it was pretty clear the officer had been shot based on his leg being stiff and the officer trying to crawl away.

I asked [redacted] what the occupants did after the shots. [redacted] said he remembered seeing the passenger open the passenger door, as if he was going to get out, but at that point [redacted] said he ran south to safety to his apartment and told his family. I asked [redacted] if he saw what the driver had done. [redacted] said he did not know because he had run away. I asked [redacted] how many people were in the suspect car. [redacted] said there may have been three, but definitely, two occupants.

Statement of a witness, [redacted]

[redacted] told me he was in his second floor apartment when heard the sirens and looked out his window. He said he heard officers yell for the guy to put his hands up or "put his hands behind his head and interlace his fingers." [redacted] said he saw one officer with a yellow Tazer out, and another officer appeared to be trying to open the driver door.

[redacted] said two more patrol cars "pinned" the suspect car and those officers got out and went over to the driver side of the suspect car. [redacted] said one officers appeared to be reaching in and trying to grab the driver to get the driver out. [redacted] said he heard officers then say "Taze him, Taze him" and then heard the Tazer deploy. [redacted] said

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ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO--List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
ITEM 5: ADDITIONAL PROPERTY--Record no more than four additional items of property in the narrative--and/or use a Special Report and attach as additional pages.
ITEM 6: ADDITIONAL OFFICERS--List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM | CODE

officers started shouting repeatedly "he's going for something." [redacted] explained at this time he could see the occupant moving around inside the vehicle, as if tazed. He said the man moved toward the passenger door and window. [redacted] said one officer drew his gun, but had it pointed down to the ground. [redacted] said suddenly he heard "firecrackers" and started seeing glass fly from the windshield area, and then officers scattered. [redacted] said he ran from the window because of the gunshots.

I asked [redacted] how many people he thought were in the car. He said he thought there was only one person in the car because he remembered seeing the actual passenger seat when the officers first engaged the driver. I asked him if the suspect car had a sun roof and he said no.

[redacted] added that close to a minute after the "barrage" of shots, he heard what he thought were three shotgun shots. He described he could hear the racking of a shotgun, and heard someone yell, "get out of the way."

Statement of a witness, [redacted]

[redacted] told me he was [redacted], and another employee working [redacted] told him a shooting had just occurred. [redacted] said he ran to [redacted] window and saw two [redacted] colored police cars arrive onscene, from NE Halsey Street. [redacted] explained that he heard the first shot as he was running to the window. [redacted] said he could hear officers yelling, but could not hear what was being said. He said about 30 or 40 seconds later, officers started walking backward cautiously from the gold colored car. [redacted] said there was more yelling and then he heard multiple shots. He said maybe there were seven or eight shots fired total. [redacted] explained more police and an ambulance arrived soon after.

[redacted] explained he believed the first shot came from the car. He said that was what his employee told him as well, as he made it to the window. He also explained that the first shot was not as loud as the officers' shots. [redacted] then said there were definitely two guys in the car, one in the driver seat and one in the passenger seat. The only description [redacted] could provide was that they both had short hair. [redacted] guessed that the distance from the drive thru window to the scene was about 20 feet, or maybe a little more. [redacted] said he never saw any officers holding their Tazers.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective J. Tony Harris	27566	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Custody	☐ Traffic Accident ☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th Avenue / NE Clackamas Street

NARRATIVE: The order of appearance for additional information will be:
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ITEM 2: ADDITIONAL SUSPECT INFO–Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
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ITEM | CODE

I asked [redacted] if the shooting occurred before or after the two [redacted] police cars arrived from NE Halsey Street. [redacted] said the shooting occurred after the two [redacted] police cars arrived.

[redacted] asked how many people died, because he saw someone being transported by the fire department on a gurney. [redacted] thought the person was covered up, but was fairly certain someone was on the gurney. It should be noted that early in the interview, I briefly spoke to Sergeant Michaelson about the location of a duty bag.

Statement of a witness, [redacted]

[redacted] told me he lived on the second floor and was seated on his living room couch watching television when he heard two loud pops. He said there was a delay, and then a "whole set of fireworks went off at the same time." [redacted] said he then heard a female scream and his first thought was it was kids playing with fireworks.

[redacted] said he walked to his porch which faces down on NE 6th Avenue. [redacted] said the first thing he remembered seeing were officers walking near the loader across the street, and then he could see the suspect vehicle below. He said he saw the passenger door in an open position and a man lying with his head and torso near the curb. [redacted] said the man's face was pointed to the north and his hands and arms were "tucked" underneath him. He said the officers were to the south of the man, so the man's back would have been facing the officers. [redacted] believed the man's hands were hidden from the officers' view. He added officers would not have seen much blood from their position.

[redacted] said he heard officers saying, "show us your hands… show us your hands." [redacted] thought for a moment the officers were talking to another person, but then realized they were focused on the man at the car. [redacted] said he heard some more pops and later learned it was from a bean bag gun. [redacted] said he saw officers walk up to the man, pulled him out and checked him for weapons. He said paramedics checked his status and determined the man to be dead. [redacted] said he did not see a weapon in the man's hand, when the officers moved him. It should be noted this interview was briefly interrupted by the ringing [redacted] phone and [redacted] declined to answer it.

BUREAU OF POLICE
2619 NW INDUSTRIAL WAY, STE. B4
PORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No. 1213332	051310 2200 AM PM		10-38353

ONLY ☒ EVIDENCE ☐ FOUND PROPERTY ☐ PRISONER'S PROP ☐ SAFEKEEPING ☐

PROPERTY TAKEN FROM:	LAST NAME	FIRST	M.I.	SEX	DOB
DENIED OWNERSHIP ☐					
HOME ADDRESS	CITY	STATE	ZIP		
OWNER OF PROPERTY	LAST NAME	FIRST	M.I.	SEX	DOB
HOME ADDRESS	CITY	STATE	ZIP	PHONE	

☒ DEFENDANT ☐ SUSPECT	LAST NAME OTIS	FIRST KENDON	M.I. D	SEX M	RACE B	DOB 010485

	FOR GUNS: LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1	(1) CD-R OF AUDIO RECORDED INTERVIEWS OF		
ITEM 2			
ITEM 3			
ITEM 4			
ITEM 5			
ITEM 6			
ITEM 7			
ITEM 8			

LOCKER	DATE	RECEIVED BY
C-6	05 2010	

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04-01-10

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Harris: Okay my name Detective Tony Harris, DPSST 27566, I'm here at [redacted] NE Clackamas Street, Portland, Oregon 97232 at [redacted] with [redacted] We've already introduced ourselves to each other. Um [redacted] you understand this inter, and the date is May 12th at about 1934 hours and [redacted] you understand this conversation is being recorded?

[redacted] Yes.

Harris: Okay. And, uh, you were a witness to something this evening? Can you just tell me what happened?

[redacted] Yes. I was arriving at [redacted], I was driving on Wasco towards 6th, um, getting a parking spot in the, at the curb on 6th. And as I went around the corner, turning to the right on to 6th.

Harris: So you would be going northbound?

[redacted] I was turning to north, yes.

Harris: Okay. Thank you

[redacted] I was turning north and I saw a whole lot of flash, you know, police cars flashing and cars surrounding and a lot of policemen out. And then within a flash I started to hear and see, um, shots being fired, so I stopped my car in the middle of the road. I looked behind me and there were no traffic at that point so I continued to look forward and saw the firing. I saw one policemen go down with a stiff leg, he backed up into the curb where there was a mound of gravel or something there. And then I watched while some police officers, um, dragged him behind another car to get out of firing range, I guess. Um, I looked behind me and there were some cars coming, I opened my door because people were going to be passing me on the left and entering the scene. And so I spoke to a woman in a black, um, I think it was a Cadillac and then I stopped two mo, um, bicyclist who were coming into the area and asked them to turn around and go the other way 'cause shots were being fired.

Harris: And did they turn around?

[redacted] Yes, all except the black Cadillac came through.

Harris: Okay and which way did it go?

[redacted] It proceeded north and turned right on Clackamas.

Harris: Um, when you turned on to 6th you drove about mid block?

[redacted] Yes, my car is parked in the 3rd or the 4th spot from...

Harris: And you hadn't parked yet? You stopped in the...

[redacted] ...No I stopped in the middle of the lane...

Harris: ...Lane of travel if you will.

[redacted] Um-hm.

Harris: Okay. And do you remember how many police cars you saw, maybe?

[redacted] I would, I could tell you where there were at least five.

Harris: Okay.

[redacted] And I stayed in my car until there was someone already cordoning off or putting up the yellow tape on this end of the street.

Harris: Uh, okay, okay so for a few minutes.

[redacted] ...At Wasco and 6th. Yeah I stayed in my car because I didn't want to interfere.

Harris: I understand, we appreciate that. Um, so when you turn the corner and you see the police cars, you said almost at that point you heard or saw shots?

[redacted] Yes.

Harris: When you started there...

[redacted] ...I, I was there for one or two seconds.

Harris: Okay.

[redacted] Um, and realizing, do I want to proceed or, you know, there.

Harris: What are you going to do?

[redacted] Yes. So I saw, uh, police officers shooting from, it appeared both sides of a police car. So when I looked…

Harris: …And in what direction?...

[redacted] …The police car, it looked like it was this way.

Harris: Okay.

[redacted] So from both, both directions.

Harris: So your describing to me is, um, are the cars in the middle of the street?

[redacted] The police car was…

Harris: …Did you turn east…

[redacted] …In the middle of the street, and I saw…

Harris: …Police officers on both side of the cars…

[redacted] …Police cars on both sides of the, of the police car…

Harris: …The drivers side and the passenger side.

[redacted] Yes.

Harris: And what you're describing with your hands is there shooting kind of, not cross fire but northbound but across , cross ways…

[redacted] …Yes, yeah, they were, yeah there were police on both sides of the car shooting.

Harris: Okay. In a north, northern, northerly direction, but crossing each others paths

[redacted] Um-hm, yes, I would, at that, yes, uh, yes I would say that and I was seeing a lot of things, but I was concerned about the police officer that was down.

Harris: Sure.

[redacted] So I was watching to see what would happen there.

Harris: Okay, did you see, um, and just to clarify, you see the officers shooting, do you see the one officer go down before the shooting, after the shooting, how does timeline go?

[redacted] It was pretty, it, it, it was near to the first thing I saw.

Harris: Okay.

[redacted] It was near to the first thing I saw.

Harris: Can you remember if you saw him go down and then heard the police shot or it's instantaneously or see if you know?

[redacted] I can't.

Harris: Do you see what I'm asking?

[redacted] I do.

Harris: Okay.

[redacted] And I wish I could answer you, but I can't.

Harris: That's fine. But pretty close time, I'm sure…

[redacted] Um-hm, pretty close it was really, yeah.

Harris: Do you know how about how many shots you saw.

[redacted] I think there was eight.

Harris: Eight, okay and you know what kind of succession?

[redacted] Um, it sounded like a, 'cause I did it upstairs.

Harris: Okay.

[redacted] 'Cause I said I just heard some shooting and I was counting it out to one of my preschool…

Harris: …Okay, we can count it way…

[redacted] …Mentors. I think it was, I think it was eight, ping, ping, ping, ping, ping, ping.

Harris: Okay.

[redacted] So it sounded like eight.

Harris: Okay.

[redacted] All in that kind of time frame.

Harris: Did you see, ever see, uh, uh, vehicle other than a police car?

[redacted] I thought there was a white, when I was sitting in my car, it looked like a white smaller vehicle and it looked like that there was white, um, the back window was white.

Harris: Okay.

[redacted] Um, and that's all I saw.

Harris: And when you, and just to clarify, is this a car that was stopped, you think the police had stopped or.

[redacted] I thought so, 'cause it was like off to the, off to the right hand side.

Harris: Okay.

[redacted] You know, so.

Harris: Okay.

[redacted] It looked like to me like it was making a really quick turn to the right, so it was like even up, maybe on to the sidewalk.

Harris: Okay. And....

[redacted] ...Off to that side.

Harris: Okay, okay. Uh, did you see anybody else besides officers?

[redacted] No.

Passerby: Is there a restroom here, sorry?

[redacted] Yes, right through this door. Right next to mine.

Passerby: Oh, got ya.

[redacted] Is it locked?

Passerby: Don't worry about it.

[redacted] Uh, and then the lights on your left...

Passerby: ...Hey bro.

Harris: Hey

[redacted] That's okay. The lights on your left as you go in.

Harris: Um, so there's white a little bit to the right.

[redacted] Um-hm.

Harris: And I think the questions was, did you see anybody else besides police officers?

[redacted] And I did not.

Harris: Okay. So...

[redacted] ...Uh, so, except the kid that was jumping up and down on the apartment.

Harris: Uh...

[redacted] ...You mean that...

Harris: ...Another witness, a different witness.

[redacted] A different witness.

Harris: I mean, uh, involved person?

[redacted] Right, no I didn't.

Harris: Okay. Um, so you didn't see anybody else so you would not have seen anybody else shooting, okay.

(Cell phone ring tone)

Harris: And you can answer that.

[redacted] I got it. Hello. Can I call you back. Yeah, I know, I'm being interviewed right now so I'll talk to you later. Bye. I wondered when one of them was going to see the news. They know I'm here.

Harris: Okay, so you're in the middle of the street you see the shots, you see the officer get dragged, um, and then at some point you parked the car and you get out of the car and then what do you do?

[redacted] Well I stayed in the car for a little bit.

Harris: Okay.

[redacted] Thinking about what to do…

Harris: …Until it was cordoned off line.

[redacted] Um-hm, debating what I should do and I got out of the car and looked to see and it was female officer. And I thought should I tell her that I've seen something and I thought, well all the police officers have seen what happened, you know, I don't know that I could add anything, they were all there, if, uh, you know. Anyway, so then I came in, made sure that the lights were off here, and that my last employee was gone.

Harris: Okay.

[redacted] As obvious because his wheelchair would be gone. Um, and so I then went upstairs and composed myself and then when someone said, I wonder what happened down there, I said, well there was a shooting and I saw it. And so then I was, people suggested that I might come down and say that I had seen something.

Harris: Well we appreciate that, um, did anybody else that you met or talked to say they saw anything?

[redacted] No.

Harris: Okay. So that you understand there is no other, you don't know of any other witnesses beside the kid out…

[redacted] …Correct…

Harris: …In front that was jumping up and down on his balcony?

[redacted] Right.

Harris: Okay.

[redacted] Yeah.

Harris: Did you hear, were your windows up in your car, do you remember?

[redacted] Didn't matter. 'Cause once I stopped I opened my door.

Harris: Okay.

[redacted] So I heard the shots.

Harris: Did you, well I guess my follow question that be, did you hear any commands or anything of, did you hear anything…

[redacted] …No…

Harris: …Like…

[redacted] …Hm-um.

Harris: Okay, you didn't hear any yelling from officers or anybody else?

[redacted] No.

Harris: So it's only audible was the shots?

[redacted] Um-hm.

Harris: Okay. Okay. I think that's it, do you have any questions for me?

[redacted] No.

Harris: Okay, this is going to conclude the interview at 1943 hours

Transcribed Verbatim With Punctuation Added 052010 at 1445, S. Thoman SOT

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Harris: My name is Detective Tony Harris, DPSST 27566, it's May 12th at 1953 hours, I'm here at [redacted] at [redacted] NE Clackamas Street, Portland, Oregon with [redacted] is this correct?

[redacted] Yes.

Harris: And your date of birth is [redacted]

[redacted] Yes.

Harris: And you understand this conversation is being recorded?

[redacted] Yes.

Harris: And that's okay with you?

[redacted] Yes.

Harris: Okay. Um, apparently you saw some stuff, just tell me what you saw happen.

[redacted] [redacted]

Harris: ...I, I don't mean to interrupt, but just for, um, description purposes, you live [redacted] That's what the streets are out here?

[redacted] Yes.

Harris: And you live in the further, it's the [redacted]

[redacted] Yeah right there were you first met me that's my address...

Harris: ...That's your address, okay. [redacted] at the northeast corner of that intersection, and that's where you were standing. [redacted]

[redacted] When I saw everything?

Harris: Um, when you start, when things kind of started.

[redacted] Yeah, so I was right here in front of the day care.

Harris: Okay.

[redacted] On the side of the building and that's when I saw the car speeding through the intersection.

Harris: Which car?

[redacted] The white Nissan.

Harris: Okay.

[redacted] Um, and, uh, there was one cruiser following behind it and another cruiser following side by side with it.

Harris: Okay.

[redacted] Going through the intersection, um, I realize that the car had stopped almost at the stop sign on the other side of the building.

Harris: So the, so the next street to the north than this one.

[redacted] Yes.

Harris: It's Hal, it's going to be Halsey.

[redacted] Yes.

Harris: Okay.

[redacted] I don't get...

Harris: ...I looked at a map and that's what it is, so bear...

[redacted] ...Yeah, I don't know the streets too well...

Harris: ...Just the, the one block from here at Clackamas, the one block next is the...

[redacted] ...Yeah on the other side of...

Harris: ...You saw the white car stop?

[redacted] Yeah.

Harris: Did you see it stop by itself or did the police intervene with it like try to ram it off the road or anything like that?

[redacted] Um, it looked like it had stopped by itself, I, the cars passed and then I went around the corner and the cars were already stopped.

Harris: Okay.

[redacted] But it was...

Harris: ...So it was out of your vision at that time...

[redacted] ...the car had already stopped.

Harris: Okay, got ya. Um, so you turned the corner and your now looking north?

[redacted] Yes at the cars, the two cruisers and the white car.

Harris: Okay.

[redacted] Um, and then I, er, noticed that there was some, uh, problem getting the driver to get out of the car and I noticed that the, uh, brake lights were still on so the keys were still in the ignition obviously. It, um.

Harris: Can you describe what you mean problem getting out?

[redacted] Well it sounded like they, I heard the cops say, uh, to stick your hands out the window.

Harris: Okay.

[redacted] They asked for him to be, um, cooperative with them.

Harris: Sure.

[redacted] And it was pretty clear that they weren't cooperating, uh.

Harris: Were the officers instructions clear, do you think, I mean you heard what he said in your half a block away...

[redacted] ...I could hear what they were saying from, yeah, uh, half a block away.

Harris: Okay.

[redacted] Uh, and then, uh, after a while of trying to get them to cooperate and...

Harris: ...How were they not cooperating?

[redacted] Well it sounded like they weren't, I'm, they weren't getting out of the car.

Harris: Okay.

[redacted] They weren't, uh, I didn't see any hands come out of the car, I had a pretty clear view of all the cars.

Harris: Okay.

[redacted] Um.

Harris: What do think, what could you see them doing in, in the car?

[redacted] I couldn't see the people in the car.

Harris: Okay.

[redacted] Exactly.

Harris: Okay.

[redacted] But once the taser guns came out.

Harris: Okay.

[redacted] It was pretty clear that they weren't doing as instructed.

Harris: Okay.

[redacted] And I was pretty curious and I was smoking my cigarette and I walked up the block, uh, there's a courtyard half way, um, in the building.

Harris: Okay.

[redacted] And I was pretty well into that courtyard area, pretty close to the cars.

Harris: Okay.

[redacted] I was kind of excited, it's my first taser sightings so, I wanted to witness it.

Harris: Sure.

[redacted] Um, and the cops were very clear as they were, they said, stop or were going to tase you, and then one said tase him and sure enough he got tased.

Harris: What an officer said tase him?

[redacted] Yes.

Harris: Okay.

[redacted] And then, uh...

Harris: ...You know what side of the car that was, I mean, my, I wasn't here so are we talking about a driver's side and a passenger's side? Do you know what side the cops were on?

[redacted] The cops were surrounding the car.

Harris: Okay.

[redacted] 'Cause by the time, um, the tasers came out response had come and there were actually two more cruisers that had come up from, uh, the Halsey side.

Harris: Okay.

[redacted] Uh, one came up and screeched to a halt right in front of the car, 'cause the, the two cars that followed them it was still the one behind it and still the one side by side, and then another responded and came to a screeching halt right in front of the car and another one came from the other side and was behind that car. And at that point the car was pretty much surrounded by officers and the, it looked like tasers got shot into the windows from both sides.

Harris: Okay.

[redacted] I knew that there were more than one person.

Harris: How did you know that? Or why would you, why do you think?

[redacted] Well 'cause...

Harris: ...At the time did know more people?

[redacted] I knew that there was more people in there because the, uh, normally if there's only driver in the car. The window would be rolled down and people would be talking in only in the one side.

Harris: Okay.

[redacted] But there were cops on the other side, windows rolled down and they were talking in from all directions.

Harris: Okay. So what I understand, just to clarify, and tell me if I'm, I don't want to put words in your mouth, but, uh, officers are outside of their cars surrounding this white car and what you see is officers engaging in conversations, or yelling or commands of some sort, into both sides of the car?

[redacted] Yes.

Harris: Then you see tasers come out from some of the officers, how many tasers do you think you saw come out?

[redacted] All the officers I saw had tasers in their hands.

Harris: Okay.

[redacted] And I believe at least two of those tasers were discharged.

Harris: Okay, okay. You know, um, with both discharged at the same time or was there a time lapse in between the two discharges.

[redacted] I think they were pretty, relatively...

Harris: ...Close.

[redacted] Yeah.

Harris: Okay. Do you know if they had to break the glass or you think the windows were already down.

[redacted] No the windows were already down.

Harris: Okay. Did you hear any, uh, can you make out any words from the people in the car back to the officers?

[redacted] No.

Harris: Okay.

[redacted] I could only hear the officers...

Harris: Do you know if they, okay, do you know if, let me requote, in your perception, do you think they were, they were saying anything back, I mean, meaning did the officer look like they were answering questions or keep, were they just repeating the same commands over and over?

[redacted] It was…

Harris: …Do you know what I'm asking.

[redacted] Yeah, they, the officers were repeating the same commands over and over, um, by that time I was close enough that I could see heads turning in the car.

Harris: Okay.

[redacted] So they might have been talking to each other rather than the officers.

Harris: Okay.

[redacted] So I don't think they were having a good conversation between the two.

Harris: Right.

[redacted] Obviously if they got tased, and then pretty much as soon as the, um, tasers were fired, uh, one of the offices said that he saw a gun.

Harris: Okay how did he, what, did he say I see a gun or how did that, do you know how that happened? And on which side of the car, if you remember?

[redacted] I think it was one of the officers on the passenger side rear of the car.

Harris: Okay.

[redacted] He said that he saw a weapon and then, uh, I'm pretty sure I heard one of the, the officer that was closer to the driver's side, um, tell him to put it down and by then all the cops had their real guns out.

Harris: Okay.

[redacted] Uh.

Harris: Can you recall if he said put it down or put, did he say specifically, put the gun down or, do you remember what you heard?

[redacted] I think he was saying put it down.

Harris: Okay. That's fine.

[redacted] Um, and again that was someone you thought on the driver's side.

Harris: The officer on the driver side said put it down…

[redacted] …Yeah the one that said put it down.

Harris: So just to clarify one on the left said it first, I see a gun, or I see a weapon.

[redacted] Yeah, pass, the passenger side rear officers said I see a weapon.

Harris: Okay.

[redacted] Officer on the driver's side said put it down.

Harris: And what was the time lapse between this.

[redacted] Very quick.

Harris: Okay, okay and then what happened next?

[redacted] Um, shots.

Harris: Okay.

[redacted] Lots of shots.

Harris: Okay.

[redacted] Uh, it seemed like, it seemed like the first shot fired came from inside the car out of the window.

Harris: Okay.

[redacted] And then as soon as that happened, the other officers put quite a few bullets into that car.

Harris: Okay.

[redacted] Um, glass everywhere.

Harris: Okay. When you say it seems like the first shot came out of the car, what, what did you see or hear that makes you think that, or?

[redacted] Because there was a very quick lapse between that first shot and then as soon as that shot happened all the other cops, uh, responded with gunfire.

Harris: Okay.

[redacted] And there was no glass after that first shot, but the, as soon as the other cops start, start firing there was glass everywhere.

Harris: Okay. So you hear this first shot.

[redacted] It was one shot.

Harris: Do you see any smoke or flash from, when, whey you hear that first shot?

[redacted] No.

Harris: Okay.

[redacted] But the, the daylight was kind of coming in from that direction.

Harris: Okay. So not the best lighting for maybe seeing that is what your saying, 'cause the sun setting on this side a little bit, it's.

[redacted] The sunsets, uh, so that way the light, because my, my balcony faces the street that the cops all pulled him...

Harris: ...Right...

[redacted] ...Off on and when the sun sets it comes into that window.

Harris: Okay.

[redacted] So, the sun was in the car and I couldn't see.

Harris: Okay. Say this first shot, you under, your assumption is that it came from within the car from one of the two people.

[redacted] I say, yeah.

Harris: Okay. Because you heard it and you did not see glass break and I'm, I don't want to put words in your mouth, but you don't see one of the officers on the side, you don't see a, gun go off from them?

[redacted] That's right.

Harris: Okay. But then after that first shot, then you see the officers' guns…

[redacted] …Responding.

Harris: Okay, going off, okay. How many shots total do you think there were?

[redacted] Man, uh, it sounded like firecrackers going off.

Harris: Okay.

[redacted] There was a lot of shots, I couldn't possible guess how many.

Harris: Okay.

[redacted] But, um, when the gunfire ceased, I can see, 'cause, uh, I was, most of my attention was at the car.

Harris: Sure.

[redacted] Uh, and all the glass flying, um, once the guns stopped, I saw one of the officers fall to the ground.

Harris: Okay.

[redacted] And he started dragging himself to the other side of the street.

Harris: Okay.

[redacted] Pretty much immediately he got one of the fellow officers came in asked him if he was okay and got him into a car and rushed him away.

Harris: Okay. That officer that fell down was he on which side of the car?

[redacted] Driver's side rear.

Harris: Okay. And he falls down after all the shots occur?

[redacted] Yes.

Harris: Okay, um, and I understand there's a lot, and I don't expect to know the count or anything, um, do you know about how long the shots lasted?

[redacted] Very quick.

Harris: Okay. So within a few seconds, Just a minute okay. Okay, how soon after the sh, is, well you said once the shots stopped or ceased and then the officer went down, what was the time frame? Time lapse between the shots stopping and you see, go to the ground.

[redacted] Seconds.

Harris: Okay, okay.

[redacted] And it was pretty clear he got shot in his leg because his leg was extended straight and he was pulling himself away with his other leg and his two arms.

Harris: The one leg looked like a dead leg if you will?

[redacted] Yes.

Harris: Okay. And he drags himself to the opposite side of the street?

[redacted] Yes.

Harris: Okay.

[redacted] Trying to get away from the car.

Harris: Okay, um, and then, and then some other officers help him get into a car, or he gets into a cruiser?

[redacted] No, one of the officers got him or I don't know, I can't remember how many officers helped him into the car, but one of them left the scene with the officer in the cruiser and got him, I assume to the hospital as fast as possible.

Harris: How many, you know, okay, do you know how many officers left with him? Say the one that's hit and probably a driver, did you happen to see?

[redacted] I don't think any other officers left with him.

Harris: Okay. Um, lets go back to this, the shots cease, what happens to people in the car?

[redacted] Um, passenger door opens and, uh, one of them is, it, it's hard to tell if he was trying to get out or if he was badly injured and just fell out,

Harris: Okay.

[redacted] But there was half a body out of the car.

Harris: Okay. Do you know who opened that, is this the passenger side?

[redacted] Yes, passenger opened the car.

Harris: Passenger opens the door, does it, do you hear him say anything or hear the officers say anything?

[redacted] I can't remember.

Harris: Okay that's fine. And when you say he tried to get out or he fell it, uh, can you describe like he slumped out or…

[redacted] …Yeah.

Harris: Did he, did he get a foot on the ground and stand or can you describe that a little better?

[redacted] No, I didn't see that, at that point, 'cause I was standing there and just watching all this happen and I see the body, he was slumping out, I didn't…

Harris: …I don't want to put words in your mouth, I'm just trying to, uh…

[redacted] …Well he, it didn't look like, if he was trying to run he had the ability to.

Harris: He did not look like he did, is that what you're saying?

[redacted] Yeah he did not look like he had the ability to run.

Harris: Okay.

[redacted] If he was trying to, he's stupid.

Harris: Okay.

[redacted] But he, at that point, um, it seemed like the, uh, I, I jumped to my senses and realized what kind of danger I was in.

Harris: Um-hm.

[redacted] Came that close to gunfire.

Harris: Okay.

[redacted] Um, and I ran back to my apartment and hopped over the rail and I told my family that there was gunshots and to make sure my nephew wasn't in his bedroom 'cause that bedroom window, his bedroom window is on that street, I wanted to make sure he was safe. And then everybody got excited and we came back out, and hung are heads over the rail to see what else was going on. By then, uh, tons of response was coming in, uh, the officers looked like they had things pretty much under control. One officer ran by and, um, was yelling at everybody hanging their heads over the rails to get back in their apartments and it still wasn't safe.

Harris: Okay.

[redacted] And, uh, so we did, follow the instructions.

Harris: Thank you.

[redacted] Yeah.

Harris: It makes our job a little easier.

[redacted] Yeah, um, and we waited a few more minutes and just more and more response came in, um, lots of red tape and the officer I was waiting with most of the time, um, when he was tying it off to my balcony rail.

Harris: Right.

[redacted] I cracked open the glass door and asked him if everything was okay. And he asked me how much I had seen and asked me to hang out for a while...

Harris: ...That's why we are here...

[redacted] ...Yeah.

Harris: Just a couple follow up questions. Um, you saw the passenger come out of the passenger door. Did you see anything with the driver before you ran?

[redacted] No, because by then I was, uh, close enough to the car that it kind of obstructed the angle.

Harris: Okay.

[redacted] So I saw more of what was happening on the passenger side of the car rather than the driver's side.

Harris: How many people do you think were in the car?

[redacted] There was at least two.

Harris: Okay.

[redacted] There could have been three, in the, one in the passenger, but I don't think so.

Harris: Okay but at some point you said you saw two heads inside, maybe turning.

[redacted] There was definitely two heads talking to each other…

Harris: …Communicating with other, okay, talking, okay. Okay I don't have, uh, further questions, do you have any questions for me or?

[redacted] I was curious if I was going to need a, uh, to give this, um, witness response in a court proceeding or.

Harris: Um, if it were to go to trial, um, then this is part of the record now, as far as the investigation and there is a possibility you could be put on the stand to testify to what you saw, uh, you might have to probably go to a Grand Jury here in the next week or so just to tell a group of citizens called the Grand Jury what you saw. And that's kind, uh, informal process.

[redacted] Who should I expect to hear from.

Harris: You'll get something in the mail and or some communication from, um, probably the lead detective or a district attorney about that and we can talk about that later too.

[redacted] Okay. Uh, I heard the officer was okay?

Harris: My understanding is the officer, yeah was hit in the leg like you witnessed and not life threatening so that's good.

[redacted] That's good.

Harris: Anything else?

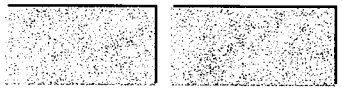
[redacted] No, I'm.

Harris: Okay, I'm going to, I'm going to conclude this and, uh, conclude this at 2013 hours

Transcribed Verbatim With Punctuation Added 052110 at 1050, S. Thoman

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010



TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Harris: My name is Detective Tony Harris, it's, uh, May 12th, 2127 hours, I'm here with [redacted] outside at the corner of 7th and Clackamas in the City of Portland, also present is his wife, what was your name again?

[redacted] [redacted]

Harris: [redacted] okay. Uh, [redacted] do you know that this conversation is being recorded is that okay?

[redacted] Yeah.

Harris: Okay, great. Uh, why don't you tell me what you saw today?

[redacted] Well, um, I heard the sirens and everything going.

Harris: Where were you?

[redacted] Uh, up in my apartment, on the [redacted]

Harris: Where this all occurred, okay. So you, you have a, uh, upper advantage, your looking down at this out here.

[redacted] Just a second, it's got...

Harris: ...Living window or something?

[redacted] Uh, it's a bedroom.

Harris: Bedroom window, okay, okay.

[redacted] Okay, so, uh, [redacted] so, heard the police and the sirens and everything and cars screeching to a halt.

Harris: Okay.

[redacted] Um, so I took off running into my bedroom.

Harris: Sure.

[redacted] 'Cause I'm very attracted to, for some reason to…

Harris: …Excitement…

[redacted] …Police pursuits and everything so, uh, just heard some yelling and stuff of the cops yelling for the guy to put his hands up or to put hands behind his head, interlace his fingers, um, and there was three officers, I think that came with two cars at first. Um, one of them had the yellow taser gun out…

Harris: …Okay…

[redacted] …The other guy looked like he was trying to open up the door and they just kept yelling for him to open up the door, put his hands up, couldn't see his hands.

Harris: Okay are they at the driver's door or passenger door?

[redacted] Yeah, the driver's, driver's side door.

Harris: Okay. Uh, the two officers are at the door?

[redacted] Uh, yeah, two are at the door, one is at the tail.

Harris: On the passenger side or the driver's side?

[redacted] Um, the driver's side.

Harris: Okay.

[redacted] So one's kind of like, kind of like this way, with the driver right here and the other one was straight out with the taser gun. He's kind of straight out right here.

Harris: Okay, and so I, just so I, I have to put that into words, uh, one officer has their back to…

[redacted] …Uh, sorry…

Harris: …Back to the car, that's okay, I want, uh, I just want to clarify, one officer had his back to the car behind the driver door, but looking into the driver door.

[redacted] Yeah.

Harris: Over his right shoulder.

[redacted] Like he was trying to pry it open or get into it.

Harris: Oh, he's trying the handle with his right hand.

[redacted] As far as I could see.

Harris: Okay and then the other officers is perpendicular to the driver door probably three feet away.

[redacted] Sure.

Harris: Looking into the window?

[redacted] Yes.

Harris: Is that what you're describing, okay. And one of them has a taser out?

[redacted] Uh, yeah, as far as I could see, the guy where your at.

Harris: Stepping away.

[redacted] Stepping away, the guy with the taser.

Harris: That's off the car, okay. And then the third guy is at the passenger or driver's side corner.

[redacted] Yeah.

Harris: Rear corner, okay.

[redacted] He might have been on the passenger side 'cause I remember seeing a little bit of movement at first.

Harris: Okay.

[redacted] To him back there.

Harris: Okay, perfect.

[redacted] Um, but where I see, like I have to get really close to the window to see straight down on the sidewalk so I can see the other two guys at first and then I could see him when he was in the back.

Harris: Okay, okay.

[redacted] The third guy when he was toward the back.

Harris: Okay.

[redacted] Uh, the guy with the taser was yelling about, uh, you know, telling him to get his hands up and stuff and then he kind of stepped back and talked into his radio a little bit and the other guy pulling on the door kept yelling for him to open the door.

Harris: Okay.

[redacted] Um.

Harris: Were you able to tell if that, from your advantage if that window was up or down?

[redacted] I could not tell at all.

Harris: Okay, could you tell if the guy was engaging in a conversation back?

[redacted] I couldn't, I couldn't tell that at all, 'cause I couldn't see where the roof was.

Harris: Is your window open at this time or?

[redacted] Yes. Sliding glass door, windows open just to get fresh air in to the apartment so hot.

Harris: Sure, but meaning, uh, the windows open not causing a damp on the sound.

[redacted] Yeah, yeah, I could definitely hear things so.

Harris: Okay.

[redacted] Um, so yeah, um, then by that time I think, uh, two more came from the front, two more police cars came from the front.

Harris: Okay.

[redacted] So this would be Halsey and…

Harris: …Okay…

[redacted] …8th area, came around that corner there and they pinned him in the rest of the way.

Harris: Okay.

[redacted] As far as the car. They jumped out and went…

Harris: …How many more officers got out of those two cars, do you remember?

[redacted] Uh, there was, there was two in the car that came directly in front of it for sure, and at least one that got out of the second one, but I wasn't sure about.

Harris: Okay, okay.

[redacted] If he had a passenger or not.

Harris: So, um, so yeah they got out and kind of went over to where the guy with the taser was at, and kind of talking or something. Um, so I couldn't see if the window was down or what or if the door was part way opened, but one of the guys was reaching in to try and grab him out.

Harris: The driver?

[redacted] Uh, try to grab the driver out then.

Harris: Okay.

[redacted] Um, and then I heard a couple of guys say tase him, tase him and then there was the, you know, the taser shot with the (taser sound), clear, wasn't very good sound, but.

Harris: I know, we all know what you mean.

[redacted] Okay, uh, so there was that happening, um, and then I noticed one officer coming up, uh, and kind of around to the side, you know, and, uh.

Harris: When you side, you mean the other side or this side.

[redacted] Well he was more in the front and he was kind of coming up when I heard him start, and then they, sorry, um.

Harris: That's okay.

[redacted] They started shouting, uh, he's going for something, he's going for something and at this time I remember seeing, uh, the guy in the car kind of pushed up against the passenger window, so I see him, uh.

Harris: So this is the driver still?

[redacted] Yeah the driver.

Harris: So he's been tased?

[redacted] Uh, he's been tased and he's like moving around…

Harris: …And he's back, he's pushing away…

[redacted] …Moving around a little bit pressed up against the passenger window.

Harris: Okay.

[redacted] Uh, and it was at that time I heard him say he's going for something, he's going for something.

Harris: You heard an officer say that.

[redacted] Yes, uh, I don't know if it was one officer or two, but it was said a couple times.

Harris: Okay.

[redacted] Uh, and then I remember, uh, one of them drew his gun, but he still had it down.

Harris: Okay.

[redacted] Um, to the, to the ground and then all of a sudden, uh, I just started hearing like firecrackers or whatever, sounded like that at first and I started seeing glass fly off the windshield area.

Harris: Okay.

[redacted] Um, and the officer just kind of scattered, the once it clicked that it was gunshots I, I got away from the window so.

Harris: Sure.

[redacted] So, uh, then it was just like…

Harris: I'm sure she's happy for that, okay. (Laughter)

[redacted] So there was just a like at first I was like that's a lot of gun shots, you know.

Harris: Right.

[redacted] But I, I don't know.

Harris: Okay.

[redacted] It mostly probably the officers.

Harris: Okay. Does the wind, does the car have a sky roof or anything, I mean…

[redacted] …No…

Harris: …How were you able to tell the drivers is the one that got pressed up against the passenger door…

[redacted] …Well I just…

Harris: …Or did you see, how many people do you think were in the car?

[redacted] I only saw one.

Harris: Okay.

[redacted] Okay, I remember, um, I remember looking down in the passenger seat and it was laid back pretty far, but I didn't remember seeing anyone.

Harris: Okay?

[redacted] While they pulled him over at first.

Harris: Okay.

[redacted] So this was before anything really broke out...

Harris: …Could you see the seat of the passenger seat.

[redacted] Yes.

Harris: How far in, like, how much of the seat.

[redacted] Uh, probably most of it.

Harris: Okay.

[redacted] Was there someone else, uh, 'cause I heard him yelling afterwards, which I thought was kind of odd after the gun shots had fired, I heard someone yelling about, uh, getting out of the way or something like that.

Harris: Okay.

[redacted] So I wasn't sure if that was an officer or another person, 'cause I was thinking, I didn't see anyone else in there.

Harris: Okay.

[redacted] So I didn't know.

Harris: Yeah.

[redacted] If someone is in back or what.

Harris: Okay.

[redacted] So I assumed it was the driver 'cause that's all I saw.

Harris: Is that the first time you actually saw the driver is when he was pushed up against the passenger seat.

[redacted] Yes.

Harris: You weren't able to see his hands come out the driver's window or you never saw him stick his head out or what?

[redacted] No.

Harris: Do you remember what the person was wearing that you saw?

[redacted] Uh, it was kind of like a [redacted] light colored sweater, I want to.

Harris: Okay.

[redacted] Uh, like a zip type thing maybe.

Harris: Okay. What about...

[redacted] ...I say [redacted] I'm part way color deficient, so.

Harris: That's okay. A lighter color or dark?

[redacted] Yeah, this, I'm pretty sure it was lighter.

Harris: Okay and, uh, like a hoody or.

[redacted] ...As I am hesitating.

Harris: Don't, don't.

[redacted] Yeah it was kind of like, I mean...

Harris: ...You, you were there, you were there, we weren't and we got's, so we need your help in.

[redacted] Maybe something kind of like this.

Harris: So maybe a hoody zip up type thing, okay.

[redacted] And then, but again I just saw like the back of it so.

Harris: Anything, um, any head hat or glasses or.

[redacted] No, not that I could see. Again, but probably I only saw from this far down 'cause he was kind of pressed up in the back.

Harris: Okay.

[redacted] Shimming around after even after he got tased, that I guess so.

Harris: Okay. Uh, do you know what the pant color or shoes or anything, pants or shoes?

[redacted] Um, I know he has like light colored shoes on but I just.

Harris: Okay.

[redacted] 'Cause I can even see them.

Harris: Okay.

[redacted] When I go up there, uh, his pants were pulled down quite a bit and he had white bloody boxers on that were that, I think it was just jeans, now that I think about it.

Harris: Okay.

[redacted] Um, so like a lighter cream colored shoes maybe.

Harris: Okay, if we could back a little bit, um, the two officers from Halsey pin him in, they get out and what you described as they all went to the driver's side kind of where the officer with the taser was?

[redacted] Yeah, there might have been in one guy, but again I didn't have a good vantage point for the actual sidewalk so.

Harris: So that, there could have been people on the passenger side?

[redacted] Yeah.

Harris: But, but based on the angle, not, how you were at, you weren't able to tell?

[redacted] Yeah.

Harris: Okay.

[redacted] And once he had the taser gun out, like I was kind of like started to get hesitant, it was like peering over you know...

Harris: ...Your getting out too far. Sure I understand.

[redacted] Stick my head out and so, um.

Harris: Totally understandable.

[redacted] So yeah I couldn't, I couldn't really see, but.

Harris: Okay.

[redacted] That, that part of it.

Harris: Okay and, uh, how many, uh, shots do you think you heard or?

[redacted] Um, well initially it was just, after they yelled like he's going for something, like it was probably like two or three shots, when I saw the windshield.

Harris: Okay.

[redacted] Uh, splash and then it registered that was what was happening.

Harris: What was going on?

[redacted] And so I backed away and then it sounded like a machine gun or something, you know.

Harris: Okay.

[redacted] And so I figured that was just the officers firing back or whatever.

Harris: And what, okay, and what time span do you think from the first shots to the last shot?

[redacted] Oh, for shots?

Harris: Yeah, I mean.

[redacted] Shots themselves, uh, less than a minute probably.

Harris: Okay. Do you think it lasted a minute from the first shot to the…

[redacted] …No, not even a minute.

Harris: Okay.

[redacted] I mean, again times hard to tell.

Harris: Oh yeah.

[redacted] Uh, I mean it was just like a few initial shots and then kind of barrage of shots and then I was actually talking with her about it trying keep it a little bit fresh...

Harris: …Sure.

[redacted] But, uh, it sounded almost like a shotgun or something afterwards.

Harris: Okay. Why do think whys that.

[redacted] That's how I describe it. 'Cause it sounded like a big like, just splat.

Harris: Okay.

[redacted] Um, shot.

Harris: Okay.

[redacted] And then it sounded like a (makes a sound like a shotgun cycling).

Harris: Okay.

[redacted] (Makes a sound like a shotgun blast followed by a shotgun cycling).

Harris: Okay.

[redacted] So there was three of those.

[redacted] Too many movies.

[redacted] I remember, uh.

Harris: Did you see a shotgun, ever?

[redacted] No I didn't see a shotgun…

Harris: …Okay…

[redacted] …Or anything like that and so that's when I heard the people yelling, get out of the way, get out, er, the officers I assume yelling…

Harris: …Okay…

[redacted] …Get out of the way.

Harris: Okay.

[redacted] So that's why I thought maybe there was someone else…

Harris: …Do you know if you heard…

[redacted] …But I didn't see anyone…

Harris: …Sound prior to the firecracker sounds or after or ?

[redacted] That was after.

Harris: The shotgun sounds were after?

[redacted] Yeah, that was after.

Harris: Okay. Um, did you see an officer go down at all?

[redacted] No, I heard them yelling about, uh, someone might have been hit or something.

Harris: Okay and is it safe to say once you heard the shots that's when you backed from the window?

[redacted] I, I backed away, 'cause like my bedroom window sits here then my sliding glass door is here so, I initially saw them pull up through my sliding glass door then ran around to get a better point.

Harris: Sure.

[redacted] Then once the shots came, I came back out to my living room 'cause I didn't know…

Harris: …Sure…

[redacted] …What was going on.

Harris: Um, okay.

[redacted] But I didn't go over to my sliding glass door, I still stayed back a little bit, just kind of seeing, uh, some of the cars that were farther out.

Harris: But just for the record after the shots, you, after a few shots you, it registers and then you back away…

[redacted] …Yeah…

Harris: …And that's pretty much the end of the incident that you observed.

[redacted] Ah, uh, until...

Harris: …Until later…

[redacted] …Yeah, until…

Harris: …Until the same kind…

[redacted] …Couple minutes later.

Harris: Okay, okay. Uh.

[redacted] So I kind of keep going back and forth, uh, between my bedroom and the living room, but trying to stay away, 'cause there's a lot of yelling going on.

Harris: Right.

[redacted] A lot of shouting and…

Harris: …Okay…

[redacted] …Your gunshots just outside my bedroom window so.

Harris: And just to be clear, you said some, uh, some things like, uh, you know what the officers specifically said or were you able to hear their instructions and.

[redacted] When?

Harris: Uh, when they first got there, there telling him to…

[redacted] They were telling…

Harris: …What they telling him…

[redacted] …Well the one with the taser gun was telling him to put his hands up where he could see them and then to put his hands up behind his head and lace his fingers.

Harris: And, uh, you heard interlace fingers?

[redacted] Yes.

Harris: Okay.

[redacted] Yeah. Uh so that happened a couple times, uh, and then when that officer stepped back to talk, on his little walkie talkie, the other guy started, uh, fiddling with the door or something.

Harris: Okay.

[redacted] Um, and then he was yelling, open the door, open the door.

Harris: Okay.

[redacted] And I think the other guy yelled open the door maybe before as well to…

Harris: ...The other officer?

[redacted] Yeah.

Harris: Okay

[redacted] So it kind of intermingled with, uh...

Harris: ...Did you hear anything spoken by the, uh, people in the vehicle, person in the vehicle?

[redacted] Uh, no.

Harris: Anything other than the officers?

[redacted] No.

Harris: Okay.

[redacted] So, yeah

Harris: Anything egregious you saw done by the officers or.

[redacted] Anything what?

Harris: Egregious or, uh, misconduct type issue?

[redacted] No, I mean not that I know of, I mean, they were just yelling for people to back inside.

Harris: Okay. Sometimes we ask just to.

[redacted] Yeah, I mean, I came back like after...

[redacted] ...People stopped watching from the bedroom window.

[redacted] Yeah, I, I mean came back to like look and, uh, when I came back there was a couple of officers still crouched down with their guns drawn behind the backhoe, uh, bulldozer thing out there.

Harris: Okay.

[redacted] And so when I saw them still have their guns drawn I still...

Harris: ...Still dangerous...

[redacted] ...Jumped back a little bit, so.

Harris: Sure, okay.

[redacted] Um.

[redacted] You had told me earlier you saw someone limping away.

[redacted] No not limping, like when the first shots started firing like, the officer who was in the back was kind of up with the other guys.

Harris: Uh-huh.

[redacted] And so when the shots started firing, like he was totally caught off guard and kind of like do this funny jump skip.

Harris: Okay.

[redacted] Looking...

Harris: ...Which way did he jump skip?

[redacted] Um.

Harris: If you remember?

[redacted] Well like okay so the front of the, here's the car and then all ways.

Harris: Which way is the car pointing?

[redacted] Uh, it's pointing this, this way.

Harris: Okay.

[redacted] Well, we'll go this way.

Harris: Sure.

[redacted] Okay so he was to the back and he was up in the front and when the gunshots, he, he started jumping out, um.

Harris: Towards the front of the car?

[redacted] In between the two cop cars that were.

Harris: That were, that had come off of Halsey?

[redacted] Yeah.

Harris: Okay.

[redacted] The ones that are in the front of the car.

Harris: Okay so.

Harris: Okay perfect.

Harris: Uh, that's all the questions I have right now, you have any questions for me?

[redacted] Uh.

Harris: Okay, I'm going to go a head and conclude this when I at...

[redacted] ...I guess I should say no since you can't hear my head nod.

Harris: Oh, that's fine, that's fine. At 2141.

Transcribed Verbatim With Punctuation Added 052010 at 1000, S. Thoman SOT

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Harris: My name is Tony Detective Harris, DPSST 27566, it is Wednesday May 12th at 2242 hours. Um we are at the scene at 6th and Clackamas, I'm here with [redacted] date of birth [redacted] Uh, [redacted] understands this conversation is being recorded and do I have your permission to record this conversation?

[redacted] Yes.

Harris: Okay. Um, apparently something happened outside [redacted] at [redacted], can you just tell me what you saw.

[redacted] Yeah, I was at work and I heard this.

Michaelson: Give me a call when you're done.

Harris: Okay.

Michaelson: Is my bag in the car?

Harris: It's in the command center.

Michaelson: My bag?

Harris: Yes.

Michaelson: Okay.

Harris: Is that what you needed?

Michaelson: Yeah, well that and call me when you're done.

Harris: Okay. Sorry about that.

[redacted] I wasn't worried.

Harris: Okay.

[redacted] And then I heard, [redacted] saying there was a, uh, shotgun.

Harris: Who said that?

[redacted] [redacted] uh, the lady…

Harris: That, that we talked to. [redacted]

[redacted] [redacted]

Harris: She's told you what?

[redacted] That there's some shooting going on.

Harris: Okay.

[redacted] And she was [redacted], at the window.

Harris: Okay.

[redacted] And I was working in the front.

Harris: Okay.

[redacted] Then she said I, uh, immediately run to the drive through, which is the window.

Harris: Um-hm.

[redacted] She told me what was going on.

Harris: What did she tell you?

[redacted] She told me there was like, uh, lots of police cars at the corner and I was like... Uh, someone was shooting a gun.

Harris: Okay.

[redacted] Then a pers…, uh, pers..-er, and then notice by the window with her and then she saw me where everything was happening, which is the corner and by the time I got to the window I saw this two [redacted] colored police cars and there was just police officer going in on the from Halsey to the corner of the cops were going like on the left side. There were just like cops going on the left side and cops going on the right side.

Harris: Okay. But they were both [redacted] colored police cars?

[redacted] Just the ones that were in the front 'cause there was like more police cars in the back. We can barely see them.

Harris: Okay.

[redacted] And there was this car stopped you know like in the corner and

Harris: What did that car look like?

[redacted] Like a golden color that's what we could see from the window.

Harris: And that was the car the police had stopped?

[redacted] Um-hm.

Harris: Okay. Go ahead.

[redacted] And then [redacted] was really scared and was like by the time I got to the window, the first shooting have occurred. And then I was like already ...

Harris: When you got to the window, the shooting already happened?

[redacted] Yeah, it was the first time, yeah.

Harris: The first time, okay.

[redacted] That's when we ...

Harris: And she told you there was some shots fired?

[redacted] No, it was just one time by the time I got to the window.

Harris: But as you were getting to the window, she told you about some shots being fired?

[redacted] Um-hm and we, everybody heard that shot.

Harris: So you heard the shots?

[redacted] Um-hm.

Harris: And then you went to the window?

[redacted] Yeah.

Harris: Okay. Okay. And you get to the window, you saw the dark colored police cars, and the other ones going around.

[redacted] Like blocking the way

Harris: Okay

[redacted] for the car in front of them, golden car.

Harris: And then what happened? Okay.

[redacted] And then they got out. The ones on the right..., left side and then there were cops on the other, right side. And like less than, I'd say less than 30 seconds you know like there were like kind of like yelling towards the car...

Harris: Could you hear what they were saying?

[redacted] No. We couldn't. It was too far away.

Harris: Okay.

[redacted] We were just hearing like the echo maybe.

Harris: Just loud voices?

[redacted] Um-hm.

Harris: Okay. Sorry.

[redacted] And less than 30 seconds you know like [redacted] went out by the trash area that [redacted] at McDonald's. And she was standing there with other people and they were just like looking at the whole scene.

Harris: Okay.

[redacted] Then I stood at by the window and a cop start, kept yelling at the people inside the car and then I saw like this cop going to like another police car (inaudible because of paper shuffling.)

Harris: Okay.

Harris: and then less than 30, less than 30 or 40 seconds, then like [redacted] was out there and then there was a whole bunch of like kids in the parking lot. They were just laughing. They thought it was funny you know. And when

like the second time um, [redacted] was standing out there by the trash can and there was like a whole bunch of kids like looking at the scene. They thought it was funny and then less than 40 seconds, a lot of police officers started shooting and but before they started shooting, they were like kind of like yelling. Then they were like going back like really slow you know like being caution?

Harris: Cautious?

[redacted] Cautious

Harris: Okay

[redacted] and then they were like going like walking back like really, really, really slow. And then we heard more yelling and then we heard shooting like...

Harris: How many shots do you think you heard?

[redacted] There were so many I couldn't even count them.

Harris: Okay.

[redacted] More than seven or eight. And the cops get like pointing their guns to the car

Harris: Okay.

[redacted] And then everybody started running. People are like throwing themselves on the ground and everything.

Harris: Okay.

[redacted] [redacted] ran back to the store 'cause she was getting worse.

Harris: Okay.

[redacted] And then more police came in and ambulance and there was like more people like pointing a guns at the car.

Harris: Okay. So just to clarify, you were [redacted] you said? Or you were in the front?

[redacted] No. I'm actually [redacted] so...

Harris: You're just around...

[redacted] At the time I heard outside… ..

Harris: The first set of shots where were you?

[redacted] The first one, I was like on my way to the window.

Harris: Okay and how many do you think you heard that first set?

[redacted] The first, the first time it was just one.

Harris: Okay so you heard one shot?

[redacted] Um-hm.

Harris: Okay. And she told you about it and you were walking to the window at that time?

[redacted] Um-hm.

Harris: Okay. And you get to the window and you see some other patrol cars, police cars arrive on the scene.

[redacted] Um-hm.

Harris: Going left and right around another car?

[redacted] Like surrounding…

Harris: Surrounding the golden car

[redacted] Um-hm

Harris: Okay and then you see those officers get out

[redacted] Kind of like moving like…

Harris: And some are on the left and some are on the right?

[redacted] Yes and some are on the left, some are on the right and some are…

Harris: Of the golden car?

[redacted] …were like in like in the middle you know, all of them pointing at the same time at the car.

Harris: Okay. Almost surrounding the car?

[redacted] the guns, Um-hm.

Harris: Are they all surrounding all the sides?

[redacted] Yeah but not in the front, only like on the sides…

Harris: The left, right and back?

[redacted] Um-hm.

Harris: Okay and you hear some yelling but it was too far away to hear what exactly they were saying? Do you hear yelling from maybe the person in the car? Do you hear anything?

[redacted] No.

Harris: Okay. And then 30 or 40 seconds later, you heard a bunch of shots?

[redacted] the police started…

Harris: All the police are backing away.

[redacted] …walking back like really slow like…

Harris: All of 'em or just one or two?

[redacted] No. All of them at once…, from the sides

Harris: So they're starting to, so they're next to the car but then they start backing away?

[redacted] Um-hm. Kind of like, you know, like they were like trying to surround the car and then 30, 40 seconds, the ones on the side were like walking back…

Harris: Backing up.

[redacted] And the ones that were in the center, they were like, they stood there but they were like, you know, like walking back like really slow kind of like everybody was like together like pointing at the car like that…

Harris: Okay. Okay. Um, okay.

[redacted] And when the shooting happen, that's when I saw like the police like shooting you know?

Harris: Okay. Were you able to tell, would you be able to tell which person fired first?

[redacted] Hmm,

Harris: Or it all just happened at once?

[redacted] No it all happened at once. When the police shot the second time, it was just like all at once. Ta, ta, ta, ta, ta

Harris: Okay. But from the time and you're saying it's about 30 to 40 seconds between the first shot and when the officers back away start shooting?

[redacted] Um-hm.

Harris: Okay and then you said 30 to 40 seconds later, someone went to get like a rifle looking thing?

[redacted] Um-hm.

Harris: okay. Do you remember what that looked like?

[redacted] It was a black colored rifle.

Harris: Okay. Do you know if they got it out of their trunk? Or the car?

[redacted] Yeah they no police officer got it out of the trunk like really fast.

Harris: Okay. Do you know if it was a normal looking police car or one of the dark [redacted] ones?

[redacted] No it was one of the dark...

Harris: Okay.

[redacted] ...kind of like [redacted] purple color...

Harris: Okay. Did you hear anything else after that seven to eight shots that you heard?

[redacted] Hmm,

Harris: Were there any more shots fired or

[redacted] That's where it gets confusing 'cause everybody was like…

Harris: All the noise and

[redacted] …adrenaline like, I can't believe I have ever seen this

Harris: Okay.

[redacted] But there was like no more shooting after like everybody shot

Harris: So it was a shot, you get to the window, 30 to 40…

[redacted] What we believe is the first shot came from like the car

Harris: Um-hm.

[redacted] …towards the police. That's what [redacted] saw and that's what I saw.

Harris: Okay. You're guessing that or you saw that?

[redacted] It's kind of hard to tell 'cause the first shot was kind of like not as loud as the other uh,

Harris: The group?

[redacted] Yes.

Harris: Okay.

[redacted] It had a definite different sound. It was the police guns were like definitely louder.

Harris: Okay. But you're sure it's, and it's fine. I just want to make sure we got the right thing. It's about 30 to 40 seconds difference between the first shot and the, okay

[redacted] No. It happened so fast you know.

Harris: Yeah. I just want to make sure we're saying 30 to 40 seconds.

[redacted] Yes.

Harris: Okay. Did you see anybody go, fall down? Or did you see anybody go to the ground?

[redacted] Hmmm,

Harris: If you didn't, that's fine.

[redacted] We definitely saw a person like down on the floor but we didn't see him like when he fell…

Harris: Was that later when you walked by?

[redacted] …It was just like after all the shooting, I'd say I can't really tell like exactly the time.

Harris: That's fine.

[redacted] But it was like [redacted] ran back and everybody was just trying to make sure everything or everybody was okay.

Harris: Right.

[redacted] It was like I'll say 10 to 20 minutes later we could see like somebody on the ground.

Harris: Okay. Okay.

[redacted] We don't know if that police officer got shot or anybody else, you know, but we definitely saw two guys in the car and they were just sitting there and then a police…

Harris: Two, two guys in the gold car?

[redacted] Um-hm.

Harris: And was one a driver? One was the driver in the driver's seat and one in the passenger seat?

[redacted] Yeah.

Harris: Okay. Were you able to tell what any of them were wearing? Anything unique? Anything…

[redacted] No. All I can remember is they were just having short hair. That's all I remember.

Harris: Okay. No hats? Do you remember what color tops they were wearing? Glasses?

[redacted] No.

Harris: Jewelry? Okay.

[redacted] 'Cause it's kind of far away. We, you know...

Harris: Right. I don't know until I ask. But you're positive there were two people in the car?

[redacted] Yeah. I saw that, [redacted] saw that.

Harris: Okay. How far away do you think and you stayed in the [redacted] window the whole time?

[redacted] The [redacted] window the whole time, yeah.

Harris: How far do you think that is from the window to where this happened?

[redacted] I'd probably say um, more than 20 feet.

Harris: Okay. Twenty feet?

[redacted] Hmm...,

Harris: That's fine. I'm just curious. Okay.

[redacted] It could be more you know.

Harris: Right. Did you see the officers bring out anything else besides their guns? Did you see Tasers? Do you know what a Taser looks like?

[redacted] Yeah.

Harris: Okay did you see those out?

[redacted] No.

Harris: Okay.

[redacted] All I saw was just guns pointing at the car. And...

Harris: Okay lots of yelling

[redacted] ...and an officer running for a rifle and lots of yelling and you know

Harris: Okay.

[redacted] Then this African-American guy came from an apartment complex trying to figure out what's going on, shirtless

Harris: Yeah?

[redacted] And

Harris: What did he do?

[redacted] He was just looking and then he just ran back.

Harris: Okay.

[redacted] There was this like...

Harris: So when you first looked out the window, the gold car was stopped?

[redacted] Yes. The car was stopped.

Harris: Okay.

[redacted] They had like cops at the back and two [redacted] police cars in the front

Harris: There was two in the back and two in the front?

[redacted] Um-hm.

Harris: Okay. And then more cars showed up?

[redacted] Yeah more cars showed up.

Harris: Did the shooting occur, so there was four cars there. Then you saw some others. The four were there and then you saw the dark colored ones pull up?

[redacted] Yes.

Harris: Was the shooting before those cars pulled up or after?

[redacted] after

Harris: After.

[redacted] After the [redacted] colored cars

Harris: Okay. That's right.

[redacted] Yeah 'cause officers like got out like on both sides and then everybody got together

Harris: Right

[redacted] ...they start yelling and then they...

Harris: Do you know why they backed away cautiously?

[redacted] Hmm, 'cause there was lots of people and they were probably afraid you know.

Harris: Were you able to see in the car? Other than there were two people? Could you see what they were doing?

[redacted] No. We were just, from what I saw, it was two people just like sitting there you know like normal.

Harris: right.

[redacted] 'Cause he was facing, it was at the stop the corner four stops you know they were just like waiting there.

Harris: Okay. Okay. That's good for me. I don't have any other questions. Do you have any questions for me right now?

[redacted] Hmm...,

Harris: You don't have to. It's something I ask everybody.

[redacted] My questions probably wouldn't, it's just like wonders like

Harris: And we can turn this off and we don't have to do it on the record.

[redacted] No, I was just like curious if more than one people died you know.

Harris: Um yeah. I don't even know. I haven't even been out there yet, to be honest. I've been up to this Command Post, this RV and that's as far as I've gotten.

[redacted] Besides all, you know like the guy obviously like died you know, lying on the corner…

Harris: Yeah

[redacted] Everybody saw that.

Harris: Yeah. I think, I think he has.

[redacted] Then it's like Firefighters I think took another person on the you know

Harris: Stretcher?

[redacted] Yeah like you know when they put it inside the ambulance, where they carry away.

Harris: You saw someone go in an ambulance?

[redacted] yeah.

Harris: Okay.

[redacted] No, no, no. I saw somebody going with the firefighters but I never saw him like get into an ambulance.

Harris: Oh you saw someone walking with the firefighters?

[redacted] No.

Harris: What do you mean?

[redacted] Firefighter had this um, I don't know what's the name of that but it's the place where they you lay down and they take you to inside an ambulance.

Harris: right. A gurney, or the bed on wheels?

[redacted] Um-hm.

Harris: Okay. Did you see anybody on that or no?

[redacted] Yeah.

Harris: There was a patient?

[redacted] I guess. That's what we saw.

Harris: No I'm just asking. Did you see a person on there?

[redacted] It looked like a person to me.

Harris: Okay.

[redacted] Kind of like covered but it looked like a person to me.

Harris: Okay. Like I said, I don't know all the stories because I'm just getting everybody's story and we're putting this thing together so... Okay, any other questions?

[redacted] Hmmm..., not really.

Harris: Okay. I'll go ahead and conclude the interview. It is 2301.

Transcribed Verbatim With Punctuation Added 052110 at 1300 hrs S. Thoman & B Geltzeiler

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Harris: My name is Detective Tony Harris with the Portland Police Bureau, my DPSST is 27566. I'm also here with Sergeant Dave Michaelson, DPSST?

Michaelson: 23060.

Harris: I'm also here with [redacted] uh, lives at [redacted] NE 7th Avenue, Apartment [redacted] and that's where we are now. Um, Mr. [redacted] understands this conversation is being recorded and are you okay with that?

[redacted] Yes.

Harris: Thank you. Uh, why don't you just tell me what you saw yesterday and what, what happened.

[redacted] The first thing was is that my wife...

Harris: ...Real quick, so it's, it's also May, I think May 13th at about 6:15 PM, thank you.

[redacted] Okay. About the same time.

Harris: Yes.

[redacted] Um, my wife and I were sit, were sitting on the couch and, um, I first heard like two or three pops, um, and then there was a delay and then it was, um, it sounded like a, it sounded like a whole set of fireworks went off at the same time. Um, and, and then I heard a scream, a, a woman screaming several times and I thought they were kids out there playing with fireworks already, in the year. 'Cause they do, so I went to the, to the deck and I looked out the deck and I saw, uh, the police officers going around the, uh, the front end loader that was there, um, and I saw the car that, um, that they, uh, person was in and I saw him laying, um, in essence his face was pointing toward the front of the car. Um, at that point in time I saw, uh, I don't know how many police cars came and officers were, have their guard against the drop. Uh, I can't remember which officer said it would be probably better if you got back in the house. Um, I started hearing yelling, you know, um, show us your hand, look it, you know, show us your hand, show us your hand, I actually thought there

was a second person because, you know, there's that indentation on, on, on the apartments.

Harris: Right.

[redacted] And I thought there was possibly another person, um, and I didn't realize they were, they were yelling at the person in the car. I, when I saw him I thought the person was dead. I saw the blood, he wasn't moving, it was clear that this guy was, was, and I saw the bullet holes in, in, in the front of the car, um, and so I went around to the, to our second bedroom and looked down and I could see the guy, you know, as he was slumped outside the car. And he had, I could see his arms, uh, but I couldn't see his hands. And, um, I kept hearing, show us your hands and then I heard one or two pops and they were, I thought they were bullets coming, but I, I was later told that they were the, uh, bean bags, they were the bean, you know, and I saw them kind of explode off is body and then again show us your hands and then again one or two shots. And then, um, they came up, the police officers on the spot, came up and pulled him out of the car. Um, he was not moving at all, laid him out, um, checked him for any weapons or whatever, uh, then rolled him over on his side to, to handcuff him. At that point the, um the paramedics came in, uh, and one of the police officers was over the, over the person checking for a, for a pulse. Uh, then the paramedics ran an EKG and it was flat line. Uh, and then, and then you guys started investigating.

Harris: Okay.

[redacted] Um, and we stayed up until 2:30 last night with your lights on us.

Harris: Yeah, sorry about that.

[redacted] Well that's and I understand, um, the body didn't move until about 12:30 I think. Um, the, my, what I, I, I'm assuming that the police officers that hit him with the bean bag did not see the, the perspective I saw.

Harris: What do you mean by that?

[redacted] Well I was looking straight down on him.

Harris: Right.

[redacted] And I saw the blood and I saw him not moving at all.

Harris: Um-hm.

[redacted] And I don't think they, for where they were they didn't see my perspective.

Harris: Okay. Did you think they were at a disadvantage then, is that what your saying or advantage or just different perspective…

[redacted] …Disadvantage, not being able to see.

Harris: Okay.

[redacted] Um, I mean if they were sitting in my position they would probably say, he's dead.

Harris: Yeah.

[redacted] I mean, but I don't, you know, so I, I, I, I'm assu, I'm of the assumption that they shot the bean bags at him to make sure that he wasn't going to pull the gun and shoot at them again. Um…

Michaelson: …At that, at that time when you saw the blood and you said that, 'cause of your advantage, I think, earlier you said you still couldn't see his hands?

[redacted] Yeah, well show you where I was, I was looking from.

Michaelson: Oh, we can go.

[redacted] Okay.

Michaelson: Look.

[redacted] Uh, yeah, I, I, I'll I could see was his arm and his hands were tucked in.

Michaelson: Okay.

[redacted] So I couldn't, I couldn't even see the hands, what they, they were, um, that's north, that's south, they were south of him because, um, and, and probably could only see part of his hands. I could see his head, uh, and, um, his arms were like this, but his hands were tucked in like that.

Harris: Okay.

[redacted] Um…

Harris: …Were his hands tucked underneath his body?

[redacted] Yeah.

Harris: Or just tucked out of view, you know what I'm saying?

[redacted] They were, yeah, more out of view, I couldn't see them.

Harris: Okay. But your assumption is they were under his body?

[redacted] Yeah, or, or, it's kind of like, he was like this and his hands were like this.

Harris: Okay.

[redacted] Yeah and I couldn't see his hands 'cause he was rolled over on a, I couldn't tell if they were together. I, when they pulled him out, I didn't see the weapon.

Harris: Okay.

[redacted] Um.

Michaelson: And this is from your perspective in the bedroom?

[redacted] Well also from the deck.

Michaelson: Also from the deck, then, so in both locations you couldn't see his hands very well or if at all?

[redacted] No. I couldn't see his hands. Um and that's why I assumed that the, the officers were saying show us your hands, um, because, uh, they couldn't see them. But I could actually see him in the blood so I, I mean I was just about ready to go, um, he's dead, but I didn't what to get shot.

Harris: Okay.

[redacted] Um, the professionalism of the officers that came afterwards, was, was amazing.

Harris: Okay.

[redacted] Um, they came in, I, it was, um, I, they did, this is basically just appeared out of nowhere, uh, I've never seen more police cars come...

Harris: ...Yeah...

[redacted] ...Out of fricken nowhere, then, then I saw yesterday. Um, it was sombering, it was a sobering sight.

Harris: Right.

[redacted] Um...

Harris: If I could ask some follow questions, you're sitting on the couch in the living room.

[redacted] Yes.

Harris: With, uh, which has a slider facing the west, I'm just giving...

[redacted] ...Yes...

Harris: ...Direction for the, the recorder, um, was the sliding glass door open at the time?

[redacted] Yes.

Harris: Okay and, um, the bedroom is a little bit to the south also faces 6th Avenue?

[redacted] Yes.

Harris: The bedroom window, was that window open, do you know?

[redacted] Yes.

Harris: Okay. So your first thing, the attention you got was you said a couple pops?

[redacted] Yes, those are the pops that hit the, the officers.

Harris: Okay. Did you hear anything before that?

[redacted] No.

Harris: Okay. Uh, did you hear any voice commands, yelling or anything of that nature.

[redacted] No, because we, I've been just on jury duty for three days and I was pretty tired.

Harris: Okay.

[redacted] So I was just resting and so I couldn't, you know.

Harris: That's fine.

[redacted] All I heard was the pop, pop, pop.

Harris: And that's what first drew your attention to go look outside.

[redacted] Yes. The first shots drew my attention.

Harris: Okay.

[redacted] From that point on, um.

Harris: But the first thing you saw as you, you went, you walked out this porch, correct?

[redacted] Uh, was the police cars and the car with gunshot holes, I mean bullet holes in the, in the front and...

Harris: ...And, and the man already laying out of the car.

[redacted] Yes, the, the, the door, uh, the passenger door was open and he was slumped out of his, as if he was trying to get out of the car.

Harris: Okay. So the first time you looked out, the first thing you saw was the man, he never moved on his own at that point?

[redacted] No.

Harris: Okay.

[redacted] And.

Harris: Were you watching TV at the time, do you remember?

[redacted] Yeah.

Harris: Okay that's fine.

[redacted] I thought the TV reports were so stupid.

Harris: Well I just mean that, where if you were sitting on the couch watching TV, you heard the pops and then you went to the door.

[redacted] Yeah, I heard, I mean, 'cause what I heard was, you know, like a pop, pop, one or two shots, I don't know how many he shot.

Harris: Um-hm.

[redacted] Then there was a hesitation and then there was, I don't know, it was like firecrackers, going off at the same time.

Harris: Could you have guesstimate how many firecrackers you heard or for how long it was or?

[redacted] Oh, no less, no more than 15 seconds.

Harris: Okay. You know how many firecrackers?

[redacted] Ten, fifteen.

Harris: Okay.

Michaelson: What side of, uh, the car was he on?

[redacted] The victim?

Michaelson: Yes.

[redacted] He was on the passenger side, facing, he was facing north, uh, his arms were, like I said around, so he was, um, he was, his back was to the backside of the car, the rear of the car. He was facing to, toward the front of the car on the street here. His arms were like this, okay, um, and you couldn't, I could only see part of him out from the, from the deck beca, because the (phone ringing)

Harris: I don't know. No.

[redacted] I love that. On Comcast, I can ignore that. Um, I, so I didn't see his full body from the north side, but weren't, didn't appear to be very many police officers when I came out on the north side.

Harris: Right.

[redacted] They were on the west side and I believe on the south side.

Harris: Okay. And so, the back of the man was facing south?

[redacted] Yes.

Harris: Okay and his arms were facing north, but tucked under him a little bit.

[redacted] Yeah and so I was…

Harris: …And then his face is facing north?

[redacted] Yeah, so he was, they didn't see his face and they didn't see the blood and then when I was, got into that window over there, I could see him directly.

Harris: Okay, okay.

[redacted] And he at that point when I saw him before they hit him with the bean bags, he, he looked lifeless. Um, I kind of wish he wouldn't have been so stupid, how's the other guy doing, how's your, how's the officer doing?

Harris: He'll make a recovery, he's going to be fine. Thank you.

[redacted] I mean like, I heard he had gunshot wounds in both legs.

Harris: I haven't even got that far, we just, we been, doing this part of it.

Michaelson: Did you see, uh, after these first two cops and you went looked outside did you see what the officers were doing or did you see…

[redacted] …No it was, I went out there after like the twelve to fifteen pops.

Michaelson: Oh, okay.

[redacted] And, uh, and the scream. 'Cause I was just thinking, here we go again, kids are going to be doing the fireworks and I'm going to hear it all night.

Harris: Did you see the person screaming?

[redacted] It wasn't, I guess it was a woman in a car over here, that's what Christine told me across the street.

Harris: Okay, but you didn't see?

[redacted] I didn't see her, I saw…

Harris: …You heard a scream, but you never saw who that came from?

[redacted] No I didn't.

Harris: Did you see anybody over here, did you happen to look over here?

[redacted] Yeah, I saw, I saw some people sitting on the, on the, uh, on the street curb after the, after it happened.

Harris: Here on Halsey?

[redacted] Yeah.

Harris: Okay, okay.

[redacted] Um.

Harris: Do you have anything else?

[redacted] The, and, on, you know, the question I have is well, you know, why did they have hit him with bean bags, but then again I also look at it and said they couldn't see his hands and they didn't have, uh, they didn't have a direct down view that I had. I mean if they were my view they would have said he's dead.

Harris: Yeah, sometimes we don't have all that perspective like...

[redacted] ...Yeah...

Harris: ...Like, uh, different vantage points.

Michaelson: You just answered your own question.

[redacted] Yeah, I mean it's, you know, it was like I keep thinking well I, I didn't want to see a police officer get shot, but it was, what, what would have happened if he would have been doing a drive by shooting, decided to do something like that. You know, you guys weren't there.

Harris: Sergeant Michaelson?

[redacted] One of those things I look at?

Harris: Okay, any other questions before we?

[redacted] Nope.

Harris: Okay, I'm going turn, go a head and turn this off at 1827.

Transcribed Verbatim With Punctuation Added 051910 at 1120, S. Thoman ST

APPROVAL ROUTE: Homicide

CASE NUMBER 10-038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 4. SUPPLEMENTAL — PAGE/OF 1 / 6

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353	10-38359	

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
2. Pending	05/12/10	1821	05/14/10	1430

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th AND NE CLACKAMAS STREET	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
INITIAL RESPONSE AND WITNESS INTERVIEWS	PP1005121772

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ CS
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
VI	OTIS, KEATON DUPREE		M	B	010485

ADDRESS	CITY	STATE	ZIP
3541 N. HOUGHTON STREET	Portland	Oregon	97217

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.
LISTED

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

NO CONNECT INFORMATION

NONCONNECT INFORMATION

DISTRICT ATTORNEY COPY

Witnesses Interviewed:

[redacted]
F/W, DOB [redacted]
PPDS: # [redacted]
[redacted] NE Halsey Street
Portland, OR
C) [redacted]

[redacted]
M/W, DOB [redacted]
PPDS: # [redacted]
[redacted] NE Halsey Street
Portland, OR
No Phone

Officer DALE, DPSST #23726
(Tactical Operations Division)

Persons Mentioned:

[redacted]
M/W

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mark Sponhauer	16089	DET	M	HOM	

PPB-SSD-TH

05-14-10 1546

423 (08/07)

COPIES
☐DET
☐CENTRAL
☐EAST
☐NORTH
☐NE
☐SE
☐CAT
☐DHS/CHS
☐DVD
☐DVRU
☐ECRT
☐JDH
☐JUV
☐CS
☐DVCS
☐ _____
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☐ _____

COMPUTER ENTRY
☐ Desk
DPSST
☐ Person
DPSST
☐ Entry / Vehicle
DPSST
☐Distribution
DPSST

Persons Mentioned Continued:

[redacted] San-Ramon Dr.
Las Vegas, NV 89147
C) [redacted]
H) [redacted]

Police Personnel Mentioned:

Officer FOOTE, DPSST #43493
(Unit 1950)

Officer DEFRAIN, DPSST #44436
(Unite 1950)

Officer BERNE, DPSST #45662
(Unit 1955)

Officer EUGENIO, DPSST #39877
(Unit 1657A)

Officer DAUCHY, DPSST #30873
(Unit 1763A)

Officer DELENIKOS, DPSST #21331
(Unit 2820A)

Officer SHAW, DPSST #28923
(Unit 2820A)

Officer GRYPHON, DPSST #50500
(Unit 694AP)

Officer ROBERTSON, DPSST #31290
(PPA Representative)

Sergeant LIVINGSTON, DPSST #32588
(Unit 3950)

Detective KAMMERER, DPSST #29988
(Detective Division/Lead Investigator)

Detective SLATER, DPSST #27192
(Detective Division/Lead Investigator)

COPIES
☐DET
☐CENTRAL
☐EAST
☐NORTH
☐NE
☐SE
☐CAT
☐DHS/CHS
☐DVD
☐DVRU
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COMPUTER ENTRY
☐ Desk

DPSST
☐ Person

DPSST
☐ Entry / Vehicle

DPSST
☐ Distribution

DPSST

Police Personnel Mentioned Continued:

Sergeant McGLATHERY, DPSST #26847
(Detective Division/On-scene investigative supervisor)

Sergeant MICHAELSON, DPSST #23061
(Detective Division/Present during Ofc. Dale's interview)

Criminalist DURHAM, DPSST #33027
(Forensic Evidence Division/Wrote Special Report)

Criminalist SCHLEICH, DPSST #36817
(Forensic Evidence Division/Wrote Special Report)

EXHIBITS

1. Portland Police Property Receipt #1199684:
   Item 1: Apple iPhone belonging to [redacted]
2. Portland Police Property Receipt #1199685:
   Item 1: 2 GB SD memory card from [redacted]
   Item 2: One Sony CD-R disc containing unedited video from [redacted]
3. Written Consent Form signed by [redacted]
4. Written Consent Form signed by [redacted]
5. Portland Police Property Receipt #1203637:
   Item 1: One CD containing recorded interviews with [redacted] and Ofc. DALE.

SUMMARY

This report documents my initial response to the scene, collection of evidence, and interviews with [redacted] who video recorded part of the incident, and [redacted] who recorded part of the incident, and Officer DALE, who arrived on scene after the shooting and who assumed the role of lethal cover for the custody team.

NARRATIVE

On Wednesday, May 12, 2010, at 1840 hours, I was paged by Sgt. McGlathery to assist in the investigation of an officer involved shooting at NE 6th and Clackamas Street in Portland, Oregon. I arrived on scene at 1915 hours.

Shortly after arriving on scene, I made contact with [redacted] who stood with Officer Gryphon in front of her residence at [redacted] NE Halsey Street. [redacted] told me she recorded this police incident on her Apple iPhone from her front porch, which I saw [redacted] and looked onto the intersection

COPIES
☐ DET
☐ CENTRAL
☐ EAST
☐ NORTH
☐ NE
☐ SE
☐ CAT
☐ DHS/CHS
☐ DVD
☐ DVRU
☐ ECRT
☐ JDH
☐ JUV
☐ CS
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☐ _____

COMPUTER ENTRY
☐ Desk
DPSST
☐ Person
DPSST
☐ Entry / Vehicle
DPSST
☐ Distribution
DPSST

of the shooting. [redacted] voluntarily gave me her phone with the agreement that the police could search it for calls and download video. I issued her a receipt and took possession of the phone and charger (Exhibit 1). A short time later, I returned and obtained her written consent (Exhibit 3). At this point [redacted] told me her boyfriend, [redacted] who she lived with, recorded the last part of the incident with his camera from the second floor of their residence. She also said [redacted] had downloaded the video, from her iPhone and his camera, onto their laptop computer.

[redacted] did not want to give me his camera to download video from, but gave me the camera's 2 GB SD memory card (Exhibit 2, Item 1). I asked if it was possible for me to use their laptop to download the video. However, [redacted] stated she needed it for school and did not want to release it to me. Instead [redacted] downloaded the video from the computer onto a disc (Exhibit 2, Item 2) and stated it was the "raw video." He also stated that he ran the raw video through his Macintosh computer's video software to "Stabilize" the motion in the video and said he would download the edited video onto a disc and give it to the police, which Officer Gryphon told me he received, after not being to locate me, and gave the disc to Detective Kammerer.

[redacted] and [redacted] both provided me with a recorded interview, which I conducted alone with each of them, while seated in a Detective Division vehicle at NE 6th and Weidler. Please refer below to a summary of those interviews and the forthcoming transcriptions.

I asked Detective Michaels to have the Traffic Division officers, who were operating the crime scene measuring equipment, measure the distance from [redacted] front porch to the deceased's car. Detective Michaels told me the distance was 102.2 feet. I measured the height [redacted] porch and found it to be approximately 5'6" above the north sidewalk in front of her residence. I asked Criminalists Durham and Schleich to document the viewpoint from the porch with video and photos.

At 0023 hours, I left the scene and joined Sgt. Michaelson at the Traffic Division where we recorded an interview with witness Officer Dale (Exhibit 5). Please refer below to an overview of that interview and the forthcoming transcript.

After interviewing Officer Dale, I returned to the scene and eventually left at approximately 0410 hours.

[redacted] INTERVIEW

This report is intended to provide an overview of the recorded interview with [redacted] and is not an exact reflection of the interview. Please refer to the recording and transcription for complete details.

I interviewed [redacted] in a Detective Division vehicle while parked at NE 6th and Weidler Street. [redacted] stated she lived at 603 NE Halsey, a two story home (basement, 1st, 2nd floor) located on the NE corner of NE 6th and Halsey Street. [redacted] said she was home alone with her boyfriend, [redacted] and their roommate, [redacted] was not home.

[redacted] said she was on her front porch talking to her father, [redacted] on her iPhone, when she heard a siren and saw the deceased's [redacted] car drive slowly northbound on NE 6th Avenue and stop a short distance south of NE Halsey Street. [redacted] said a police car quickly drove up behind the deceased's car and one or two officers exited the police car and told the "dark skinned" driver, who was the sole occupant, to raise his hands and to possibly get out of the car. [redacted] said the driver did not obey commands and never raised his hands. [redacted] said more police cars responded and based upon the driver's lack of cooperation, she figured things were not going to go well with the traffic stop and told her father she was ending the phone call so she

COPIES
☐DET ☐CENTRAL ☐EAST ☐NORTH ☐NE ☐SE ☐CAT ☐DHS/CHS ☐DVD ☐DVRU ☐ECRT ☐JDH ☐JUV ☐CS ☐DVCS ☐ ☐ ☐ ☐ ☐ ☐ ☐

COMPUTER ENTRY ☐ Desk

DPSST ☐ Person

DPSST ☐ Entry / Vehicle

DPSST ☐ Distribution

DPSST

could record the traffic stop with her iPhone, which she did from her front porch.

[redacted] said she heard what sounded like arguing between the deceased and officers who were around the deceased's car, but she could not make out what was being said. [redacted] said she saw several officers point "Tasers" at the driver and explained she knew they were Tasers because they had a yellow color device on the end of the gun. [redacted] said she heard the "crackling" sounds of Taser activations and then heard several gun shots.

[redacted] said when she heard the gunshots, she ran into her house and hid on the living room floor and placed her iPhone on the window so to be pointed toward the incident. [redacted] said while she was on the floor, [redacted] joined her and then left to get his camera. She said [redacted] went upstairs and later told her he recorded some of the incident with his camera from upstairs. [redacted] figured [redacted] video started at about the time her iPhone video ended.

[redacted] INTERVIEW

This report is intended to provide an overview of the recorded interview with [redacted] and is not an exact reflection of the interview. Please refer to the recording and transcription for complete details.

After interviewing [redacted] I interviewed [redacted] at approximately 2144 hours. [redacted] stated he and his girlfriend, [redacted] were home alone at the time of the shooting. [redacted] said prior to the shooting, he saw [redacted] on the front porch talking on her iPhone and noticed a traffic stop being conducted through the living room window at NE 6th at Halsey. [redacted] said he did not think much about the traffic stop because traffic stops are often made near their residence. [redacted] said he went to the bathroom and from inside the bathroom he heard gun shots. He stated he did not hear any voices before the gunshots because the bathroom was on the opposite of the house from the traffic stop. [redacted] said the gun shots sounded like they were right in front of the house so he rushed downstairs to check on [redacted] and found her hiding on the living room floor.

[redacted] said he left [redacted] in the living room and retrieved his camera from the basement and went to the second floor where he recorded the police action with his camera. [redacted] told me he downloaded the video, from [redacted] iPhone and his camera's memory card, onto his Apple laptop computer. He said he then downloaded the "raw video" from his computer onto a CD-R disc which he said I received from [redacted] also said he ran the raw video through his laptop's video software for the police in order to smooth out the jittery motion and cut the last few "couple minutes" from the iPhone's video because it was the same as what he recorded on his camera and the camera had better quality. He then burned a copy of the edited video onto a second disc and gave it to an police (Officer Gryphon) to give to me. [redacted] told me the memory card he gave to [redacted] who he said in-turn gave to me, and for which he signed the search by consent form, was the original card he used in his camera to record the police action and was raw video.

OFFICER DALE INTERVIEW

Sgt. Michaelson and I conducted a recorded interview with Officer Dale at the Traffic Division (SE 47th and Burnside) at approximately 0040 hours, on Thursday, May 13, 2010. Officer Robertson was present as union representation.

Officer Dale stated he started his shift with his partner, Officer Eugenio, at 1600 hours, on Wednesday, May 12, 2010, with a roll call at North Precinct. He said Officer Eugenio drove and he was passenger.

APPROVAL ROUTE Homicide

CASE NUMBER 10-038353

PORTLAND POLICE BUREAU **SPECIAL REPORT** TYPE: 4. SUPPLEMENTAL PAGE/OF 6 / 6

Officer Dale said when they were in the area of N. Williams and Alberta he heard the first request for cover cars to NE 6th and Clackamas and they started to head in that direction. Officer Dale said a short time later he heard a request for another car to do a "Box-in" and said it sounded like things were getting "A little uncontrollable." When near NE 3rd and Weidler he heard the announcement, "shots fired" over the radio and then, when they were near NE Halsey and MLK he heard "code zero" over the radio.

Officer Dale said they drove East on NE Halsey from Grand and pointed their car in the direction of the traffic stop. Officer Dale said he deployed his AR15 and maneuvered to the passenger side of the suspect's car so to be on the right side of Officer Berne, who had his handgun pointed at the passenger side of the suspect's car while standing behind a small tree. Officer Dale said he saw windows broken out of the suspect's car and the suspect was leaning out the open passenger door so to be partially seated in the car and sidewalk. Officer Dale said he could not see the suspect's hands.

Officer Dale thought Officer Defrain and Sergeant Livingston were nearby and perhaps behind him. Officer Dale said Officer Dauchy positioned a marked patrol car in front of him in order to provide cover with the engine block. Officer Dale said someone pulled Officer Berne back and Officer Dauchy joined him with a bean bag gun.

Officer Dale said he heard talk of activating SERT, deploying a shield, and forming a custody team. Officer Dale said Officers Shaw and Delenikos joined him and they formulated the plan for a custody team in the event the suspect did not respond to a bean bag.

Officer Dale said Officer Dauchy yelled several times for the suspect to "show his hands" before firing two bean bag rounds. Officer Dale said a short time later someone yelled for another bean bag round to be fired, which Officer Dauchy did. Officer Dale said the suspect never moved in reaction to the bean bag rounds so he assumed lethal cover with his AR15 and moved with Officers Shaw and Delenikos as an arrest team and handcuffed the suspect.

Officer Dale said he later saw a silver semi-auto handgun on the driver's seat of the suspect's car.

End of report.

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
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- ☐ CS
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EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mark Sponhauer	16089	DET	M	HOM	

PPB-SSD-TH

05-14-10 1546

423 (08/07)

UREAU OF POLICE
619 NW INDUSTRIAL WAY, STE. B4
ORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No. 1199684	5-12-10 / 1936 AM PM		10-38353

CHECK ONLY ☒ EVIDENCE ☐ FOUND PROPERTY ☐ PRISONER'S PROP ☐ SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐

HOME ADDRESS CITY STATE ZIP

NE Halsey st Portland OR 97232

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

HOME ADDRESS CITY STATE ZIP PHONE

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

SIGNATURE

TYPE OF INCIDENT: Homicide

DELIVERING OFFICER BEST ASSIGN

LOCATION WHERE SEIZED/FOUND/SURRENDERED

INVESTIGATOR (IF DIFFERENT) BEST ASSIGN

Sgt Mauer 16089

☐ DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB

☐ SUSPECT

FOR GUNS LIST MAKE TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORGIN LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1: ONE APPLE I-PHONE # 3105297412 AND CHARGER		
ITEM 2: Returned to [redacted] by		
ITEM 3: Det Kammerer on 5-13-10 @ 0500		
ITEM 4		
ITEM 5		
ITEM 6		
ITEM 7		
ITEM 8		

DELIVERED TO: CHECK ONLY ONE ITEM	LOCKER	DATE	RECEIVED BY

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

INVENTORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION	BY	WHITE - RECORDS COPY YELOW - CITIZENS RECEIPT PINK - WITH PROPERTY
D. TIME:		

02-01-10

JREAU OF POLICE
519 NW INDUSTRIAL WAY, STE. B4
ORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No. 1199685	5-12-10/2007 AM		10-38353

ONLY [X] EVIDENCE | FOUND PROPERTY | PRISONER'S PROP | SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐ [redacted]

HOME ADDRESS CITY STATE ZIP

[redacted] NE Halsey Portland OR 97232

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

HOME ADDRESS CITY STATE ZIP PHONE

VOLUNTARILY REPINQUISH ITEM(S) LISTED FOR SAFEKEEPING

SIGNATURE

TYPE OF INCIDENT: Homicide

DELIVERING OFFICER: BPST ASSIGN:

LOCATION WHERE SEIZED/FOUND/SURRENDERED:

INVESTIGATOR IF DIFFERENT: Spontaneous BPST ASSIGN: 16089

☐ DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB

☐ SUSPECT

FOR GUNS LIST MAKE TYPE CALIBER MODEL SERIAL NUMBER(S) IMPORTER & COUNTRY OF ORGIN LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1 Sandisk 2gb SD CARD from [redacted]		
ITEM 2 ONE Sony CD-R 700 MB Disc from [redacted]		
ITEM 3		
ITEM 4		
ITEM 5		
ITEM 6		
ITEM 7		
ITEM 8		

[illegible]	LOCKER	DATE	RECEIVED BY

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

[illegible]TORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION	BY	WHITE - RECORDS COPY YELOW - CITIZENS RECEIPT PINK - WITH PROPERTY
DATE: TIME:		

02-01-10

JREAU OF POLICE
519 NW INDUSTRIAL WAY, STE. B4
ORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	AM / PM	REFER CASE NO.	PPB CASE NO.
No. 1203637	051210			10-38353

ONLY ☑ EVIDENCE | FOUND PROPERTY | PRISONER'S PROP. | SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐

HOME ADDRESS CITY STATE ZIP

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

HOME ADDRESS CITY STATE ZIP PHONE

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

SIGNATURE

TYPE OF INCIDENT: Homicide | RELEASING OFFICER: Spurlaun | BEST ASSIGN: 16089

LOCATION WHERE SEIZED, FOUND, SUBMITTED: NE 6th / Halsey | INVESTIGATOR/DIFFERENT: Kammerer | BEST ASSIGN: 29938

☐ DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB

☐ SUSPECT

FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1: ~~One~~ ONE CD CONTAINING RECORDED INTERVIEWS WITH [redacted]		
ITEM 2:		
ITEM 3:		
ITEM 4:		
ITEM 5:		
ITEM 6:		
ITEM 7:		
ITEM 8:		

[illegible]	LOCKER	DATE	RECEIVED BY
	C6	051310	

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

INVE[illegible]RIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION	BY	WHITE - RECORDS COPY
DAT[illegible] TIME:		YELOW - CITIZENS RECEIPT
		PINK - WITH PROPERTY

02-01-10

BUREAU OF POLICE
2619 NW INDUSTRIAL WAY, STE. B4
PORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No.1199686	5-12-10 / 2040 (PM) AM		10038353

ONLY ☒ EVIDENCE ☐ FOUND PROPERTY ☐ PRISONER'S PROP. (CAUSE OF ARREST) ☐ SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐

HOME ADDRESS CITY STATE ZIP

NB Halsey st PORTLAND OR 97232

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

HOME ADDRESS CITY STATE ZIP PHONE

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING.

SIGNATURE

TYPE OF INCIDENT

DELIVERING OFFICER: C. RYPKA

FIRST ASSIGNED: 5/12/10

LOCATION WHERE SEIZED/FOUND/SURRENDERED

INVESTIGATOR IF DIFFERENT

PPB/AGENCY

☐ DEFENDANT ☐ SUSPECT

LAST NAME	FIRST	M.I.	SEX	RACE	DOB

FOR GUNS: LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN — LIST ONE ITEM PER DESCRIPTION	STLN	FOR PED USE ONLY
ITEM 1 CDR Video : EDITED VERSION BY		
ITEM 2		
ITEM 3		
ITEM 4		
ITEM 5		
ITEM 6		
ITEM 7		
ITEM 8		

DESCRIBE ITEMS IN DETAIL (INCLUDE SERIAL NUMBERS, IF ANY) — CHECK THE ITEMS YOU WANT RETURNED	LOCKER	DATE	RECEIVED BY

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

INVESTIGATOR DIRECTED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION	BY	WHITE - RECORDS COPY YELOW - CITIZENS RECEIPT PINK - WITH PROPERTY
DATE: TIME:		

02-01-10

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Sponhauer: Okay, we're on tape. I'm Detective Mark Sponhauer. I'm with [redacted] We're in a police car, sitting at, ah, NE 6th and Weidler. Um, [redacted] you understand this conversation is being recorded?

[redacted] Yes, I do.

Sponhauer: 'kay. And, ah, the date is February 12, 2010 and the time here is 9:44 PM. And [redacted] kind'a before we get started, have you had anything to drink tonight?

[redacted] No, I haven't.

Sponhauer: Okay. Are you sober?

[redacted] Yes I am.

Sponhauer: Have you had any, consumed any drugs of any type tonight?

[redacted] No, I have not.

Sponhauer: 'kày. Um, do you wear glasses?

[redacted] No.

Sponhauer: 'kay. And do you have any hearing issues?

[redacted] No, I do not.

Sponhauer: Okay, great. Um, why don't you go ahead and start from kind'a the beginning of this whole incident tonight and then I'll have some follow up questions for you.

[redacted] Okay. Um, well, let's see. Ah, I was down in my room working on homework on my computer. And I went upstairs to use the bathroom and I saw that my girlfriend was sitting out on the porch. I kind of waved to her and I saw that she was watching the police had somebody pulled over. You know, right at this corner over here at 6th and Halsey. Um, but there wasn't a whole lot going on at that time that I was aware of, cause I was inside. I didn't go outside and talk to her. So I went upstairs to the second floor of the house and went to the

bathroom. And while I was in the bathroom I heard many, many gunshots start going off. So I very quickly got out of the bathroom, ran downstairs, because it sounded like it was happening right in front of the house. And ran downstairs and my girlfriend, [redacted] was running in right at the same time and we both got down and were kind of looking through the window. Um, I sat there for maybe 10 seconds and decided I wanted to go get my camera. So I ran down into the basement, grabbed my camera and ran back up to the second floor, to the front bedroom that faces towards the front of the house.

Sponhauer: Uh huh.

[redacted] Um, and set my camera up in the window there and video taped from there. Um, by the time that I got upstairs, the shots, no more shots were being fired, but there were cars surrounding, police cars surrounding the car that was pulled over and it was a little bit difficult to tell what it looked like. Five or six police were behind the passenger door of the police car that was directly behind the car they had pulled over. And several of the officers had guns pulled. Um, and I could hear them telling the person to get out of the car. Um, it was difficult to tell 'cause I was, you know, almost a half a block away. Um, I heard somebody saying that the person was still alive. But I couldn't tell if that was police officers or another person from their department or something. It was a little hard to tell. Um, and then I heard a couple more shots fired, but they didn't sound like regular gun shots and I was guessing that they were coming from one of the officers behind the car door had what looked like a shot gun. And I assumed it wasn't actual buckshot or shotgun shells, so I assumed it was bean bags or something like that. Um, shortly after that, several of the officers came around from the door and drug the person, it was hard to tell. It looked like the person was maybe partially out of the car or kind of partially out of the car door or partly into the street a little bit. It was kind of hard to tell what was happening. Um, but the person was drug out of the car and didn't seem to be moving at that point. Um, and that was pretty much it. After that it was people kind of coming and going and, um, at some point an officer came and told me to take the camera out of the window and I did. And that was pretty much it.

Sponhauer: 'kay. Now, how many people were in the house?

[redacted] Ah, just the two of us, Just [redacted] and I.

Sponhauer: Okay. Um, and do you know the difference between the sound of Tasers and, and handguns or, or...

[redacted] I don't know...

Sponhauer: ...or firearms?

[redacted] ...I don't know that I would, but I, no I don't, for sure.

Sponhauer: Okay. Um. Now when, when you heard the gun shots in the bathroom, you came downstairs. Did you see anything when you were downstairs?

[redacted] No, all I could see was that there were cops surrounding the car that was pulled over.

Sponhauer: 'kay. Did you hear anybody say anything?

[redacted] Um, nothing that I specifically remember, except for maybe, I, I feel like I remember hearing somebody play, say to put your hands on your head. Probably several times, I think. But, I mean we're kind of trying to take cover and kind of see what was happening at the same time, so.

Sponhauer: 'kay.

[redacted] Um, yeah nothing really specifically that sticks out. I do remember hearing officers, I believe, asking the person to put their hands on their head.

Sponhauer: 'kay. Did you hear any, any voices when you were in the bathroom?

[redacted] No, huh-uh. The bathroom is kind of on the opposite side of the house.

Sponhauer: 'kay. Did you, so when, when you first came down and, and you saw the traffic stop and you saw [redacted] she was where at?

[redacted] She was sitting out on the front porch.

Sponhauer: Okay.

[redacted] At that time.

Sponhauer: Okay. That's, is that the porch with the couch on it there...

[redacted] Yeah.

Sponhauer: ...that faces, ah, ah, Halsey?

[redacted] It's on, it's on Halsey Street, yeah.

Sponhauer: On Halsey. Okay. Um, did you notice how many police cars were on the traffic stop at that time?

[redacted] I think, at that time, there was only one.

Sponhauer: 'kay.

[redacted] I, like I said, I didn't take a real close look. I wasn't thinking that much about it. Where we live...

Sponhauer: 'kay.

[redacted] ...there are traffic stops here constantly, so...

Sponhauer: 'kay.

[redacted] ...it didn't seem like that out of place.

Sponhauer: 'kay. Did you hear any conversation at that point?

[redacted] No, not at that point.

Sponhauer: Okay. 'kay. And on you way up to the bathroom, did you, you know, did you hear anything being said?

[redacted] I didn't know, I didn't, like I said, I didn't even think about it until I heard what sounded like a lot of gun shots going off.

Sponhauer: Sure. Okay.

[redacted] And even then it took a second to be like "oh, wait there was a cop pulled over, had a car pulled over right in front of the house". That made me kind of worried, so I got out of the bathroom as quickly as I could.

Sponhauer: 'kay. And [redacted] was out on the porch all be herself?

[redacted] Ah, yeah. She may have had her dog with her, I'm not sure.

Sponhauer: Her dog?

[redacted] Yeah.

Sponhauer: Okay.

[redacted] I don't, I'm not sure though. I think the dog was in the house.

Sponhauer: Okay. And tell me a little bit about what you did with the video from [redacted] iPhone and your, and your camera?

[redacted] Um, both of them got copied onto the desktop of my laptop. And I ran, [redacted] was really shaking looking, 'cause I think her hand was shaking when she took the video, I ran it through just Macintosh iMovie software to stabilize it. And then I spliced it onto the video that I had to kind of make it more of one continuous piece. Um, other than that, I haven't done anything with it.

Sponhauer: Okay. Now the, the first disc that, that [redacted] gave me...

[redacted] Uh-hm.

Sponhauer: ...um, did you copy her raw iPhone?

[redacted] Yes.

Sponhauer: And your camera?

[redacted] Yeah. Those are the, uh, original, completely unaltered raw files.

Sponhauer: Onto that first disc? That CDR disc?

[redacted] Correct.

Sponhauer: 'kay. And, um, the digital card that [redacted] gave me, did that come out of your camera?

[redacted] The, yes. Uh-huh.

Sponhauer: The [redacted] SD card?

[redacted] Yes, okay.

Sponhauer: Um, and then the stabilization, when you ran it through Macintosh software, ah, that was the second video you gave an officer?

[redacted] Right. That's only on the second video that I gave you with the two videos spliced together.

Sponhauer: 'kay. And was that also on a CDR or was a DVD?

[redacted] Was on a CDR also.

Sponhauer: Okay. All right. Um, and no, no editing other than that stabilization software?

[redacted] Um, I think on [redacted] video, on the one that I spliced together, I cut off after the first couple of minutes because it was kind of the same footage that I had, but my camera was a little higher quality.

Sponhauer: Um...

[redacted] So in the first disc that I gave you though, her file is completely unedited.

Sponhauer: Unedited, okay, that's the whole raw _____. Now, um, can I ask you to keep that video on your laptop for now, in case we have problems, ah, you know, with the disc that you gave us, or, you know, we can't download her iPhone or the SD card or something.

[redacted] Um-hm, yeah, sure, absolutely.

Sponhauer: 'kay. Um, I think that's everything that I have. Is there anything else that you can, that you can think of that I left out, or.

[redacted] No, like I said, I think I kind of missed most of the action. I was, like I said, I was in the bathroom and I heard, when I was passing through the house on my way up the house, it didn't strike me as that unusual a thing that was happening.

Sponhauer: Did you notice what [redacted] was doing out on the porch?

[redacted] She was just having a cigarette, I believe.

Sponhauer: Okay.

[redacted] Talking, maybe talking on her phone. She had her phone out I know.

Sponhauer: Okay.

[redacted] She does that a lot.

Sponhauer: 'kay. Cool. All righty. And, um, you gave us both verbal and written consent to, to search, ah, your video, ah...

[redacted] SD card.

Sponhauer: ...SD card?

[redacted] Correct. Yeah.

Sponhauer: Okay. All righty. Um, you have, my business card. I gave you a receipt for that. We are going to try to get that SD card and the iPhone back to you guys tonight.

[redacted] Okay.

Sponhauer: Um, I'll go ahead and stop the recording. If there's something that you missed or something you, just, just call me, okay?

[redacted] Sure.

Sponhauer: And, ah, we'll take care that. The time is 9:53 PM.

Transcribed Verbatim With Punctuation Added 051310/1416 K. Bratton

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL TAPED STATEMENT TRANSCRIPTION

Sponhauer: Okay, this is Detective Mark Sponhauer, Portland Police Bureau. I'm with [redacted] is it [redacted]

[redacted] [redacted]

Sponhauer: [redacted] We are sitting in a, a police vehicle at the intersection of Sixth and NE Wiedler. And [redacted] you understand this conversation is being recorded?

[redacted] Yes.

Sponhauer: Okay, and today is May 12th, 2010, and the time is about 8:55pm. And I'm just gonna set this recorder on the dashboard. Hopefully it won't fall down. Okay [redacted] um, have you uh, had anything to drink tonight?

[redacted] No.

Sponhauer: Okay, and just make sure and speak up a little bit.

[redacted] No.

Sponhauer: And any, consumed any drugs?

[redacted] No.

Sponhauer: Okay. And do you wear glasses?

[redacted] No.

Sponhauer: And do you have any problems with your hearing?

[redacted] No.

Sponhauer: Okay, why don't you go ahead and tell me from the beginning uh, what occurred and then I'll have some questions for you.

[redacted] Um, so I was standing outside, or sitting on the couch outside of my house on my front porch on Sixth and Halsey. Uh, talking to my dad on the phone because he just received his Father's Day present and he was opening it up on the phone and I was really excited. Smoking a cigarette outside and I saw,

well first of all I heard a siren that was the very first thing, really loud one. 'Cause it interrupted the call that I was making to my dad. And then I looked up and I saw um, the police vehicle coming with the lights on, the siren on, really fast. Approaching a vehicle that was going ki- pretty slow. It was coming to a stop. Um, and stopped on the corner of Sixth and Halsey. And the police vehicle came rushing up really fast and parked behind him real fast and – and then uh, they immediately jump out of the car and say some – something like I'm not quite sure, like put your hands up or get out of the car. Which I thought was kinda strange, I was on phone with my dad and I'm like this is not standard protocol, I mean I've been pulled over before, it's not usually what happens. Um, and then uh, and also I noticed that he wasn't putting his hands up or getting out of the car or anything. So I was like well this is kind of strange, see how this pans out. And uh, and I, I was telling my dad what was going on a little bit and then I heard more sirens and it was just really loud so I told him I was gonna get off the phone and I was gonna record it to the best that I could. So I did. And um, I – (laugh) sorry. My minds...

Sponhauer: ...It's okay.

[redacted] My brains just all (deep breath).

Sponhauer: So you get off the phone with your dad.

[redacted] I get off the phone with my dad, there are more cops, they're on the pass- they, they get out, there's like two or three of them on the driver's side, by the driver's side window. And they're engaging in conversation with the gentleman in the vehicle. And uh, they all had their tasers pointed at him. And it was really scary. I didn't see any real guns, but I'm not sure. But I saw a bunch of tasers and I was like wow, am I actually gonna get to see someone tasered, not that that's a good thing, its terrible, but I'd never seen that happen before. And uh, they, I could hear them talking but I couldn't hear what they were saying and they tasered at him and after they tasered at him I believe there were just all kinds of shots like crazy. And I ran inside and ducked down and I put my camera on the windowsill and kinda ducked down and put my cigarette butt out on the hardwood floor 'cause I had it in my hand still, I wasn't even thinking. And then um, when I got back and looked up they were pretty much on the other side of the car by the passenger door and they had all their, their guns out, the bean bags and all whatnot. I don't know what they are. A bunch of guns. Big and small, how about that? And uh, the guy was sorta hunched over between the passenger door and the vehicle. I couldn't tell if he was partially in the vehicle or all the way on the ground, but he was partially on the ground outside the vehicle and they were all surrounded with

their guns drawn and telling people to get out of the way and they were shouting at him to do something, but I couldn't understand exactly what they were saying. But they just kept like telling him I think to do something or saying something and he was unresponsive, he was completely lifeless as far as I could see. I could see like his sweatshirt I think underneath, below the door and then uh, I believe they shot more and then after awhile they pulled him onto the sidewalk and then like checked him for vitals and – just kinda left him there. So I kinda figured he was dead. I don't know if there's more.

Sponhauer: Well we'll go through it.

[redacted] Okay.

Sponhauer: Again with some questions. Now when was it that you discovered that your boyfriend [redacted]

[redacted] Um-hm.

Sponhauer: Had also done some video recording?

[redacted] Um, that was, wasn't until after I was done recording my video. I didn't realize, but he had come, he was in the bathroom at the time and he heard all the gunshots and he knew that I was outside and he came running down the stairs and saw me duck down in the uh, in the living room and I believe you can hear that on, on my video. You can hear him come down, I don't think you can hear him, but you can hear me talking to him, telling him that I put the cigarette butt out on the ground, kinda laughing about it and saying I was like hell-a-nervous or whatever and – I don't really know 'cause I wasn't, I didn't even look at him I was so scared, I was just trying to make sure that I got it all on camera and stuff. And uh, I believe at that point he grabbed his camera, I don't even know where it was, but he grabbed his camera and went upstairs into my room and shot out, and just put the camera on the windowsill upstairs and shot the rest from there.

Sponhauer: Okay.

[redacted] And I, I discovered that after - I just, I, I just, the thought occurred to me, hey I could get a better view if I go upstairs, but I didn't realize that the space had, had been filled up on my camera so it didn't record any of me going upstairs. But I tried (laugh).

Sponhauer: Okay.

[redacted] But his video actually started like I think pretty much exactly where mine ended.

Sponhauer: Okay.

[redacted] It may, may even be overlap.

Sponhauer: Now how many apartments are in that house, in the house you live in?

[redacted] Um, there's, it's just a house and I'm the only person on the lease there, um, the, [redacted]

Sponhauer: Well we're, we're not gonna do anything with that.

[redacted] Okay.

Sponhauer: Was there anybody else home?

[redacted] No.

Sponhauer: Other than you and [redacted]

[redacted] Just me and [redacted] I don't know where [redacted] is. I know he's not home because his, his door has a padlock on it and it, it's locked right now so –

Sponhauer: Okay.

[redacted] I'm pretty sure he would have come out if there were gunfire and he can't 'cause it's padlocked (laugh) so –

Sponhauer: What's [redacted] last name?

[redacted] [redacted] – [redacted] He doesn't have a phone either actually. I have the only phone and you guys have it, in the whole house (laugh).

Sponhauer: We'll get it back.

[redacted] It's alright.

Sponhauer: Um, is he a white, is [redacted] a white guy, a black guy? Hispanic guy?

[redacted] He's Caucasian I believe.

Sponhauer: Does he work somewhere?

[redacted] I don't know where.

Sponhauer: Okay, but he wasn't home for sure?

[redacted] Yeah, for sure.

Sponhauer: Okay. Um –

[redacted] He probably can't get home right now.

Sponhauer: Right. Now when you said you saw this you were out on the porch, is that the porch right by the front door that, that faces south?

[redacted] Yup.

Sponhauer: That, that faces uh, Ha- what's that street right there?

[redacted] Halsey.

Sponhauer: Halsey, okay. And that's the same porch that, that we took pictures of, that you saw us up there.

[redacted] Yes.

Sponhauer: ID people taking pictures. Okay.

[redacted] Yes.

Sponhauer: Okay. Now let's, let's kind of go through sequentially um, what you saw before you started videoing. Okay, now the, the, the phone that you were videoing on is that the IPhone you gave me?

[redacted] Yes.

Sponhauer: Was that the same phone you were talking to your dad on?

[redacted] Yes.

Sponhauer: Okay, now did you have to hang up with him before…

[redacted] …Yes…

Sponhauer: ...Before you could start videoing?

[redacted] Yes.

Sponhauer: Okay, and what is your dad's phone number?

[redacted] My dads phone number is area code [redacted] and his home phone number, I know that, but...

Sponhauer: ...Were you talking to him on?

[redacted] Cell phone, that number, the one...

Sponhauer: ...Okay, that, that number. Okay.

[redacted] I believe so.

Sponhauer: And what's his name?

[redacted] His name is [redacted]

Sponhauer: Okay. And his home phone is?

[redacted] [redacted] He lives in Las Vegas.

Sponhauer: Do you know his address?

[redacted] [redacted] S-A-N space Ramon R-A-M-O-N Drive.

Sponhauer: Las Vegas?

[redacted] Las Vegas, Nevada, N-V. 89147.

Sponhauer: Okay. I'm going through my notes here as you were talking so – okay, so you're talking with your dad and you hear a siren and you say you see a police car coming fast with, with lights on and siren on?

[redacted] Yeah.

Sponhauer: Okay, and that police car was on what street?

[redacted] It was on, coming down, coming north on Sixth.

Sponhauer: Okay, and Sixth is a street that's, that's just west of your house?

[redacted] That's correct.

Sponhauer: Okay. And the car that it, that the police car came upon was it also going the same direction?

[redacted] Yes.

Sponhauer: Northbound on Sixth?

[redacted] Yes.

Sponhauer: Okay. And that car, is that, is that the one that we, that's still out here in the intersection?

[redacted] Yes.

Sponhauer: Okay. And wha- did you see anybody else in that, in that car?

[redacted] No.

Sponhauer: That the officer pulled up to?

[redacted] No.

Sponhauer: Okay. Did you see the race of the individual that was driving that car?

[redacted] Um, I don't know race specifically, but I would say dark skinned.

Sponhauer: Okay, dark skin. Um –

[redacted] _____

Sponhauer: How fast do you think it was going?

[redacted] Very slow. He was approaching a stop.

Sponhauer: Is there a stop sign there? I didn't notice.

[redacted] There is a stop sign there.

Sponhauer: There is, okay.

[redacted] It's a four-way.

Sponhauer: Okay.

[redacted] That most people totally ignore that.

Sponhauer: Okay.

[redacted] Wish they didn't.

Sponhauer: And did you see how many officers got out of the police car that, that pulled up behind the?

[redacted] Um, two or three. I can't remember. It was at least two, it was not one.

Sponhauer: Okay. And then you said a second police car arrived?

[redacted] Yeah because I was still on the phone with my dad and I was, I was like well, 'cause he was opening the present at, right then, I was like open the package, open the package. I want you to see the book that I got you. And he was like oh wa-, was the book that uh, is this the book that, and I was like uh – I was trying to tell him the book, 'cause I was telling him about the book before and he was kinda excited to read it, and um, and then the sirens came again and I was like, this is getting weird, I, or something, I, I mean I gotta go. So I hung up and I said I was gonna videotape it.

Sponhauer: Okay, so the second car comes while your still on the phone with your dad.

[redacted] Um-hm.

Sponhauer: Which direction does it come from?

[redacted] Hmm.. I feel like it was coming from west.

Sponhauer: Okay. Coming…

[redacted] …Coming, coming…

Sponhauer: ….West driving east?

[redacted] East, yeah, coming from the west driving east down Halsey maybe.

Sponhauer: Halsey. And Halsey's the street that's just south of your house?

[redacted] That's right.

Sponhauer: Okay. Um, and where did that car go? Where did that second police car go?

[redacted] I don't know.

Sponhauer: Okay.

[redacted] Probably parked right there where all the other –

Sponhauer: Did you see how many officers got out of that car?

[redacted] No.

Sponhauer: Okay. Okay. And lets talk about the first police car when the, when what you think is two officers got out of that car. And that first police car is that one that, that came up behind the suspect or victims car.

[redacted] Yes.

Sponhauer: And parked behind him I imagine?

[redacted] Yes.

Sponhauer: Okay.

[redacted] Kinda crooked.

Sponhauer: Okay, and you think two cops got out of that car?

[redacted] I think so.

Sponhauer: And do you recall what they said and what, and what they did?

[redacted] I can't recall for sure, but I believe they said to, put his hands up and, or, and get out of the car.

Sponhauer: Okay. And where were they at when they said that?

[redacted] They were getting out of their car.

Sponhauer: Okay. Did they stay at their car or did they come up on the, the guys car or what?

[redacted] I feel like they said as they were rushing towards the window of the car. Or rushing towards the car, but I can't be sure.

Sponhauer: Okay.

[redacted] On that.

Sponhauer: Okay. And the other two or the, the other police car that came up, did the officer/officers out of that car also go over to the victim slash suspect's car? At that point?

[redacted] Yeah, yeah. After that there was just, it just seemed like there was a bunch of cops at the…

Sponhauer: …Okay…

[redacted] …At the window, all of a sudden.

Sponhauer: Okay. And you're still on the phone with your dad at that point?

[redacted] There was, at, at one point the sirens just got unbearable that I hung up the phone and that's when I decided to videotape it. So –

Sponhauer: Okay. That's what I'm trying to dial in is right when you kinda started videotaping.

[redacted] Um-hm.

Sponhauer: Okay. Um, and what did you hear the officers say, you mentioned get your hands up, get out of the car?

[redacted] Um-hm.

Sponhauer: Um, how many times do you think you heard that?

[redacted] Hmm. (pause) Once or twice?

Sponhauer: Okay.

[redacted] (laugh) I don't know. I, I can't, I can't recall. I can't give you a solid on that.

Sponhauer: Okay. Was it, could you understand the officers?

[redacted] I could…

Sponhauer: …What they were saying?

[redacted] I could understand them at that point.

Sponhauer: Okay. And were they…

[redacted] …But later I couldn't hear what they said. But I head them then.

Sponhauer: Okay. Lets just talk about then. Were they on the loudspeaker or just plain voice?

[redacted] I think it was just voice.

Sponhauer: Okay. And you said that they had tasers out at that time?

[redacted] Yes.

Sponhauer: And how do you know the difference between taser and handguns?

[redacted] Because it had a big yellow cap on the end.

Sponhauer: Okay (laugh) that's pretty obvious. How many officers do you think had tasers out?

[redacted] I don't know, four?

Sponhauer: Okay. And the, you, and then you said that the guy in the car did not raise his hands?

[redacted] I didn't see him raise his hands.

Sponhauer: Okay. Um –

[redacted] And that's what I thought, it struck me as kind of odd because they had given him instructions and he, he's like wait the deals changed here he doesn't have to do this anymore? Oh wait, this is bad.

Sponhauer: Okay. And did his car door open?

[redacted] Hm-um.

Sponhauer: I'm sorry, you're drinking water.

[redacted] No.

Sponhauer: No? Okay.

[redacted] His car door did not open.

Sponhauer: Okay. Did his car move at all?

[redacted] No.

Sponhauer: Okay, um, and then were there any other commands that the officers were saying before you heard these tasers?

[redacted] No, I didn't hear anything.

Sponhauer: Okay. Did you see what prompted the officers to fire their tasers?

[redacted] No.

Sponhauer: Okay. Um, and –

[redacted] They were having a discus- they were talking and then they started firing the tasers all of a sudden, or maybe he moved and grabbed something, I, obviously he had a gun so I'm assuming that. But – once they started firing tasers then he was kinda like shouting back at them or something, saying like, crying or something and then, then the shots broke out.

Sponhauer: Okay. Um, when you say that, like they were talking, who was talking?

[redacted] The police officers and the gentleman in the vehicle.

Sponhauer: Okay. And was he, could you hear his voice?

[redacted] Yeah.

Sponhauer: Okay. How did you know it was his voice, I guess my question is.

[redacted] Because he was shouting back at them, like you know, call and response the way a conversation goes, I wouldn't imagine they would be yelling at each other. In that situation.

Sponhauer: Did you hear what he said?

[redacted] No, I didn't hear what he said.

Sponhauer: Okay. Did you hear any questions or anything the officers were saying that prompted a response from him?

[redacted] No.

Sponhauer: Okay. You just know that the officers and him were –

[redacted] Engaged in dialog.

Sponhauer: Okay. How, how long do you think that dialog lasted?

[redacted] I don't know uh?

Sponhauer: Maybe a better way to put it is, how many times…

[redacted] …A few sec-…

Sponhauer: …Do you think they talked back and forth, how many times would you say?

[redacted] I don't, I, I can't count it that way, I mean I would say they were probably talking for maybe, under 30 seconds.

Sponhauer: Okay.

[redacted] If that gives any kind of reference.

Sponhauer: Okay. And the tasers, how do you know the difference between their sound and a, and a handgun sound?

[redacted] 'Cause a taser sounded like a crackle.

Sponhauer: Okay.

[redacted] And like, like shooting darts, that kind of thing.

Sponhauer: Okay, good, yeah. Okay. And how many tasers do you think you heard before you heard gunshots?

[redacted] Um, the tasers were just kinda going for like five second maybe?

Sponhauer: Okay.

[redacted] Um, yeah, 'cause, 'cause they tased I believe and then he was kinda like screaming something. But illegible, I couldn't hear, it's on the tape though I think.

Sponhauer: On the tape on your phone?

[redacted] I mean on the, on the video that I recorded on my phone.

Sponhauer: Okay.

[redacted] That part you can hear. The audio is pretty good on that (laugh).

Sponhauer: Okay, and do you know, or get the impression of who shot first?

[redacted] On the (pause) as far as the shooting, after the tasers?

Sponhauer: Yes.

[redacted] I mean obviously the officers…

Sponhauer: …The handguns…

[redacted] …Fired the tasers. No. I don't have any way of knowing who shot first.

Sponhauer: Okay. How many officers did you see with handguns out?

[redacted] I don't know.

Sponhauer: Okay.

[redacted] I didn't even know that they had handguns out at that point. When the popping started happen. I noticed the, the, the real guns after the fact.

Sponhauer: Okay. Now so you say you ducked down when the gunshots rung out?

[redacted] Yes.

Sponhauer: Okay, not the taser.

[redacted] I don't think so. No, the taser I was standing up and holding my camera and I believe it was the actual gunshots that, I realize I'm like they're kinda firing in my direction so I should probably move.

Sponhauer: Okay.

[redacted] So I ran inside and ducked down.

Sponhauer: Okay. And went inside, inside your house?

[redacted] Yes.

Sponhauer: In the living room ducked down. Okay, what'd you do with your phone?

[redacted] I ke- I kept my phone in my hand and I kept it on and then I, I rested it on the front windowsill so that it kind of had the same view, but, just kinda rested that there and put my cigarette butt out on the floor (laugh).

Sponhauer: Okay, were you staying on the floor when you were doing, holding the phone up there?

[redacted] Um-hm.

Sponhauer: Okay. And then um, at what point did you, you mentioned that you saw the guy, the gentleman partially out of the car.

[redacted] Uh-huh.

Sponhauer: What point did you decide to stand up and, and look again? What prompted you to feel like it was safe to do that?

[redacted] Um, well I was kinda looking from an angle the whole time but after the um, after the popping sorta stopped and I kinda reassessed my angle and realized that I didn't think that anything was probably gonna come this way, because of the way they were angled. So I got, I stood up.

Sponhauer: Okay.

[redacted] Again and then I took the camera back outside.

Sponhauer: And what did you see when you, when you stood up and looked out?

[redacted] I, I saw the passenger door open.

Sponhauer: Of the gentleman's car?

[redacted] Yeah, of the gentleman's car. And the gentleman was sort of in-between the car door and the car. Lifeless. I mean I don't know that he was lifeless, but he was not, he was motionless, how about that? Motionless. I saw his sweatshirt. I saw that.

Sponhauer: Okay and that was the passenger side of his car.

[redacted] That car, the passenger side of his car. And uh, he was, I don't know if he was partially out of the vehicle or completely in a ball like curled up, but he was, I couldn't see too much, um, except I could see underneath the car door. And that's how I, I knew he was there because I could see the [redacted] sweatshirt.

Sponhauer: Okay, and – did you hear the gentleman say anything after the shots were fired?

[redacted] No, hm-um. Nothing.

Sponhauer: Okay, did you hear the officers say anything?

[redacted] Yeah, they were, I feel like they were he- yelling something at him, I mean that was what was illegible, I couldn't hear what they were saying, but it seemed like they were asking him to do something or? But I couldn't tell if they were yelling at people on the street because I couldn't see them or if they were yelling at the guy, but they all had their guns drawn with the beanbag guns and they were just yelling at the dude and there was just nothing, nothing. Um, is this guy okay and then they just fired I think, the beanbags. They just fired them.

Sponhauer: Okay. And did you see them go up to the gentleman?

[redacted] Um-hm. After some time.

Sponhauer: Okay.

[redacted] They just picked him up by his clothes and just kind of plopped him down on the uh, on the sidewalk and his, I, I just noticed that his leg was kinda twisted around.

Sponhauer: Okay.

[redacted] And that's what made me realize, like oh god.

Sponhauer: Okay.

[redacted] He's not just being, you know, still.

Sponhauer: Okay. And how soon did the ambulance come after that do you think?

[redacted] Minutes after. It seemed like it was awhile. It seemed like there just cops standing around. I felt, it just like, I was just curious, like why are they not taking this guy to a doctor? You know I don't care what the details are of the situation, but I, if he was alive then I would assume he would need medical attention, he had blood on his shirt and that was very visible. And uh, I did see at, at some point after awhile, someone went and checked his, like vitals and stuff.

Sponhauer: Okay, now when did you see [redacted] You said he came down and, and saw you on the, on the living room floor?

[redacted] Yeah.

Sponhauer: Okay, at what point did you see him during all this?

[redacted] He came down right after the shots were fired because he was in the bathroom and he knew I was outside smoking so he ran downstairs and saw me. I didn't even look at him though, I, I don't remember, I just said, I don't know, they shot him or something, or what, I don't – obviously.

Sponhauer: Okay.

[redacted] So I saw him right then.

Sponhauer: Okay.

[redacted] And then he left so – went into some other room that I don't even know. Grabbed his camera and apparently videotaped it (phone ringing).

Sponhauer: Did you see him – sorry, turn this off –

[redacted] Or not videotape, but digitally record it, how about that?

Sponhauer: Did you see him with the camera?

[redacted] Um-hm. I saw him with a camera after I had, was done filming my video.

Sponhauer: Okay.

[redacted] And I went upstairs to see if I could get a better look and he had his camera already upstairs at that angle and his camera is much better than mine so I, I figured there's no point to uh, continue to try to (laugh) take the video on my camera.

Sponhauer: Okay, and we already covered this, but you gave me both verbal and written consent to, to search your cell phone for, for video and relevant data for this.

[redacted] Right.

Sponhauer: And um, and I'm gonna brain, fade here, oh, you – did – who downloaded the video, you'd mentioned earlier, prior to this recording, but that you had downloaded the video out of your IPhone.

[redacted] Um-hm.

Sponhauer: Onto your laptop?

[redacted] Yes.

Sponhauer: Okay. Did you do that or did [redacted] do that?

[redacted] Um, well I did it with him.

Sponhauer: With him, okay.

[redacted] Yeah.

Sponhauer: Okay. And uh, did you see it download on your laptop?

[redacted] Yeah.

Sponhauer: That it, so it was visible? Okay. And did you, did you guys do any altering of the, of the video that you gave me on a CDR?

[redacted] Um, well we gave you two CDR's. The first one was the two raw files taken directly from both digital devices.

Sponhauer: Okay.

[redacted] The second one was edited with a destabilizing sort of effect, or stabilizing because I was really shaky, my video was very shaky so um, he just tried to do something nice to help you guys out.

Sponhauer: Okay.

[redacted] And destabilize that and then put the two, the two videos he spliced them together into one file.

Sponhauer: Okay.

[redacted] So you guys have both copies. The raw files and of –

Sponhauer: Okay.

[redacted] The, the spliced.

Sponhauer: And the second, the second one that had the stabilization software done on it or whatever.

[redacted] Yeah.

Sponhauer: Was that on a DVD? Or do you know?

[redacted] I don't know.

Sponhauer: Okay. But that's the second one that you gave to, to a uniform officer?

[redacted] What?

Sponhauer: But that was the second disk that you gave to a uniform officer?

[redacted] Yes.

Sponhauer: Okay. Um, okay – I'm trying to think if there's any other questions that I can think for you right now. It's hard, you know, when you haven't eaten and you're tired. It's kinda like my brain just dies once in awhile.

[redacted] Yeah.

Sponhauer: Is there anything that I've left out that you can think of to add?

[redacted] Um, no, I mean – I think the video kinda has –

Sponhauer: Sure.

[redacted] Most of what.

Sponhauer: Okay. Well we'll go ahead and, I'm sorry what?

[redacted] It just has I think most of the things you want to know are probably in the audio and video.

Sponhauer: Okay. We'll go ahead and end the interview here at uh, at 9:24pm.

Transcribed Verbatim with Punctuation Added 051910 / tb

PORTLAND POLICE BUREAU

CONFIDENTIAL

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☐ SUPPLEMENTAL

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353		OFFICER INVOLVED SHOOTING

☐1. UNFOUNDED ☐ 3. SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
051210 / 1821	051310 / 0900

LOCATION OF OCCURRENCE
NE 6TH AVE / NE CLACKAMAS ST PORTLAND, OR

PERSONS **CO**-Complainant **SB**-Subject **SI**-Sick/Injured/Cared For **PE**-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	010485

ADDRESS	ZIP	PHONE
3541 N HOUGHTON ST		UNKNOWN

SUBJECT OF THIS REPORT
INTERVIEW OF [redacted]

PROPERTY RECEIPT NO.

NARRATIVE/PROPERTY ITEM CODE **S**-STOLEN **L**-LOST **F**-FOUND **D**-DAMAGED **K**-SAFEKEEPING **R**-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
ell
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person

OPR
☐ Vehicle

OPR
☐ Crime/ Prop

OPR
☐ Book

OPR

NO CONNECT INFORMATION

NONCONNECT INFORMATION

Person Interviewed:

[redacted]
DOB [redacted]
Home Address: [redacted]
Portland, Oregon 97229
Cell Phone: [redacted]

Officers Mentioned:

Sergeant Dave MICHEALSON, DPSST #23060

EXHIBITS

1. Portland Police Bureau Property/Evidence Receipt # 1213383
2. Transcript of interview [redacted]

NO SUMMARY

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E. HURLEY	29900	DET	M	SCU	

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE
NE 6TH AVE / NE CLACKAMAS ST

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO--List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
ITEM 5: ADDITIONAL PROPERTY--Record no more than four additional items of property in the narrative--and/or use a Special Report and attach as additional pages.
ITEM 6: ADDITIONAL OFFICERS--List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM | CODE

NARRATIVE

On May 12, 2010, KEATON OTIS was killed during a police action at the intersection of NE 6TH Ave and NE Clackamas ST. [redacted] was contacted by police while she was sitting in her car parked on NE Halsey just east of NE 6th Ave. On May 12, 2010, Sergeant Michaelson and I spoke to [redacted] at the scene. When we initially spoke to [redacted] we did not have an audio recorder. I then re-interviewed her, with her permission, while recording her statements. The second interview was recorded in its entirety, and what follows is a summary of the interview with [redacted] Please see the attached transcript for a verbatim account of the interview.

[redacted] said she and her granddaughter had been driving to McDonalds when she observed a [redacted] unmarked police vehicle traveling east on NE Halsey. The [redacted] police car went part way through the intersection and stopped a few feet in front of a grey Toyota parked on the east curb of NE 6th. [redacted] told me a tall bald policeman got out of the [redacted] police car and rushed up to the window of the [redacted] Toyota.

[redacted] stated she heard the bald policeman yelling at OTIS in the car. He was yelling at OTIS to get his hands up. [redacted] told me OTIS put his hands up immediately and the bald policeman started to hit him. [redacted] told me she could hear OTIS telling the officer he was doing what the officer wanted and to stop hitting him.

[redacted] stated the confrontation with OTIS and the bald officer continued for 15-20 minutes. She stated the officer kept yelling and hitting OTIS. After about 20 minutes [redacted] told me she saw another officer approach the rear passenger side of the Toyota with a tazer. She described this officer as a white male with a crew cut. [redacted] stated she saw the officer with the crew cut tazed OTIS through the back passenger window. She then saw an officer, she thinks the bald one, tazed OTIS from the front drivers side window.

[redacted] told me she could hear OTIS tell the officers to quit tazing him. She stated shortly after OTIS was tazed the second time, he looked at her and asked her not to leave him because the police were going to kill him. [redacted] said she could see the front of OTIS from his belt to the top of his head and knew he did not have a gun.

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE: NE 6TH AVE / NE CLACKAMAS ST

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
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ITEM | CODE

[redacted] stated she then heard shots and saw four police officers pull out handguns and shoot into the car. [redacted] told me she could see OTIS's hands the entire time until he slumped over in the seat after being shot. She believed OTIS did not have a gun since she could see his hands clearly.

[redacted] told me she then backed up out of sight of OTIS and heard two more shots. [redacted] said she believed the police killed OTIS for no apparent reason and does not believe OTIS could have shot a police officer.

The recording of the interview [redacted] was later copied onto a CD-R and placed in the Property Room as evidence on Portland Police Bureau Property/Evidence Receipt # 1213383.

This investigation is ongoing.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E. HURLEY	29900	DET	M	SCU	

BUREAU OF POLICE
1914 NW INDUSTRIAL WAY, STE. B4
PORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No. 1213383	051710 0800 AM/PM		10-38353

ONLY: ☒ EVIDENCE | ☐ FOUND PROPERTY | ☐ PRISONER'S PROP. (CAVE COPY YES / NO) | ☐ SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME | FIRST | M.I. | SEX | DOB

☐ DENIED OWNERSHIP

HOME ADDRESS | CITY | STATE | ZIP

OWNER OF PROPERTY: LAST NAME | FIRST | M.I. | SEX | DOB

HOME ADDRESS | CITY | STATE | ZIP | PHONE

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING.

SIGNATURE

TYPE OF INCIDENT: OIC Involved Shooting

LOCATION WHERE SEIZED/FOUND/SURRENDERED: 6 to 7th Stanton

DELIVERING OFFICER: Hunter | BPST/ASSIGN: 29950

INVESTIGATOR IF DIFFERENT | BPST/ASSIGN

	LAST NAME	FIRST	M.I.	SEX	RACE	DOB
☐ DEFENDANT						
☑ SUSPECT	OTIS	Keaton	D	M	B	010485

ITEM	FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN — LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
1	1 CD of Audio Interview with Witness		
2			
3			
4			
5			
6			
7			
8			

ITEM(S) LEFT/TAKEN (CIRCLE) — CHECK ONE ONLY	LOCKER	DATE	RECEIVED BY

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

ITEM(S) STORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION	BY	
DATE: TIME:		WHITE - RECORDS COPY YELOW - CITIZENS RECEIPT PINK - WITH PROPERTY

04-01-10

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

COPY

Hurley: This is Detective Hurley. I am here on the twelfth of May. It is 2218 hours and I'm sitting in a room with [redacted] date of birth of [redacted] This is Detective Hurley, DPSST # 29900. [redacted] do you understand that this is being recorded now and that I have a recording out for you to be able to see?

[redacted] Yes, I understand.

Hurley: Okay. What I'm discussing with you is the officer-involved shooting that happened tonight that you were a witness to. We've already talked about this and gone over your statement. I apologize that we didn't have a recording the first time that we did this. So I ask that you just go over your statement for me again so that it can be on recording and be exact of what you're saying. Okay? Can you start this evening from where you were traveling and where you went with your car?

[redacted] I was coming from [redacted] Elementary School, picking up my daughter, my granddaughter [redacted]. And we decided to go to McDonald's and we turned and um, we got to the stop sign at 6th and I think it's...

Hurley: Halsey?

[redacted] Halsey. 6th and Halsey and the [redacted] kind of like undercover police car came from MLK direction and he pulled over to my left, jumped out to this other [redacted] car that was sitting over there with an African-American young man in it. I don't know what the confrontation was about, what the police call was about but he jumped out on the car, right at the window. He commenced to telling him to put your hand where I could see your hands. He began to pull on him, hit on him and the young man was saying, "I don't have nothing. You don't have to hit me. Stop hitting me." He was trying to protect hisself, putting his hands up and the other officer, the excuse me, the tall, bald officer kept hitting him. So I yelled out the window and asked him, "What are you doing? Why are you hitting him like that?" The young man hollered out to me, "Ma'am, don't leave. They gonna kill me." He had a frightfull look on his face then like he was afraid.

Hurley: Um-hm.

[redacted] I and for me, what I can gather, then maybe had had a confrontation in the past with this officer because when the officer pulled up and jumped out, the young man scared, afraid. After that, then I seen another police officer that was over in the back by the passengers, on the passenger's side the back window, with a yellow Taser trimmed with black. He Tased him.

Hurley: And can you describe that officer to me?

[redacted] He was kind of short, he had a crew cut on, I'm not sure. It looked like he had on sunglasses. I'm tryin', I can't be positive.

Hurley: Okay.

[redacted] He Tased him. The young man got weakened...

Hurley: And clarifying, he Tased him actually through the back window?

[redacted] Through the back window.

Hurley: Okay.

[redacted] The young man got weakened but at the same time, you could see his hands. He was looking at me. Then they Tased him again from the front.

Hurley: When we discussed this before, you said that the one from behind had the wires that came out but the one from the front did not. Is that right?

[redacted] No. The one from the back had the...

Hurley: The wires?

[redacted] ...the string

Hurley: Okay, okay.

[redacted] The one from the front, you could see the electricity come...

Hurley: Okay, but there were no strings on that one?

[redacted] No.

Hurley: Okay.

[redacted] Um, and he was really weak. And he looked at me again, had eye contact. And his speech was kind of impaired and he yelled out, "Ma'am, don't leave me. They goin', don't, don't leave. They goin' help, can you help me? They gonna kill me."

Hurley: Um-hm.

[redacted] Don't leave. And he was kind of well, he was disorientated. He wasn't doin' no big ole movement at this time.

Hurley: Um-hm.

[redacted] And the officer was still confrontating with him. And still was, he told him to get out the car but he never could get out because the officer was on the door.

Hurley: Um-hm. Can you describe that officer to me?

[redacted] He was tall and bald.

Hurley: Okay.

[redacted] Um,

Hurley: And he was the one that got out of the first [redacted] car? Is that right?

[redacted] Yeah.

Hurley: Okay.

[redacted] I don't know why he wouldn't move away from the door. I can't tell you that 'cause I don't know. But he did ask, he asked the young man to get out. He said, I can't get out because you're at the door.

Hurley: Um-hm.

[redacted] This is before the Tasing.

Hurley: Okay.

[redacted] And he hit him two or three times. Then after the Tasing, he hit him again. By this time, I looked over again and then the gunfire started. After he had did all this confrontation and talking, the gunfire started. Then I seen the guns, all the police had their guns pulled out.

Hurley: Um-hm.

[redacted] They were surrounded, all three around the car except for in the front because I was right there. Another police car had came up. He had a shotgun. I don't know…

Hurley: The white police car?

[redacted] The white police car. I don't know whether he used it or not. But I know he ran over there. But I never heard the young man again.

Hurley: During the shooting part, you backed up at one point in time and then pulled forward again? Is that correct?

[redacted] No.

Hurley: Okay, when…

[redacted] I set there. I was in shock. No, I didn't back, back until the shooting was over.

Hurley: Okay.

[redacted] But they still wanted me to get out of the line of fire.

Hurley: One of the officers told you that?

[redacted] Yes.

Hurley: Okay.

[redacted] And I was like, You're killing him. You've killed him.

Hurley: Um-hm.

[redacted] And that's, that's what I kept saying. That you killed him.

Hurley: Um-hm.

[redacted] And he said, Ma'am, we obstructing justice. I said, I don't give a damn about obstructing justice. You killed him! I seen you.

Hurley: Um-hm.

[redacted] And I got real emotional very emotional because he reached out to me and looked at me and said, Don't leave. They're going to kill me. And there was nothing I could do.

Hurley: When we talked about the story the first time and you witnessed and what all happened, you said that the first officer and I'm gonna, we have a map for the record here. That we drew earlier that shows where your car is at the stop sign which is here. This is the, here is your car right here. There's your stop sign right there and that's your car, right? And so you're facing westbound at the stop sign? And his car is facing northbound, right? And the first vehicle that you see is the [redacted] police car that's undercover...

[redacted] Um-hm. Well as I was pulling around the corner coming from this way, onto Halsey to 6. This car was coming.

Hurley: The undercover police car?

[redacted] Uh-huh so I stopped.

Hurley: Right.

[redacted] at the stop sign and I looked over and there I seen the young man in this [redacted] nice, new-looking car. It was not no big car. I don't know. It looked like a Honda or something. I'm not sure. But he was sitting there.

Hurley: And we discussed how much of him you could see, sitting in your car.

[redacted] I could see like his head I think to like down kinda...

Hurley: The recording can't carry that so to like bellybutton?

[redacted] I'm sorry.

Hurley: It's okay.

[redacted] Well yeah, kind of like if he had a belt on almost because the dashboard wasn't very tall and I was being nosey and I was peeping over. I was looking.

Hurley: Sure. Right.

[redacted] to see what he was doing but he was scared. He was sitting with his hands out.

Hurley: And what did he say to the officer when the officer told him to put his hands up?

[redacted] He didn't.

Hurley: He didn't say anything.

[redacted] He just put 'em out.

Hurley: Okay. And then what happened?

[redacted] And the officer went to pullin' and snatchin'on him and hitting him.

Hurley: Right. Uh-huh.

[redacted] and he said, Man, you don't have to do that. I don't have nothin'. I got my hands out. And he kept pullin' and snatchin' him and that's when I said, Why are you hitting him?

Hurley: Um-hm.

[redacted] He did what you said. Ma'am, you need to move on. You're obstructing justice and different, you know, like that. And I said, No, I ain't goin' nowhere.

Hurley: Was the officer saying anything to him while he was hitting him?

[redacted] No, he just was hittin' him.

Hurley: Okay and then what happened?

[redacted] Then I kept looking and then um, the officer at the passenger window.

Hurley: The officer with the crew cut?

[redacted] Yeah.

Hurley: And you didn't see where he came from? Is that right? There was no second car that came at that point.

[redacted] If there was, it was at the end of the street down here.

Hurley: Okay you didn't see him get out of a police car?

[redacted] No.

Hurley: Okay.

[redacted] He just walked up with his Taser.

Hurley: Okay.

[redacted] By this time, there was two on the driver's side and one over here.

Hurley: Okay. And did you see where that other, not the bald officer, but the other officer came from?

[redacted] He came from like he was comin' from the street down here.

Hurley: From Clackamas as well?

[redacted] Yeah. So I really, I wasn't focusin' on them. I was focusin' on the bald guy because he was bein' brutal to me.

Hurley: Sure. Um-hm.

[redacted] And um,

Hurley: The other thing we discussed was timeframe. From the time that you initially pulled up to the stop sign and saw this police car, before it actually got to the boy's car. From that time until the first shots were fired, you said was how long?

[redacted] I said 15, maybe 15 to 20 minutes 'cause before any shots, he was just confrontating with this young man and I didn't understand why he just didn't get him out the car, handcuff him and do what he had to do.

Hurley: And this was actually even before the Taser, right?

[redacted] Yeah

Hurley: So it was about 15 or 20 minutes before the first Taser happened?

[redacted] Yeah, he was yeah.

Hurley: Now were these other officers, prior to the Taser happening, Officer #2 and #3, were they there while that confrontation was happening with the bald officer?

[redacted] This one over here, it was one over here by the bald officer.

Hurley: The #3?

[redacted] Uh-huh.

Hurley: That was on the driver's side with the bald officer?

[redacted] Uh-huh.

Hurley: Was he there during the whole thing?

[redacted] I don't know.

Hurley: Okay.

[redacted] I think he came up…

Hurley: Okay.

[redacted] …right before the Tasing thing. And then I looked and then this one

Hurley: The #2 officer that crew cut?

[redacted] crew cut because when he went to snatch the young man again, the young man was trying to protect hisself 'cause he was hitting him. So he was holding his arm up kind of …

Hurley: So the officer, again for the recording, the boy had his arm up shielding his face? Up above his head?

[redacted] Yeah, 'cause the officer kept hitting him.

Hurley: Okay.

[redacted] And um, by this time, the one with the crew cut Tased him.

Hurley: Now but again, the 15 to 20 minute altercation is just between the bald officer and the boy in the car?

[redacted] Um-hm.

Hurley: And that's before these other two officers get there?

[redacted] Before I seen them, yeah.

Hurley: Okay.

[redacted] It was the bald guy I seen.

Hurley: Okay.

[redacted] That's all I focused on.

Hurley: When we first discussed it, I know that you backed up at one point, pulled forward and then back up again.

[redacted] That was, no. I stayed there when all the confrontation was goin' on.

Hurley: No, no I understand. Right. You were here while the confrontation was going on. At what point in time did you back up the first time?

[redacted] When I backed up the first time, they were shooting.

Hurley: During the shooting?

[redacted] Yeah.

Hurley: Okay. And then how far back would you say? One car length? Two car lengths?

[redacted] No. It was just a smidgen.

Hurley: Okay.

[redacted] Because I went back up. I guess I was in really upset, I went back and looked over there. I was lookin' for the young man but I never seen him and I never heard him. They wasn't sayin' nothing. They wasn't sayin', "Get out the car! Drop your weapon!" They wasn't sayin' nothin'.

Hurley: Okay. So you pulled back up. The shots stopped by this point?

[redacted] No, they, couple more rounds went off.

Hurley: Okay.

[redacted] And then, Ma'am, get out the line of fire! I said, But he's dead. You killin' him. You killin' him. You already done killed him.

Hurley: Um-hm. And the officer told you, do you remember which officer said, Get out of the line of fire?

[redacted] The crew cut one and the bald one.

Hurley: Both of them. Okay.

[redacted] yeah

Hurley: Okay. And then what did you do?

[redacted] And I just looked at 'em. I said, I ain't doin' nothin'. Whatchoo gonna do? Kill me too? And Ma'am, you're obstructing justice. I said I'm not obstructing shit! You killed him. 'Cause the boy you never heard nothin' else.

Hurley: Could you see him at all?

[redacted] No.

Hurley: Okay.

[redacted] So why they was riddling the car with bullets, is beyond me.

Hurley: Okay.

[redacted] I never seen nothing in that child's hand. I never seen a gun.

Hurley: When we discussed the first time, there were two volleys of shots. So you had the first volley of shots and then when that was over and they told you to get out of the line of fire, is that when you backed up your car the couple of car lengths to where it is now?

[redacted] Yeah.

Hurley: Okay.

[redacted] And I again I looked and the boy was behind me where the blue car is.

Hurley: The car with the, ...

[redacted] But I was so upset he rolled around. They told him, Get out of the line of fire.

Hurley: Okay so you ...

[redacted] 'Cause they started shootin' again.

Hurley: You backed up your car and then realized there was someone behind you, right?

[redacted] Yeah, I stopped.

Hurley: The blue Chevy. And then that blue Chevy pulled around you up to the stop sign? About where it is sitting now? And that was actually where your car was before you backed up?

[redacted] The whole time, yeah

Hurley: So the they're going to take photographs of the scene. The placing of where the blue car is now in those photographs is actually where your burgundy car was during the shooting?

[redacted] Um-hm.

Hurley: Okay. I'm just clarifying so that we're on the recording. So at that point in time after the first volley of shots, you backed up. The blue car pulled around you.

[redacted] Hm-um. I backed up and got back to the stop sign.

Hurley: Right. And then the shooting stopped? Right?

[redacted] No.

Hurley: While you were at the stop sign?

[redacted] No, they were shootin' and I was just stuck.

Hurley: Right.

[redacted] They were shooting and I was at the stop sign standing, pushing my granddaughter down and they were saying, Ma'am, you're in the line of fire! I said, He's dead. You're killing him. You killed him. That's and then I come to grips and I backed up a little bit and then I went back and then I just...

Hurley: You went back to where your car is now. You backed up to the point of where your car is now?

[redacted] I backed up to the stop sign and then they, I seen they was the car which was riddled with bullets. It was smokey and I backed up 'cause I seen the boy and I stopped and he came around.

Hurley: Okay and that's where you stopped your car? And then the officers yelled at the boy in the blue Chevy?

[redacted] To get out of the line of fire. They was still shooting.

Hurley: And what did he do?

[redacted] He jumped out.

Hurley: Okay. And where did he go?

[redacted] He came to my car.

Hurley: Okay. To make sure that you were okay?

[redacted] Yeah 'cause I was, I was cryin' 'cause I'm watching them kill somebody.

Hurley: And what happened after you guys, he had come back to your car? Then what happened?

[redacted] He, the police came to the window. Ma'am, you need to get,...And I told 'em, Get away from my car. Get away from me. And then he said, She's upset. She began crying so he came and said, Come on, Ma'am, come on. Get out. I got out. My granddaughter got out.

Hurley: I'm sorry. The driver of the Chevy is the one who got you out of the car? Okay.

[redacted] And then when I stepped out and stood up, I, pow, pow, two more shots.

Hurley: Okay. And did anybody say anything at that point?

[redacted] No.

Hurley: Officers didn't say anything?

[redacted] The whole time when shooting was going on, they didn't say nothing. They just killed him.

Hurley: Okay. How many shots the first time would you say there were?

[redacted] It was a lot. It was, to me, too much. It's a lot.

Hurley: Okay. How many is a lot?

[redacted] I can't, it was a lot.

Hurley: Our first interview, you said probably four to five shots.

[redacted] Maybe four to five, maybe a little bit more. It was a lot.

Hurley: Okay.

[redacted] It was, in my mind, I can see it and the car was moving but the boy, I didn't see him. It was a lot.

Hurley: Now I know this is hard for you. If we could go back to the confrontation part. Okay? The officer told him to get his hands up, right? And verbally if you can say it so that the recording will catch it, where are his hands? In the sense of ...

[redacted] His hands was up in front of him.

Hurley: Okay.

[redacted] Like this.

Hurley: At what height about?

[redacted] Maybe shoulder length.

Hurley: Shoulder height?

[redacted] But you could see him.

Hurley: And palms out towards you?

[redacted] Like this.

Hurley: Yeah, that's, I'm trying to verbalize it for the recording.

[redacted] Yes, for the police to see it.

Hurley: So the palms are out facing forward?

[redacted] He told him, Get your hands out where I can see them. And he did.

Hurley: Okay. Okay. And during the whole confrontation, where were the hands during the whole confrontation?

[redacted] His hands was up. You know and then uh, I seen him put his hand on the steering wheel and just sittin' there 'cause he was scared. He was afraid, you know? And then as he looked at me, Ma'am, don't leave, they gonna kill me. This is before the Tasing.

Hurley: Um-hm.

[redacted] And then the officer went to grabbing him, hitting him and that's when I said, Why are you hitting him? You have no right to do that. And then he told the boy to get out the car. But he said, I can't. You standing at my door. I can't, man. You ain't gotta do this! I ain't got nothin'. He never moved away from the door. I didn't understand that. Why he

Hurley: The officer?

[redacted] The officer stayed at the door.

Hurley: Um-hm.

[redacted] And then by this time, I seen the one with the crew cut Tased him with the yellow gun. Then I looked again, they was Tasin' him with the other type of Taser.

Hurley: Do you know about how much time was between the first Tasing, the one at the back, and the Tasing at the front driver's side?

[redacted] Couple seconds. Very short.

Hurley: When he Tased him from the back, you said that the boy said something to that officer. What did he say?

[redacted] All he told him was, You don't have to do that. I'm not doin' nothin'. I don't got nothin'. And his hands are like this.

Hurley: And you actually said the first time we talked that he said, You don't have to Tase me. Is that right?

[redacted] yeah, he did.

Hurley: Okay, okay.

[redacted] And then the second time when they Tased him, with the one with the electricity, you could see it, light it was like blue.

Hurley: You could see the blue electricity?

[redacted] yeah, they Tased him quite a bit that second time. And he was sitting up and he, that's when he looked at me and his speech was a little impaired but he was loud. He said, Ma'am, don't leave me. They gonna kill me!

Hurley: Um-hm.

[redacted] Like that. Like how we tease _____ like that.

Hurley: And he's sitting in the driver's seat upright during the Tasing? And his hands were visible during the Tasing?

[redacted] Yeah, his hands was like this. He was…

Hurley: And for the recording, he had them turned towards him, like chest height?

[redacted] Yeah but he had…

Hurley: …with the palms towards himself?

[redacted] Yeah,

Hurley: No, I'm just explaining

[redacted] He was shaking.

Hurley: Okay, he was shaking and then he, you said he was hunched a little bit. So hunched forward, to the side? How was he hunched?

[redacted] Kinda like this.

Hurley: So towards the driver's side door?

[redacted] Yeah.

Hurley: Okay.

[redacted] Um-hm, he was shakin'.

Hurley: Okay.

[redacted] And when they Tased him the second time, he just, it was too much and his eyes was real big and he was scared and that's when he said what he said: "Ma'am, don't leave me. They gonna kill me.

Hurley: Hm-um.

[redacted] And um, I didn't hear him...

Hurley: And that's when you yelled at the officer the second time, right? And you said to the officer,

[redacted] Why are you doin' that? I mean he's doin' everything, I mean what? What is he doing?

Hurley: Uh-huh.

[redacted] and that's when they told me I was obstructing justice and they could do, I says You gonna get me too? And then I looked over and I looked over and

Hurley: I'm sorry. You looked away from the car? Away from the boy and then looked back at the boy? That's what your eyes are doing. That's why I...

[redacted] Yeah. I looked over 'cause I seen the police coming from behind me. And I looked this way and...

Hurley: Back towards the boy?

[redacted] Yeah, I see the boy and all the gunshots started goin'

Hurley: So you can see into his car now but you can't see him anymore?

[redacted] Hm-um.

Hurley: Okay.

[redacted] Couldn't hear him.

Hurley: And that's when you hear gunshots?

[redacted] I seen 'em. The police was all around the side and the back but not at the front.

Hurley: Right. Right but you said that you hear gunshots first, right? And then you see all of these...

[redacted] When I heard the gunshots, yeah, I turned and went like, What? I said, you're killin' in the line of fire and I'm like, But you're killin' him.

Hurley: And how many officers around the car do you see with guns out?

[redacted] It was four of 'em that I seen.

Hurley: At the initial shooting?

[redacted] Yeah.

Hurley: Okay. Because the first time we talked, you said there was three and then the fourth one came during _____...

[redacted] No, no, no

Hurley: Okay.

[redacted] I didn't tell you that.

Hurley: Okay.

[redacted] I told you he came,...

Hurley: Right but guy with the shotgun...

[redacted] The shooting, yeah but there were no more shooting then.

Hurley: It was over?

[redacted] It was over.

Hurley: Okay.

[redacted] But you know they come out with they guns just in case.

Hurley: Right.

[redacted] But it was, the officer bald here, the other officer, the crew cut one here and there was one, he come from the street back here.

Hurley: During the shooting or before?

[redacted] Um, I believe it was before because um, I seen police lights.

Hurley: Okay and you're saying he was coming from, this is Clackamas over here.

[redacted] He came from down here.

Hurley: Okay and do you know about during the shooting part, where he was on this diagram? We haven't noticed #1, #2, and #3...

[redacted] He was right here.

Hurley: So he was here.

[redacted] In the back.

Hurley: I'm going to put #4, so right about here?

[redacted] Yeah and they was all shootin'. They were just shootin' like

Hurley: And you saw handguns in each of these four officers' hands?

[redacted] That's what I seen. I didn't see nothin' else but

Hurley: That's why I'm clarifying. So you saw handguns in officer #1, #2, #3, and #4's hands?

[redacted] Yeah.

Hurley: Okay. Can you describe Officer #4 to me at all? About what he looked like?

[redacted] No 'cause I was too upset.

Hurley: Okay.

[redacted] No, I can't.

Hurley: Okay.

[redacted] I was too upset. I didn't understand the significance of why they was doin' the young man like that and I didn't know what the call was about. Even though I'm a say this; If he did commit a crime, it wasn't handled right. It wasn't done right. He shouldn't a confrontated with that boy as long as he did when he pulled up there. If he was supposed to be a person with a gun, or a dangerous situation, he shoulda been get back, get out your car, let me see your hands, have his gun out. Lay on the ground. He didn't do it. He walked right up to the window.

Hurley: So when you initially see him pull up in the [redacted] police car, would you say, and to clarify, I remember during our first interview, you weren't sure whether he got out of the passenger or the driver's side. You weren't sure.

[redacted] No, I wasn't sure whether it was the driver's side or passenger's side 'cause he just, yeah, he was up on the window so quick.

Hurley: Well that was what I was going to ask you. So he's the large, bald officer and he runs up to this car? I mean how quickly did...

[redacted] He walked briskly (whoop) 'cause he was right at the car so he was just there quick like.

Hurley: Okay.

[redacted] Yeah, he wasn't no distance away, he was like at the car. Well, I know you seen where the [redacted] car is parked and where the boy parked

Hurley: Um-hm.

[redacted] So he was nowhere, he'd have to go far.

Hurley: Just right there at the car, okay. I'm just looking at my notes to make sure we covered everything. And you didn't see any officers in the intersection or anywhere else prior to the [redacted] police car with the bald officer showing up?

[redacted] No, that was the first car that was on the scene.

Hurley: Okay.

[redacted] Me and him was there first.

Hurley: Okay. You were even there before any of the other police officers?

[redacted] Yeah, I was there when he was coming.

Hurley: Okay.

[redacted] And I stopped because you're supposed to stop when the police coming.

Hurley: Right.

[redacted] Okay? And then like I said, I was bein' nosey 'cause I wanted to know what was goin' on because I didn't even, when I pulled up to the stop sign, I didn't

pay nothin', no attention right there but when he jumped out, I looked and there was the [redacted] car and the young man was in it. I didn't see nobody else in the car. Just him.

Hurley: And then and that's the only car you see until the shooting starts which is when the white police car shows up next and that's the officer with the shotgun that gets out?

[redacted] Yeah,

Hurley: And then you said there was also a dark unmarked car that came out…

[redacted] That came

Hurley: .. right on Halsey and stopped right there on Halsey also.

[redacted] Hm, it was in the middle of the street.

Hurley: It was in the middle of the street, right. Okay. But those ones actually came after the whole shooting is over? Or just the first part of the volley of shots?

[redacted] They came a little, right, this car came, no. There weren't no shootin'. This car came right after this car came.

Hurley: Okay…

[redacted] He's the one came like after the shootin' was done.

Hurley: Okay so the [redacted] car?

[redacted] this car was here.

Hurley: I'm sorry. For the recording, so the [redacted] car came first with the bald officer?

[redacted] Yeah.

Hurley: And then you're saying the dark unmarked car that's in the middle of Halsey came second?

[redacted] Yeah.

Hurley: And then the white car with the officer with the shotgun came third?

[redacted] Yeah but when he came, the shooting…

Hurley: was over?

[redacted] ...was over.

Hurley: Okay but the dark car that was in the middle of Halsey, that officer was there...

[redacted] Was there when all the confrontation was going on.

Hurley: for the initial confrontation? As well as the shooting?

[redacted] As the shooting. Um-hm.

Hurley: Okay so he was there, how far after the [redacted] police car would you say?

[redacted] A couple minutes.

Hurley: A couple minutes? Okay. And did you, do you remember what the officer looked like that got out of that white police car?

[redacted] Huh-uh 'cause it was, no, no I just was focusing on him pulling on his, this boy (yawning) in the car they hittin' him.

Hurley: Okay.

[redacted] That's basically what I was focusing on.

Hurley: Okay.

[redacted] By this time, I wasn't tryin' to see where nobody was looking. I was _____ I didn't understand why he was hittin' the boy like that.

Hurley: Um-hm. And you said how much time ran between the second Taser, well actually between the first Taser. The first time he was Tasered to the first shots being fired, how long would you say that was?

[redacted] He got Tased first by the one with the crew cut with the yellow Taser.

Hurley: Right.

[redacted] And right after that, they Tased him again.

Hurley: Right and then how long until the first shots were fired?

[redacted] Hm, it wasn't, it was like a few minutes, about a few minutes.

Hurley: About a few minutes?

[redacted] Very, very, it was real quick.

Hurley: And did they say anything to him?

[redacted] Never said nothin'. I never heard the young man moan, groan or nothin'. When they started shooting, he was dead already.

Hurley: Did you hear, so you think he was dead after the Tasing and before the shooting began?

[redacted] No, what I think, this is what I feel.

Hurley: Um-hm.

[redacted] He was so, he was Tased terribly bad the first time. Then they did, they Tased him real tough the second time.

Hurley: Um-hm.

[redacted] And he wasn't, he wasn't able to do really nothin'.

Hurley: Um-hm.

[redacted] And then when I turned and looked again, all the bullets was aflyin'.

Hurley: Um-hm.

[redacted] I never heard them saying, Put the gun down. Get out the car. I never heard that.

Hurley: Did you hear them say anything to him while they were Tasing him?

[redacted] Nothing.

Hurley: ...before the shooting began?

[redacted] No.

Hurley: Okay.

[redacted] No. I don't understand why they Tased him because he was just sitting there.

Hurley: Um-hm.

[redacted] He couldn't do nothin'.

Hurley: Um-hm. Well you said that when they first got there, they asked him to get out of the car and his response was…

[redacted] Well yeah he did.

Hurley: …Right but the boy's response was…

[redacted] I can't because you're in front of my door.

Hurley: Okay.

[redacted] He wasn't letting him out of the car.

Hurley: And then they let's see, in the first interview, we discussed a Cadillac. When you very first pulled up…

[redacted] I don't even know them people.

Hurley: No, no, I understand. We're just timeframe…

[redacted] I can't remember. Hm-um.

Hurley: We're just looking at timeframe. You stopped at the stop sign.

[redacted] I was sittin' there 'cause I was lookin' at the police having the confrontation with the boy.

Hurley: Right and so before the shooting ever happened, there's a white Cadillac…

[redacted] Behind me.

Hurley: Behind you that came around you with a black male driver?

[redacted] And kept on going.

Hurley: And a white female passenger, is that right? A white 2-door Cadillac is what you told me?

[redacted] Kept on goin'.

Hurley: and but it went around you, through the intersection and around you and left before any of the shooting started?

[redacted] Before any shooting.

Hurley: Okay.

[redacted] They weren't even trying to get involved. They looked and kept going.

Hurley: Right. I just want to clarify so if somebody comes back ...

[redacted] yeah, no they didn't stop. They didn't _____

Hurley: ...later they didn't stop, they didn't see anything

[redacted] They did nothing.

Hurley: Okay.

[redacted] For the first, when all this was going on, it was nobody there but that me and them couple cars and me.

Hurley: Um-hm and the Cadillac went through during the confrontation time before the shooting ever occurred?

[redacted] He wasn't, yeah, he wasn't even there when the Tasing went on.

Hurley: Oh he wasn't, he was before...

[redacted] No, that happened after he left.

Hurley: Okay now you said that he actually was yelling at you 'cause you were stopped at the stop sign?

[redacted] Yeah calling me bitch, told me to move. I told him to fuck hisself.

Hurley: (laughs) Okay. I'm just going through my notes to make sure we covered everything.

[redacted] Man, I'm ready to go home. I'm not leaving my car here.

Hurley: I know. I know.

[redacted] I don't have no way to get home and I'll be damned if I get on the bus. I'm get in my car and get the hell on.

Hurley: How many times would you say that when the officer, the bald officer first showed up and there was a confrontation, how many times would you say he hit the boy?

[redacted] He hit him, he hit him about three, four times.

Hurley: Three, four times?

[redacted] Yeah. He did and that I did not think the boy was not doing that. He was just tellin' me, They goin' kill me, Ma'am. Don't leave.

Hurley: And that was during the initial confrontation?

[redacted] Yeah and then when they Tased him that second time, he said, Ma'am, don't leave, they goin' kill me. And he was lookin' me dead in my face. But he had a horrifying look that he knew that this officer was gonna do something to him when he came up to his window. So I don't know. Like I said, I don't know the nature of the call. I don't, I don't know the nature of what was going on.

Hurley: Um-hm.

[redacted] I don't but whatever it was, they killed somebody. I never seen a gun. I never seen the boy with a gun. I never seen it. What made them start shooting, I don't know. Whether the boy moved, whether he moved, layin' down, I don't know but it could have been handled better than that. It was too many of 'em there for him to get a gun. Seriously.

Hurley: Um-hm. Okay. And just to clarify, when you were looking at the boy in the car, you could see through his front windshield? That's what you were looking at him through? Is that right?

[redacted] Yeah.

Hurley: Okay. Is there anything on the recording part that we have not covered? That you think you need to add?

[redacted] What I will say is this: is that today was something happened very terrible. I know that the police is supposed to protect and serve. But in my heart, I feel they killed him. I know what I saw and I know what I heard. They never read him his rights. They asked him to get out the car but didn't let him get the car.

They hit him, beatin' on him. He said, Man, you don't have to do that. I ain't got nothin'. I got my hands where you can see my hands. Why the shooting came about, I don't know why it came about because the boy had been Tased twice strongly. He was really impaired. So all I know is they lit up that car. They were shooting, that car was moving. Why so many shots I don't know. I see a police officer got shot in the _____ I don't believe that boy did nothing to shoot a police officer. Something else went on. It's a lot of bullets flying. I got blessed. I didn't get hurt 'cause I could have. I was just that close. Where I stand today with all of it. I'm not happy about it mentally. It's very disturbing for me because when I close my eyes, I can just see him. He looked at me in my face and asked me for help. And I could not help him. I just don't feel that they shoulda did it like that. He was never gave his rights. He was never warned and nothing. And if he had a gun, why didn't it say, Put the gun down? I never heard nothing about a gun. So I say this to whoever listen to this, all that's a lie. They try to cover up. It's not gonna work. Not this time.

Hurley: It's 2252 hours.

Transcribed Verbatim With Punctuation Added 051410 at 1130 hrs B Geltzeiler

PORTLAND POLICE BUREAU | **SPECIAL REPORT** | ☐ INFORMATION ☐ CONTINUATION ☐ CLEARANCE ☐ SUPPLEMENTAL | Page/Of 1/10

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353		

☐1. UNFOUNDED ☐2. PENDING ☐3. SUSPENDED ☐4. CLR BY ARREST ☐5. EXCEPTIONAL ☐6. REFERRED

ORIGINAL REPORT DATE/TIME: 05/12/10 1823

THIS REPORT DATE/TIME: 05/13/10 2047

LOCATION OF OCCURRENCE: NE 6TH AVENUE/ NE HALSEY STREET

PERSONS CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	01/04/85

ADDRESS	ZIP	PHONE
3541 N. HOUGHTON STREET PORTLAND,OR	97217	UNKNOWN

SUBJECT OF THIS REPORT: CANVASS OF APARTMENT COMPLEX

PROPERTY RECEIPT NO.: 1193134

NARRATIVE/PROPERTY ITEM CODE — S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

COPIES: ☐ DET ☐ Central ☐ East ☐ SE ☐ North ☐ NE ☐ Traffic ☐ DVD ☐ ID ☐ Prop Room ☐ Crime Prev ☐ ☐ ☐ ☐

COMPUTER ENTRY: ☐ Person

OPR ☐ Vehicle

OPR ☐ Crime/ Prop

OPR ☐ Book

PR

NONCONNECT INFORMATION

Person(s) Interviewed:

[redacted]
F/W, DOB [redacted]
Home Address: [redacted] Avenue # [redacted]
Portland, OR 97232
Home Phone: 503-[redacted]
Relationship: Witnessed shooting

COPY

[redacted]
M/W, DOB [redacted]
Home Address: [redacted] Avenue # [redacted]
Portland, OR 97232
Cell Phone: [redacted]
Relationship: Heard shots fired; witnessed officers actions post shooting

[redacted]
M/W, DOB [redacted]
Home Address: [redacted] NE 7th Avenue # [redacted]
Portland, OR 97232
Cell Phone: [redacted]
Relationship: Heard shots fired

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective M.L. Hopper	36239	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE:		
10-38353		☐ Incident	☐ Traffic Accident	
		☐ Custody	☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	01/04/85

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:

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ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.

ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM | CODE

[redacted]
M/W, DOB [redacted]
Home Address: [redacted] NE 7th Avenue [redacted]
Portland, OR 97232
Cell Phone: [redacted]
Relationship: Was not home during incident

[redacted]
F/W, DOB [redacted]
Home Address: [redacted] Avenue # [redacted]
Portland, OR 97232
Cell Phone: [redacted]
Relationship: Was not home during the incident

[redacted]
M/W, DOB 02/16/79
Home Address: [redacted] NE 7th Avenue # [redacted]
Portland, OR 97232
Cell Phone: [redacted]
Relationship: Witnessed shooting

[redacted]
F/W, DOB [redacted]
Home Address: [redacted] NE 7th Avenue # [redacted]
Portland, OR 97232
Cell Phone: [redacted]
Relationship: Heard shots fired; witnessed post shooting actions

[redacted]
M/B, DOB [redacted]
Home Address: [redacted] Avenue # [redacted]
Portland, OR 97232
Home Phone: [redacted]
Relationship: Heard shots fired; witnessed post shooting actions

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective M.L. Hopper	36239	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353		☐ Incident ☐ Custody ☐ Traffic Accident ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	01/04/85

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M/W, DOB [redacted]
Home Address: [redacted] th Avenue # [redacted]
Portland, OR 97232
Cell Phone: [redacted]
Relationship: Heard shots fired

[redacted]
F/W, DOB [redacted]
Home Address: [redacted] Avenue # [redacted]
Portland, OR 97232
Cell Phone: [redacted]
Relationship: Was not home during the incident

[redacted]
M/W, DOB [redacted]
Home Address: [redacted] Avenue # [redacted]
Portland, OR 97232
Home Phone: [redacted]
Relationship: Heard shots fired

[redacted]
F/W, DOB [redacted]
Home Address: [redacted] NE 7th Avenue # [redacted]
Portland, OR 97232
Cell Phone: [redacted]
Relationship: Heard shots fired

[redacted]
F/W, DOB [redacted]
Home Address: [redacted] Avenue # [redacted]
Portland, OR 97232
Cell Phone: [redacted]
Relationship: Heard shots fired

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective M.L. Hopper	36239	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353		☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
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ITEM | CODE

Police Personnel:

Detective Jennifer Musser, DPSST# 40710
Detective Division – Assisted in apartment complex canvass

Detective Tony Harris, DPSST# 27566
Detective Division – Assisted in apartment complex canvass

Sergeant David Michaelson, DPSST #23060
Detective Division – Assisted in apartment complex canvass

Criminalist Heather Durham, DPSST #33027
Forensic Evidence Division – Took Photographs from witness vantage points

EXHIBITS

1. Property/Evidence Receipt #1193134: (Placed in the Property Room)

   Item 1: One CD-R with recorded interviews

2. Property/Evidence Receipt #1193135: (Placed in the Property Room)

   Item 1: One CD-R containing crime scene photos taken by [redacted]

SUMMARY

On May 13, 2010, Detectives Harris, Musser, and I canvassed the Cornerstone Apartment Complex located at 1425 NE 7th Avenue, Portland, Oregon in order to locate potential witnesses to the shooting that occurred on May 12, 2010. Detective Musser and I contacted the apartments located on the north and west sides of the complex on the first, third, and fourth floors. Detective Harris and Sergeant Michaelson canvassed the second floor of the complex.

I utilized a hand held recording device to record the more detailed interviews and took hand written notes for the shorter interviews. The following is a summary of each of the interviews.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective M.L. Hopper	36239	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE	SEX	RACE	DOB
10-38353		☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special	M	B	01/04/85

SUBJECT'S NAME: OTIS, KEATON DUPREE

LOCATION OF OCCURENCE: NE 6th AVENUE / NE HALSEY STREET

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NARRATIVE

Apartment #

I interviewed by phone and I utilized a recording device to record the interview. See transcriptions for a complete account of the interview. explained she observed the officers actions from her back patio which faces towards NE 6th Avenue. told me she observed the police officers taser the driver of the vehicle. stated she watched as the driver of the vehicle crawled to the passenger's side of the car and the police officers fire their weapons at him shortly after. then describes the driver of the vehicle fall out of the passenger's side of the car. told me she later observed a police officer fire three "beanbag rounds" at the man laying on the sidewalk. told me she knew they were "beanbag rounds" because they sounded different and the gun was a different color.

Apartment #

Detective Musser and I interviewed at his apartment and I utilized a hand held recording device to record the interview. See transcriptions for a complete account of the interview. told me he heard eight or nine gunshots so he walked out on his patio to see what was going on. stated he observed a number of police officers pointing their guns at the vehicle that was parked near the curb. told me he heard two shots after the first group of shots and he believed those gun shots sounded different than the first group of shots. When questioned further stated he believed if could have been a shotgun that fired the second group of shots. clarified he was actually back in his apartment when he heard the second group of shots.

described seeing an officer that was possibly bald walk away from the vehicle and check himself for gunshot wounds. stated he heard the officers give the male in the vehicle a number of commands to exit the vehicle.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective M.L. Hopper	36239	DET	A	GEN	

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10-38353		☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	01/04/85

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ITEM | CODE

[redacted]
Apartment # [redacted]

Detective Musser and I interviewed [redacted] at his apartment. [redacted] told us he only heard "very loud continuous" shots fired. [redacted] stated he did not see anything or get up to look out of the window.

[redacted]
Apartment # [redacted]

Detective Musser and I interviewed [redacted] at his apartment. [redacted] told us he was not home at the time of the incident and he was the only resident of his apartment.

HOLLY [redacted]
Apartment # [redacted]

[redacted] was not home during the incident.

[redacted]
Apartment # [redacted]

I interviewed [redacted] at his apartment and I utilized a hand held recording device to record the interview. See transcriptions for a complete account of the interview. [redacted] told me he believed he observed the whole incident from the beginning to the end. [redacted] stated he was in his apartment in the kitchen when he heard several "whoops" of a police siren and tires screeching. [redacted] told me he walked outside on his balcony to see three unmarked and one marked police car. [redacted] told me the police were tasing the occupant of the vehicle that had been pulled over. [redacted] said two tasers were out and the driver of the vehicle was climbing out of the driver's seat into the passenger's side of the car. [redacted] stated he then heard one shot and saw one of the officers go down. [redacted] told me the all of the officers then started firing into the vehicle.

I asked [redacted] if he knew who fired the first round he heard. [redacted] told me it had to have been the man in the vehicle because he did not see any of the officers with their guns out at the time of the first shot. [redacted] then described

CASE NO.	CLASSIFICATION	TYPE: ☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special		
10-38353				
SUBJECT'S NAME: OTIS, KEATON DUPREE			SEX: M	RACE: B	DOB: 01/04/85
LOCATION OF OCCURENCE: NE 6th AVENUE / NE HALSEY STREET				

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ITEM | CODE

the officers "taking cover" behind their vehicles. [redacted] explained he could see the occupant of the vehicle still moving inside the vehicle and crawling out of the passenger side of the car. [redacted] mentioned he called 911 and told them what he had observed. [redacted] told me he walked back inside and then heard three more distinct shots fired. [redacted] described the three final shots as different sounding than the first round of fire. [redacted] further described the officers saying, "Get out of the car" then a shot was fired, "get out of the car" then another shot was fired, and then "get out of the car" and a final shot was fired. [redacted] said after that all the other police, fire, and ambulance personnel began arriving.

[redacted]
Apartment # [redacted]

Detective Musser and I interviewed [redacted] at her apartment regarding her account of the shooting. I utilized a handheld recording device to record the interview; see transcriptions for full content of the interview. [redacted] told me she initially heard police sirens and then yelling something to the effect of, "Get down, stop." [redacted] then described hearing what she now believed were gunshots. [redacted] told me once she realized they were gunshots she went to the corner of her apartment in order to stay out of the way of any potential gun fire.

[redacted] told me when she heard the shooting stop she walked over to the window and observed officers moving the injured officer to the rear of one of the police cars. [redacted] told me she could see that the injured officer was ok because she could see him talking and moving his arms. [redacted] told me she observed the male from the vehicle laying on the ground not moving. [redacted] said she later observed the medics putting something on his hands but he was still not moving.

I asked [redacted] if she actually saw any of the shooting or if she just heard the shots fired. [redacted] stated she only heard the yelling and the shots fired. [redacted] told me she believed both the officers and the man in the car were yelling back and forth. I asked [redacted] why she believed she heard the man in the vehicle yelling as opposed to just the police officers yelling.

CASE NO.	CLASSIFICATION	TYPE: ☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special
10-38353		

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	01/04/85

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

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[redacted] said it was a different tone of voice and the police officers were saying things like, "Don't move. Get down, etc." [redacted] described the man in the car yelling the "F" word and other bad language.

I asked [redacted] how many shots she believed she heard and she said it was at least twenty shots fired.. [redacted] told me she actually took photographs of the man laying on the ground after the shooting ended on her cell phone. [redacted] showed me the photos and I observed five photos of the crime scene after the shooting occurred. [redacted] later emailed me the photographs and I transferred them to a CD-R which was submitted as evidence.

[redacted]
Apartment # [redacted]

Detective Musser and I interviewed [redacted] at his apartment regarding his account of the shooting. I utilized a handheld recording device to record the interview; see transcriptions for full content of the interview. [redacted] explained he was in his bedroom when he heard at least five or six shots followed by some yelling. [redacted] then walked to the deck of his apartment which overlooks NE 6th Avenue. [redacted] told me he observed two police cars at first and then after awhile a lot of other police cars arrived. [redacted] stated he did not hear any more shooting for awhile but then observed an officer with "a taser gun" shoot at least two or three more times. When I asked [redacted] who the officer shot he explained to me he could only see about half of the vehicle that was being shot out. [redacted] told me he could see that the back window had been shot out of the vehicle.

I asked [redacted] if he observed any officers shoot, he told me he saw an officer use a "rifle" or a "taser gun" he was unsure what it was. [redacted] described five or six officers down on their knees aiming. Detective Musser asked [redacted] if the "rifle" was big or small and if it was any certain color. [redacted] responded by saying the "rifle" did have some color to it. I asked [redacted] if the occupant of the vehicle was yelling anything. [redacted] told me he could not hear that.

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353		☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
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[redacted]
Apartment # [redacted]

Detective Musser and I interviewed [redacted] at his apartment regarding his account of the shooting. [redacted] told me he heard police sirens and then about ten gunshots. [redacted] explained he could not see anything from his apartment he could only hear the police yelling, "Show us your hands."

[redacted]
Apartment # [redacted]

[redacted] was not home during the shooting.

[redacted]
Apartment # [redacted]

[redacted] told me he heard all of the shots but he did not see anything. [redacted] took me out on his balcony and showed me that his view was only of NE Halsey Street and north of the intersection of NE 6th Avenue. [redacted] did tell me he noticed a lady stopped in a red vehicle that appeared to be watching what was happening.

[redacted]
Apartment # [redacted]

[redacted] told me she heard the shots and when she walked on to her balcony all she could see were the emergency vehicles. [redacted] did mention a vehicle parked in the middle of NE Halsey just east of NE 6th Avenue that did not have an occupant in it. [redacted] also mentioned she heard a lady scream but did not know why she was screaming or who exactly was screaming.

[redacted]
Apartment # [redacted]

[redacted] described hearing approximately three gunshots, a pause, and then two or three more shots. [redacted] did not see anything but did hear all of the police

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective M.L. Hopper	36239	DET	A	GEN	

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ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM	CODE

sirens. [redacted] also stated she heard someone saying, "Get down and get out of the way."

This investigation is ongoing by Detective Kammerer.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective M.L. Hopper	36239	DET	A	GEN	

REAU OF POLICE
19 NW INDUSTRIAL WAY, STE. B4
RTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No.1193134	05-18-10 / 1935 AM (PM)		10-38353

ONLY | EVIDENCE | FOUND PROPERTY | SAFEKEEPING | PRISONER'S PROP | COPY OF ITEMS

PROPERTY TAKEN FROM:	LAST NAME	FIRST	M.I.	SEX	DOB
DENIED OWNERSHIP ☐					
HOME ADDRESS	CITY	STATE	ZIP		
OWNER OF PROPERTY	LAST NAME	FIRST	M.I.	SEX	DOB
HOME ADDRESS	CITY	STATE	ZIP		PHONE

VOLUNTARILY RELINQUISHED ITEMS LISTED FOR SAFEKEEPING

SIGNATURE

TYPE OF INCIDENT: Officer Involved Shooting

DELIVERING OFFICER: D. Hyde — P# 46310 — BUREAU/STATION: CIU

LOCATION WHERE SEIZED OR ITEM FOUND: 7425 NE Killingsworth

INVESTIGATOR IN CHARGE: D. Hyde — P# 46310 — BUREAU/STATION: CIU

☐ DEFENDANT ☐ SUSPECT

LAST NAME	FIRST	M.I.	SEX	RACE	DOB

ITEM	FOR GUNS: LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN. LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1	1 CD-R with recorded interviews		
ITEM 2			
ITEM 3			
ITEM 4			
ITEM 5			
ITEM 6			
ITEM 7			
ITEM 8			

DELIVERED BY: (SIGNATURE)	LOCKER	DATE	RECEIVED BY
	C-6	05-18-10	

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

STORED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION	BY	WHITE - RECORDS COPY YELOW - CITIZENS RECEIPT PINK - WITH PROPERTY
TIME:		

02-01-10

REAU OF POLICE
19 NW INDUSTRIAL WAY, STE. B4
RTLAND, OREGON 97210

PROPERTY EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	AM	REFER CASE NO.	PPB CASE NO.
No. 1193135	05-18-10 / 22:32	PM		10-38353

ONLY ☒ EVIDENCE ☐ FOUND PROPERTY ☐ PRISONER'S PROP. ☐ SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐ [redacted]

HOME ADDRESS CITY STATE ZIP

1425 NE Halsey [redacted] Portland, OR 97232

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

Same as Above

HOME ADDRESS CITY STATE ZIP PHONE

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

SIGNATURE

TYPE OF INCIDENT: [illegible]

DELIVERING OFFICER: [illegible] BPS ASSIGN: [illegible]

LOCATION WHERE SEIZED/FOUND/SURRENDERED: 1425 NE Halsey [illegible]

INVESTIGATOR (IF DIFFERENT): [illegible] BPS ASSIGN: [illegible]

☐ DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB

☐ SUSPECT

FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORGIN LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1: One CD-R containing crime scene photos taken by [redacted]		
ITEM 2		
ITEM 3		
ITEM 4		
ITEM 5		
ITEM 6		
ITEM 7		
ITEM 8		

[illegible]	LOCKER	DATE	RECEIVED BY
[illegible]	L-6	05-18-10	

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

IN[illegible]ORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION	BY	WHITE - RECORDS COPY YELOW - CITIZENS RECEIPT PINK - WITH PROPERTY
DA[illegible] TIME:		

02-01-10

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Hopper: This is Detective Meredith Hopper it is Thursday May 13, 2010, it's approximately 1820 PM, um, also present is Detective Musser and sir what's your last name?

[redacted] Uh, [redacted]

Hopper: And your first name?

[redacted]

Hopper: And your middle name?

[redacted]

Hopper: And what's your birthday?

[redacted] Uh, [redacted]

Hopper: Okay, and you live in apartment [redacted]

[redacted] Yes.

Hopper: And what's your home phone number?

[redacted] Uh, area code [redacted]

Hopper: Okay. And you were home, just to recap your home at the time of the shooting?

[redacted] Yes I was.

Hopper: Okay, and, can you tell me again what happened?

[redacted] Uh, I can't remember the time, but there about eight or, eight or nine gunshots that went off, um, went outside to see what I, see what was going on. And there was a lot of shouting, I could see that there were a number of police officers with their guns pointed at the, the car that was pulled over by the curb.

Hopper: Um-hm.

[redacted] Um, a lot of shouting going on, for him to exit the vehicle, nothing much after that and then there were two shots separated by a couple of seconds after, uh, considerable time after those, those, that first group of shots.

Hopper: And did those shots sound different than the first group of shots.

[redacted] It did, if, if I had, if I had guess it would have been a shotgun, but, uh, it was, I wasn't really paying attention. It did sound quite a bit louder and more distinct.

Hopper: Okay and you were outside? When you heard the other two shots?

[redacted] Um, no I had come back inside.

Hopper: Okay.

[redacted] Um.

Hopper: So you heard the initial shots here, you went outside to check it out and then you came back in and heard the separate two shots. Um, did you see the police officers doing anything specific?

[redacted] Um, I saw a number of them crouched behind their vehicles. I saw another pull up behind them. I saw one officer, he might have been bald, um, he walked away from the vehicles, I think, after the last two shots and he was checking himself, patting himself down checking for a wound or anything and a couple of other guys helped him with that.

Hopper: Okay.

[redacted] Um, nothing, uh, aside from that, another one standing on the far end, waving cars out of way and waving a couple of bystanders who came by out of the way.

Hopper: Um-hm.

[redacted] Um, I think that's it.

Hopper: Okay. Did you hear the officers giving the guy in the car any commands or anything?

[redacted] A number of commands to exit the vehicle, yeah.

Hopper: Okay.

[redacted] Uh, I didn't hear anything outside of that. It didn't sound like they were, they were yelling over each other.

Hopper: Um-hm.

[redacted] But it did sound like multiple people were yelling things.

Hopper: Did you hear anybody from inside the car saying anything?

[redacted] Uh, I, but I couldn't hear, I wasn't close enough to hear that.

Hopper: Okay, okay. Um, Detective Musser do you have anything?

Musser: Um, so you had to go out on to your...

[redacted] ...I did...

Musser: ...balcony and observe what was going on?

[redacted] I did.

Musser: Would it be okay if later on today if one of our ID techs came and took pictures from your balcony and your vantage point?

[redacted] Sure that's fine. Uh at one point I, I was standing on the concrete railing that's back there.

Musser: Okay.

[redacted] Uh, to give myself a better view to see what was going on.

Musser: Okay.

[redacted] There's a couple of gaps which lead out directly to the back and with that elevated position I could see the car that was pulled over.

Musser: Okay.

Hopper: All right, well thank you very much for your time. Are you going to be here later?

[redacted] Uh, yeah, I should be in, I, I might go back to the gym for a while, but.

Hopper: Okay, all right sounds good

Transcribed Verbatim With Punctuation Added 051810 at 1420, S. Thoman SDT

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Hopper: This is Detective Meredith Hopper, it is Thursday May 13, 2010 it's approximately 1850 PM. Uh, this is a recorded interview, Detective Musser is also present. Ma'am what's your last name?

[redacted]

Hopper: Spell it for me?

[redacted]

Hopper: ...Um-hm...

[redacted]

Hopper: And your first name?

[redacted]

Hopper: And [redacted] what's your birthday?

[redacted]

Hopper: And what's a good contact phone number for you?

[redacted]

Hopper: And you live in this apartment, [redacted]

[redacted] Yes.

Hopper: Okay. So would you show me what you saw?

[redacted] Well, I cry, I heard the siren and I thought well that's, and then it seemed to stop right away. And I thought, well that's funny, anyway and then, then I heard yelling. In the back of like, stuff like get down, stop, whatever and then yelling and then gunshots.

Hopper: Um-hm.

[redacted] Which now I know were gunshots, at first I thought, you know, is, what is that.

Hopper: Um-hm.

[redacted] I sounded like wild firecrackers or something. And so I, I went and stood back in the corner and then it, when it quit I walked over to this window and I see the two officers, you know, there were four or five cop cars out there, pull, um, bringing the injured officer back behind, setting him behind the car and I could see that he was okay really, he was talking and moving his arms and stuff. And then, you know, then it was just over and then I went in to the bedroom and looked out window and the guy was laying right below my window. And there, the medics were there and they had little things on his hands I think.

Hopper: Um-hm.

[redacted] But they weren't doing anything to him and he wasn't breathing.

Hopper: Okay. Did you actually see any of the shooting or did you just hear it?

[redacted] No, I just heard it.

Hopper: Okay.

[redacted] And I got if, as far away from the windows as I could.

Hopper: Okay. Did you, you mentioned you heard the sirens?

[redacted] Yeah I heard lots of sirens.

Hopper: Lots of sirens before hand. Did you, and you heard yelling?

[redacted] Yeah.

Hopper: No? Could you understand exactly what they were saying or no?

[redacted] No, not really, I don't remember exactly, you know, it was back and forth though 'cause I, I think now I know that the guy was yelling too.

Hopper: How do you know that?

[redacted] Because it was a different voice and it was, you know, um.

Hopper: I guess when I say...

[redacted] ... Yeah...

Hopper: ...What makes you think it was the person in the car as opposed to the police officers?

[redacted] Because they were yelling things like, you know, don't move, get down, stop or something like that and he, he was yelling the F word and all that kind of stuff.

Hopper: Okay.

[redacted] It's bad language...

Hopper: ...Do you remember anything specifically?

[redacted] No.

Hopper: Just bad language?

[redacted] Yeah, yeah. I'll be, and there was a guy, there was the lady that has all the plants and stuff, she was out there and there was a guy, guy must live there.

Hopper: Um-hm.

[redacted] And he was out there too watching the whole time.

Hopper: Um-hm.

[redacted] But, uh.

Musser: Is the, um, the gentleman that was out, do you remember what race he was?

[redacted] He's black.

Musser: Okay, I think I spoke to him.

[redacted] Yeah, yeah, yeah.

Hopper: Okay, um, do you have anything else?

[redacted] That, that's about it.

Musser: Um, okay.

Hopper: I guess that we're trying to talk to everybody here...

[redacted] ...Yeah...

Hopper: ...In the complex, just get all the witnesses and see what they, what they witness.

[redacted] Yeah and it hap, happened really fast.

Hopper: How many shots do you think you heard?

[redacted] Twenty, by police, yeah.

Hopper: Twenty shots.

[redacted] Yeah really fast.

Hopper: Okay. All right.

Transcribed Verbatim With Punctuation Added 051810 at 0758, S. Thoman SDT

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Hopper: This is Detective Meredith Hopper, it is Thursday May 13, 2010 it's approximately 7:00 PM in the evening. This is a recorded interview with Detective Jennifer Musser. Sir, what's your, uh, last name?

[redacted] [redacted]

Hopper: And what's your first name?

[redacted]

Hopper: [redacted]

[redacted] Right.

Hopper: [redacted]

[redacted]

Hopper: And what's your birthday, sir.

[redacted]

Hopper: And this is apartment [redacted]

[redacted]

Hopper: And what's a good contact phone number?

[redacted]

Hopper: [redacted] okay. Um this interview regarding the shooting that happened yesterday, can you tell me what you saw, what you heard?

[redacted] Well I heard, the first thing I heard, I just walked into my house and I was in the bedroom.

Hopper: Um-hm.

[redacted] And I heard five or six shots, at least five or six shots. And I heard some, you know, screaming a like, come on out, come on out and then, uh, what the hells going on. Then I walked out here, on the deck.

Hopper: Um-hm.

[redacted] There was about two police cars out there, at that moment.

Hopper: Okay.

[redacted] Then the rest of the, then the cars, they just start coming.

Hopper: Um-hm.

[redacted] Yeah and, and then I, then there was, uh, let's see, I didn't hear anymore shooting for a while.

Hopper: Uh-huh.

[redacted] And then saw an officer, I don't know if it was a taser, a gun.

Hopper: Um-hm.

[redacted] I think he shot two or three times.

Hopper: Okay.

[redacted] I know it was two, maybe three, I'm thinking it was three.

Hopper: Okay. And he shot who did he shoot?

[redacted] I don't know. I could only see about half of the car.

Hopper: Okay.

[redacted] You know, the one that was, the car that was being shot at.

Hopper: Um-hm.

[redacted] I could see half, I could see the back window had been shot out, but the rest of it I could not see.

Hopper: Okay.

[redacted] So I don't know who, what he was shooting at, you know what I mean, so

Hopper: Okay.

[redacted] I was suppose it was shooting at the, this at he uh, uh, at the driver, because I heard them screaming get out, you know, get out, get out, get out. That's about it. The rest of it was just commotion.

Hopper: Right.

[redacted] Commotion, more commotion and it just kept getting, uh.

Hopper: Yeah. Um, so you didn't actually see anybody shoot, you just heard the rounds?

[redacted] Oh, I saw the officers do some shooting with a, with a rifle.

Hopper: With a rifle?

[redacted] Right.

Hopper: Okay.

[redacted] I don't know whether it was a taser gun or just a regular rifle, you know, I mean, I know I, it was five or six officers together down on their knees, you know what I mean. And the they was aiming, you know what I mean, I, I saw that.

Musser: And then the rifle that say that you saw shooting was it small or big and do you remember what color it was?

[redacted] It had some color in it.

Musser: Like a bright color not black like a normal gun?

[redacted] Right, it was not black, it's, is some, had some color in it. And it was, just, uh, well a regular rifle, you know, four or five feet long as, you know, like that.

Hopper: Um-hm, right. Okay. Did you hear anybody from, um, from the car that's been shot at saying anything?

[redacted] I couldn't hear that.

Hopper: Couldn't hear that.

[redacted] I couldn't hear anything.

Hopper: Okay. Is there anything else that you can think of? Saw?

[redacted] I can't think of anything else, well I know that there was a guy downstairs, he was out, he was outside, and the other lady appeared downstairs also, we all live in the same complex.

Hopper: Um-hm.

[redacted] And the officer told him to get, you know, get back, get back in your apartment, 'cause you taking pictures.

Hopper: Um-hm, okay.

[redacted] And, uh, after that, you know, I, I just kind of like, more commotion, it's just a mess.

Musser: Okay. Anything else you think of? Okay, then great, thank you very much. Would it be okay, um, we have, um, uh, person here from our Forensic Evidence Division that's taking pictures from people's vantage points, would it be okay if she stopped by and took a picture from your balcony where you were?

[redacted] I don't have a problem with it.

Musser: Okay, we'll have someone...

[redacted] You, you can take a look at it, see what it looked like if your, well since you're here.

Musser: Okay.

[redacted] 'Cause that's where I was standing, I was standing

Hopper: Okay.

[redacted] Oops, excuse me.

Hopper: That's okay.

[redacted] This is where I was standing and, uh, as we said, I, I was standing here.

Hopper: Uh-huh.

[redacted] But anyway, see where they got the, out in the street there I could only see, as I said about half the car. I couldn't see the front of the car.

Hopper: Um-hm.

[redacted] I couldn't even, I couldn't see the door, the, the front door, I don't know it was four door or two door.

Hopper: Okay.

[redacted] But I have not yet see, the back of the car and the trunk part of it, uh, yeah.

Hopper: Okay.

[redacted] And they were on the sidewalk, the officer were, it was about three, at least three or four of them.

Hopper: Okay.

[redacted] Maybe have been five, you know what I mean. Alls together there, when the guy was shooting with the rifle.

Hopper: Okay.

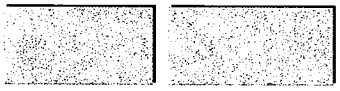
[redacted] But...

Hopper: All right

Transcribed Verbatim With Punctuation Added 051810 at 0712, S. Thoman SAT

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010



TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

RECORDS

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Hopper: This is Detective Meredith Hopper, it is Thursday May 13, 2010 it's approximately 1840 PM. Uh, it's the recorded interview with, uh, witness [redacted] male white, [redacted] All right Mr. [redacted] uh, could you tell me what happened, what you saw

[redacted] Yeah, um, I was home, I was in the kitchen. I heard two tires screech and several of the whoop, whoops on the police

Hopper: Um-hm.

[redacted] On the police car. Went outside and I saw three unmarked and one marked police car, um, and several, five to seven police officers, they were tazing the individual.

Hopper: Uh-huh.

[redacted] Inside the car, um, two tazers were out, the suspect was climbing over into the passenger seat when I was watching from my balcony, um, with the tazers. Um, didn't see him reach underneath or inside the passenger seat, um.

Hopper: You didn't or you did?

[redacted] I didn't, he was just crawling over, I didn't see any.

Hopper: Okay and he was, just to clarify, he's crawling from the driver's seat...

[redacted] ...Yes...

Hopper: ...To the front passenger seat?

[redacted] Yeah

Hopper: Okay

[redacted] Yes.

Hopper: All right.

[redacted] And then, um, to, then a shot rang out, heard one shot, officer went down. And then all the officers on scene, you know, opened fire on the vehicle.

Hopper: Okay. Um, when you heard the one shot did you think an officer had shot or do you think the bad guy shot?

[redacted] No because I didn't see any officers with their guns out.

Hopper: Okay.

[redacted] I only saw the officers with their tazers out at that point. Um, so all those shots went out, all the officers that took cover behind their…

Hopper: …Um-hm...

[redacted] …Their vehicles, um, he was still moving inside the vehicle.

Hopper: When you say he, the….

[redacted] …the suspect…

Hopper: …The person in the car…

[redacted] …The person in the car was still moving, inside the vehicle, he was crawling slowly outside the passenger door. Um, at that point I did, I did call 911.

Hopper: Uh-huh.

[redacted] Um, and, just was reporting what I, what was going on at that point.

Hopper: Okay.

[redacted] And then a lot more police cars started showing up.

Hopper: Right.

[redacted] Um, an officer had either a shotgun…

Hopper: ...Um-hm…

[redacted] …Or an M16…

Hopper: …Um-hm.

[redacted] Um, I was then, I was in back inside, 'cause, you know, what was going on.

Hopper: Um-hm.

[redacted] So that time I heard the officer shout _____ _____ get out of the car.

Hopper: Um-hm.

[redacted] Three times and I three more distinct shots, I don't know what was...

Hopper: ...Did they sound different than the other shots?

[redacted] Yes they did. And it was down at the car, shot. Get out of the car, shot, get out of the car, they shot, those three distinctive shots went off.

Hopper: Um, did you ever...

[redacted] ...And...

Hopper: ...Okay.

[redacted] That was it.

Hopper: Okay.

[redacted] Paramedics started showing up, everybody started showing up.

Hopper: Okay. Um, when you mentioned before that the, you saw the driver...

[redacted] ...Um-hm...

Hopper: ...Of the vehicle, crawling to the passenger side...

[redacted] ...Um-hm...

Hopper: ...Was he trying to get out the passenger door? Or crawling?

[redacted] When the, when the tasers were on him.

Hopper: Um-hm.

[redacted] He looked like he was trying to get out the passenger side door. When the tasers were on, I guess.

Hopper: And did you see anybody else in the car?

[redacted] No.

Hopper: Um, did you see anything that alarmed you or 'caused you concern at all?

[redacted] The taser, I'd never seen anything like that before.

Hopper: Uh-huh.

[redacted] Um, the tazers and then the one, that first shot went out, I don't know where it came from, but then the officer went down.

Hopper: Um-hm,

[redacted] And that's when I came back, then everybody started to fire.

Hopper: Um-hm.

[redacted] Um, and then I came back inside.

Hopper: What did you think happened then?

[redacted] I didn't know what was going on.

Hopper: Uh-huh.

[redacted] Um, I didn't know if it was high, 'cause I didn't, the first thing I heard was just kind of two little tires screech,

Hopper: Um-hm

[redacted] I didn't hear, I mean now I'm, I didn't hear the initial, uh, _____ what I've heard about it.

Hopper: Right.

[redacted] I didn't hear the initial pull over for the traffic stop, there was no siren.

Hopper: Um-hm.

[redacted] The next thing, the first I heard was tire, like tires screech to a stop and whoop whoops…

Hopper: ...Hmm...

[redacted] ...On the, on the unmarked cars.

Hopper: Uh-huh.

[redacted] The cars that were responding, and that was, all of a sudden it was like three unmarks and one marked police car. And a whole lot of officers.

Hopper: Right. Did you hear anything, the person in the car was saying?

[redacted] No.

Hopper: Okay. Is there anything else that you can think of?

[redacted] Uh, I did call 911 and I am sure there is a recording of that.

Hopper: Um-hm.

[redacted] that, and my name and cell phone number to the dispatcher.

Hopper: Okay.

[redacted] _____ _____ _____. It was right as everything was going on.

Hopper: Okay. Did you know that the officer had been shot, when you saw him?

[redacted] He went down, I didn't know he was shot at the moment, I didn't know what was wrong with him.

Hopper: Um-hm.

[redacted] He was holding his leg, it was big guy.

Hopper: Um-hm.

[redacted] Um, it, it happened right, can he stay up, you always hear, it will, it will happen so fast, it happened, fast and it was over.

Hopper: Right

[redacted] Um, so.

Hopper: Okay.

[redacted] And I did give my number to an officer that was on the ground.

Hopper: Uh-huh.

[redacted] Um, when this was all…bald guy.

Hopper: Um-hm.

[redacted] So I…

Hopper: …Yeah.

[redacted] Bald, white guy.

Hopper: Yeah, okay, all right, um, do you mind, can I look to see…

[redacted] …Yeah…

Hopper: …What you saw?

[redacted] Sure.

Transcribed Verbatim With Punctuation Added 051710 at 1030, S. Thoman SDT

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

(Phone ringing)

[redacted] Hello this is [redacted] may I help you?

Hopper: Hey [redacted] this is Meredith Hopper with the Portland Police.

[redacted] Oh, hi how are you?

Hopper: Good, how are you.

[redacted] Yes, fine.

Hopper: I left you my card and obviously you know it's about the shooting that happened.

[redacted] Yes.

Hopper: Yesterday evening, uh, where you home during this time of the shooting?

[redacted] He, yes I was, I was, I, uh, yes I was very much so.

Hopper: Okay. Well, let me just get some information from you first. What's your last name?

[redacted] [redacted]

Hopper: And your first name is?

[redacted] [redacted]

Hopper: Is that spelled...

[redacted] [redacted]

Hopper: Okay and what's your birthday?

[redacted] [redacted]

Hopper: [redacted] and you live in apartment [redacted] is that right?

[redacted] Yes.

Hopper: Okay. And what's a good contact phone number is this the best number for you?

[redacted] Yes.

Hopper: So it's [redacted]

[redacted] Yes.

Hopper: Okay. So can you tell me what you heard and or saw?

[redacted] I was, I, um, I laid down to take a nap.

Hopper: Um-hm.

[redacted] And I heard sirens stop, um, and, um, put your hand on top of the car.

Hopper: Uh-huh.

[redacted] And I got up from my nap put on my clothes went out on to the, uh, patio, stepped up on my, uh, retaining wall and, and looked.

Hopper: Um-hm.

[redacted] Um, being a curious person.

Hopper: Um-hm.

[redacted] Wanted to see what was going on. And, um, um, and I could see quite clearly from where I was at.

Hopper: Okay.

[redacted] And, um, uh, so they back of the car, the car was facing towards, uh, Broadway and so I'm behind it.

Hopper: Okay.

[redacted] Okay, looking at the back and the side. And, um, about the time that I get up there a car, the car that was behind, the police car that was behind the vehicle went into reverse and turned around squealing it's tires as it left. And I, I assumed that was a policeman and, um, um, I looked, I, uh, you know they

were trying, I looked there were three guys standing by, or three policemen standing by the, um, drivers side of the car.

Hopper: Um-hm.

[redacted] Asking for him to _____ _____, I heard conversation regarding, er, commands to, you know, put your hands up and, and, uh, then I heard, uh, taze him.

Hopper: Um-hm.

[redacted] And, um, I was able to see the tasers and that and then I heard shot and I heard the shots, where we actually watched the shots and, um, and after the shots the passenger door opened, well the guy was, before he got shot, he was on the passenger side of, uh, car.

Hopper: Okay.

[redacted] And, uh, and then he got shot and, of the door fell open, there were many many gunshots wounds, er, gunshots going off and, and the door opened and he fell out and landed on his head…

Hopper: …The passenger side door, opened?

[redacted] Yes.

Hopper: Okay.

[redacted] And he, he fell out, uh, with his head on to the pavement, and I'm registered nurse.

Hopper: Um-hm.

[redacted] And, and I noticed, uh, when his respirations quit.

Hopper: Um-hm.

[redacted] You know, that he was breathing and then they quit.

Hopper: Uh-huh.

[redacted] Uh, and the police were still on the, um, drivers side of the car. And, you know, when I saw the respir, repir or his chest quit rising and falling. And,

um, and then there was, uh, uh, poli, uh, cars they, and not an unmarked police this was real car.

Hopper: Um-hm.

[redacted] Came up, looked like providing, uh, a barrier coming up and the three fellows in, three, I think there were three fellows and, or maybe four. But anyway one guy had the bean bag, um, thing they were shouting commands for the guy to raise his hands and, and he did not and then, um, they fired three bean bag?

Hopper: Uh-huh.

[redacted] I was _____ _____...

Hopper: ...How did you know it was a bean bag?

[redacted] I don't know, I don't know, it, it looked different, it looked like it would be big enough to hand, I guess because of little bit of firearm experience.

Hopper: Um-hm, so you said the gun looked different?

[redacted] Yes, the gun looked different, bigger, like a rifle type thing.

Hopper: Okay.

[redacted] And, um, and what not, and it's a different one that fired and you could kind of tell it was big plop versus...

Hopper: ...Uh-huh...

[redacted] ...a shot.

Hopper: Okay.

[redacted] And, um, and then I just sat there and I sat by my birdfeeder and watched for hours.

Hopper: Okay. So did you talk to the police last night?

[redacted] No.

Hopper: Okay. Did you see the man in the car fire any rounds?

[redacted] I did not see the man in the car fire the round. I did not see if he had a firearm at all.

Hopper: Okay.

[redacted] I made an assumption he did or the police wouldn't have done what they did.

Hopper: Right. Um...

[redacted] ...Yeah, but that's an assumption, I did not see or hear the, the, I heard what I thought was three taser rounds, but I don't know if that was true or not, but I, that, what I think I heard and, and just right after, uh, they said taze, taze him, then I heard, shoot him, shoot him.

Hopper: Okay. And did you hear any shots fired before you heard the shoot him, shoot him?

[redacted] I will, I, I won't guarantee I heard a shot.

Hopper: Okay, that's fine.

[redacted] I, I, I couldn't swear to it.

Hopper: Okay.

[redacted] I was, it was the most amazing thing I've ever seen.

Hopper: Oh, I'm sure.

[redacted] As a, as a nurse, I've always felt that the police were, were underpaid and, and overworked and what I saw, when, what I saw going on there I thought was, was remarkable.

Hopper: Yeah, okay. Is there anything else, um, you can think of that maybe you left out or anything else you would like to add?

[redacted] I would, um, I know that, well I, you know, it seemed to me like it was an awfully long time, but somebody told me it was a very short period of time, that, that this all took place because to me it was obvious that the fellow was dead. And that the going up on the sidewalk and having, you know, the, the, the, you know, yelling at this dead guy and a, to raise his hands, it, it seemed, I don't want to say silly or comical, but it, it, it didn't, it, uh, I just imagined, uh, what I tried to figure out it must have, or, you know, how I rationalize it was

that was just making sure that you, you didn't have something that the guy is going to pull a trigger at the last minute.

Hopper: Right.

[redacted] And kill you. And so that's, that's what I did. I also, uh, I, I saw the three guys talking to him, struggle with him a little bit, you know, before they tazed him.

Hopper: Um-hm.

[redacted] And, um, I, I know that I saw that little struggle and the with him moving over to the passenger side of the car.

Hopper: Okay. And when you say struggle, could you kind of describe it to me?

[redacted] Kind of like, you know, come on, get out of the car, you know, and stuff talking and, you know, and like they tried to grab a hold of him and get him out of the car.

Hopper: Um-hm.

[redacted] And it looked like a tussel, like the guy was not going to come out of the car, which he did not. And then the, then he was over on the passenger side like he was almost sitting there in the passenger side.

Hopper: Um-hm.

[redacted] And when, uh, before the tazing took place.

Hopper: Okay. Uh, did you hear the man in the car say anything?

[redacted] No, I did not hear that, I'll I heard were officer saying, you know, put your hands up on top of the car and, you know, get out of the car, put hands on top of the car, you know, and it didn't happen and, and then started to tussel and.

Hopper: Okay, all right. Well, um, you have my number, if you think of anything else that you forgot to tell me or you have any questions, just give me a call, okay?

[redacted] Okay, I want to tell you that, um, that I don't have any questions, I'd, I would love, well I do have a question.

Hopper: Okay.

[redacted] Um, and in fact have, because there were so many people involved with this in an unusual case because of what had politically happened earlier that day or was there something going on because there was so many people there.

Hopper: As far as police officers?

[redacted] Police officers and other official type people and stuff. And the fact that the body didn't get moved until quite late in the, in the night with.

Hopper: Uh-huh.

[redacted] Is that common?

Hopper: Well it's, it's common, um, for a lot of police officers and other officials to come to such an event, because it's obviously a high profile event. Um, it's obviously a big deal, um, it doesn't have anything to do with what happened earlier in the day. Um, it's just, I mean a police officer was shot.

[redacted] Uh-huh.

Hopper: Which is a big deal, and, uh, I knew...

[redacted] ...By the way, I work in operating room at Legacy Emanuel.

Hopper: Right.

[redacted] So, you know I see you guys come in and I seen other things and stuff and so, It's not like I'm trying to be.

Hopper: Yeah, no and far as the body being moved, um, it's just, it's the matter of a crime scene processing.

[redacted] Uh-huh.

Hopper: Um, and that's just kind of what happens, it really doesn't have anything to do with the fact that it was an officer involved shooting or not. I mean if it was a homicide it would be the same thing. It's part of the crime scene and the crime scene has to be processed a certain way. So sometimes that takes longer and, then other times, but, I guess if that answers your question, I don't know if it does.

[redacted] Uh-huh, yeah it, it, yeah kind of and stuff because it didn't happen as fast as like on CSI or nothing.

Hopper: No, it doesn't happen just like on the, uh, emergency room shows, I'm sure you can relate that it's not exactly that way.

[redacted] I would like affirmation that I did the right thing by not going down there to…

Hopper: Yeah I think definitely did the right thing.

[redacted] Okay, I, I needed that, I just felt, I, I, I just kind of had, uh, some guilt feelings because I didn't go and help anybody.

Hopper: Yeah, well.

[redacted] Uh, as a nurse I was thinking, oh shit, you know, now I'm suppose to help, no I'm not going down there, something like that.

Hopper: Yeah, I think, I think you did the right thing, definitely.

[redacted] Okay.

Hopper: So, okay well thank you [redacted] I appreciate your time.

[redacted] Yes, and, um, I have, between you and I, I hope this doesn't turn out to be bad for anybody because I didn't, I don't, what I saw was okay.

Hopper: Yeah, well good, I'm sure the investigation will take it's course and , uh, the results will be fine.

[redacted] Okay, well thank you for calling me back.

Hopper: Okay, thanks a lot.

[redacted] Uh-huh, bye.

Hopper: Bye bye.

Transcribed Verbatim With Punctuation Added 051810 at 1200, S. Thoman SOT

APPROVAL ROUTE: Detective Division

CASE NUMBER 10-038353

PORTLAND POLICE BUREAU

SPECIAL REPORT

TYPE:

PAGE/OF 1 / 2

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/13/10	2200	05/13/10	2200

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6/Halsey (south of)	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Canvass and witness interviews	

COPIES

- ☐ DET
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- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ CS
- ☐ OVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

COMPUTER ENTRY

- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
KN			M	B	

ADDRESS	CITY	STATE	ZIP
#	Portland	Oregon	

☒ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE
503-		

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
SB			F	W	

ADDRESS	CITY	STATE	ZIP
#	Portland	Oregon	

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
SB			M	W	

ADDRESS	CITY	STATE	ZIP
#	Portland	Oregon	

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6- Det. Harris #27566/Partner

8- On 051310 at approximately 1830, Det. Harris and I went to the apartment complex located at [redacted] NE 6th Avenue runs north/south along the west side of the complex and located just south of NE Halsey on NE 6th an officer involved shooting occurred on 051210 at about 1820.

Det. Harris and I were tasked to locate and identify any further witnesses to the shooting. We were able to locate the listed three subjects inside their apartments and spoke to them about what they knew of the shooting. See Det. Harris' report for KN [redacted] statement and further canvass information.

I interviewed SB [redacted] and she told me she saw the police and heard the sirens but did not see anything related to the shooting. Her apartment faces north onto NE Halsey and she is unable to view the NE 6/ Halsey intersection, specifically just south of the intersection where the shooting took place. She said she stayed in her apartment.

I also interviewed SB [redacted] He told me he heard some yelling but could not make out specific words. He said he heard the shots and sirens but did not see anything related to the shooting. His apartment faces north onto NE Halsey but he is unable to see the NE 6/Halsey intersection, specifically just south of the intersection where the shooting took place. He told me he also heard a lady across NE Halsey Street screaming hysterically. He told me he stayed in his apartment.

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
David Michaelson	23060	DET	A	3534	

PPB-SSD-TH

05-14-10 0021

423 (08/07)

APPROVAL ROUTE: Detective Division

PORTLAND POLICE BUREAU

SPECIAL REPORT

TYPE:

CASE NUMBER 10-[illegible]8353

I also left business cards but was unable to contact the following apartments:

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228

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- ☐ DVCS
- ☐ _____
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- ☐ _____
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DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
- ☐ Distribution

DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
David Michaelson	23060	DET	A	3534	

APPROVAL ROUTE: Detective Division

CASE NUMBER 10-038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE TIME	THIS REPORT DATE TIME
	05/12/10	05/18/10 1830

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6/Halsey	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
witness interview	

COPIES: ☐ DET ☐ CENTRAL ☐ EAST ☐ NORTH ☐ NE ☐ SE ☐ CAT ☐ DHS/CHS ☐ DVD ☐ DVRU ☐ ECRT ☐ JDH ☐ JUV ☐ CS ☐ DVCS ☐ ☐ ☐ ☐ ☐ ☐

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI	[redacted]		F	W	

ADDRESS	CITY	STATE	ZIP
[redacted] #	Portland	Oregon	97232

☐ WORK PHONE ☒ MESSAGE PHONE	MOBILE PHONE	HOME PHONE
[redacted]	[redacted]	

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO. 1193136

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6. Det. Musser #40710/Partner — **INVESTIGATOR**

8. On May 18, 2010, Sgt. McGlathery informed me via email that WI [redacted] needed to be interviewed regarding the officer involved shooting that occurred on May 12, 2010. Det. Musser and I interviewed WI [redacted] at her home located at the listed address at approximately 1830.

WI [redacted] said she was at home during the incident and heard lots of shouting outside on NE 6th. [redacted] has two windows in her living that face to the north and [redacted] was at the window on the right. She could see the passenger side of the stopped car and the police car directly in front of it. She saw an officer in uniform trying the passenger side doors to get them open. She didn't know if the officer got the doors open or not. She heard the officers yelling "get out of the car" multiple times. She then heard a Taser go off and described it as "zap, zap", then a pause and about ten gunshots.

At this point she retreated into her living room to the south and could not see what was happening. She heard more yelling but couldn't make out what was said. She then heard two more gunshots. She said these gunshots were more spaced apart time-wise. She also said these gunshots sounded different than the previous gunshots.

She then went back to the window and saw officers pulling a man from the passenger side of the stopped car onto the sidewalk. She next saw medical personnel arrive and treat the man. She said medical got onscene pretty quickly.

[redacted] then went to her balcony and saw officers appear to pat down another officer. Her balcony faces onto NE 6th Avenue. She said it appeared to her that the officers were checking to make sure the officer was or was not injured. She also saw them pull off this officer's bulletproof vest.

This interview was recorded. See transcription of this interview for further details.

COMPUTER ENTRY: ☐ Desk — DPSST ☐ Person — DPSST ☐ Entry / Vehicle — DPSST ☐ Distribution — DPSST

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
David Michaelson	23060	DETS	A	3534	Sgt. [redacted]

PPB-SSD-TH

05-18-10 2355

423 (08/07)

BUREAU OF POLICE
2619 NW INDUSTRIAL WAY, STE. B4
PORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	AM	REFER CASE NO.	PPB CASE NO.
No. 1193136	051810 2300	PM		10-38353

CHECK TYPE: ONLY ☒ EVIDENCE | FOUND PROPERTY | PRISONER'S PROP. | SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐

HOME ADDRESS CITY STATE ZIP

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

HOME ADDRESS CITY STATE ZIP PHONE

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

SIGNATURE

TYPE OF INCIDENT: OES | DELIVERING OFFICER: MICHAELSON | BPST/ASSIGN: 23060/DED

LOCATION WHERE SEIZED, FOUND, SURR: 1425 NE 7 # [redacted] PDX, OR | INVESTIGATOR OR DIFFERENT: KAMMERER | BPST/ASSIGN: 29988/DETS

☐ DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB

☐ SUSPECT

FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORGIN LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1: CD - INTORVIEW [redacted]		
ITEM 2:		
ITEM 3:		
ITEM 4:		
ITEM 5:		
ITEM 6:		
ITEM 7:		
ITEM 8:		

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	CE 6	051810	

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02-01-10

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 18th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Michaelson: Want to make sure, and it's [redacted] [redacted]

[redacted] You got it. Do you mind if I call my work?

Michaelson: Uh, yeah, we're at the same apartment complex. Um, Room [redacted] Yeah. (pause) Yeah, uh, when do, you think you can be here?

[redacted] More people coming?

Michaelson: Okay. Perfect. I, if something changes, I'll call you back. But, yeah. Okay?

(multiple conversations, unintelligible.)

[redacted] But it's like scratched out, your name.

Musser: Oh, could it have been myself and another detective, working at the scene and she ran out of cards?

[redacted] Might have been.

Musser: And so I gave her a bunch of mine?

Michaelson: Um, your birthday is, uh, [redacted]

[redacted] Yep.

Michaelson: Okay. Is this your, the only phone number you got?

[redacted] Um, I have another one. This is my work one, what you have.

Michaelson: This is a cell. What's your other number?

[redacted] It's a cell too. It's [redacted]..

Michaelson: [redacted]

[redacted] [redacted]

Michaelson: [redacted] All right. Where are you from? That's a...

[redacted] That's from a Eugene number.

Michaelson: Yeah. All right, so we'll just, uh, is this recording yet?

Musser: Yes.

Michaelson: Um, all right. Today is, uh, May 18th. It's approximately 6:30 in the evening. And I am Sergeant David Michaelson, BPST 23060. And I'm here with, um, Detective Jennifer Musser, uh, BPST 40710 and uh, witness to the office involved shooting that we had last week, um, [redacted] Um, [redacted] you are aware this interview is being recorded?

[redacted] Yes.

Michaelson: All right. And is there anybody in the apartment else, is just the three of us sitting right now?

[redacted] Just us.

Michaelson: All right. Um, could you just start off by telling me what the, you saw and what occurred and what your feelings were?

[redacted] Okay. I came home and put my coat there, right out the window and I saw a car pulled over. And, I don't think the second car had pulled front of it yet. It could have. And then I heard a bunch of yelling, um, "get out of the car", quite a few times and then what I thought was a officer go around and taser him from the passenger side. Um, and at that point it seemed like there was, don't know, but 30 seconds of silence. I don't know. And then someone started shooting, a bunch. Sounded like 10 bullets. And then I saw the officers kinda run.

Michaelson: Uh-huh.

[redacted] By that time I don't know where they all came from...

Michaelson: Right.

[redacted] ...but there was a lot of police here. And they kind of scattered a little bit. And then at that time I decided to walk away from the window. Probably not a good idea. And I heard a couple more shots. And then when it went quiet, I went to the window and I saw them taking a, the guy onto the sidewalk.

Michaelson: Okay. What, uh, and what window were you at?

[redacted] This one right here…

Michaelson: This…

[redacted] …the very first one.

Michaelson: …this first one, right here, that you are pointing to? And that, just for the recording, that window faces towards the north, towards the intersection of …

[redacted] Yes.

Michaelson: …6th & Halsey?

[redacted] Yes.

Michaelson: Okay. Uh, did you go out on your balcony at all?

[redacted] No.

Michaelson: You stayed inside? Okay. Um, what drew your attention outside?

[redacted] I walked there every single day and put my coat down.

Michaelson: Oh, just put your…

[redacted] I put my coat there…

Michaelson: …your jacket down.

[redacted] …every day.

Michaelson: Okay.

[redacted] And then I heard the yelling. Then I saw the siren on the one police car. That's when people started running up to the car and pulling on the handles, trying to get whoever was in it out.

Michaelson: What a, so you heard, you saw the, uh, the police car stop? You saw the person's car stopped?

[redacted] There was a car behind him. I only saw the front of that. And then I saw, I think, the entire car of the one that was pulled over.

Michaelson: Uh-huh.

[redacted] And there was a car that came straight forward to it.

Michaelson: Uh-huh. Like right in front of it?

[redacted] Yeah.

Michaelson: Okay.

[redacted] Pulled right up. And so, I mainly saw the pulled over car.

Michaelson: Mainly saw the pulled over car?

[redacted] Yeah, and the cop car in front of it.

Michaelson: Right. What, in, who was screaming? Could you-you understand what was being said?

[redacted] It was the police saying, do you want the exact words?

Michaelson: Yes, I do.

[redacted] Do you want them edited? It was "get the f out of your car". Um, they said "get out of the car" multiple times. I can't even count how many. That's what made me stay at my window. And I kept hearing them say "get the f out of the car" and they were, the guy who pulled up, I don't know if he was the one who jumped out of the car, was trying to get the doors open, on the passenger side.

Michaelson: Did you see, um, any body from, uh, did you see, could you see the driver's side...

[redacted] No.

Michaelson: ...of the, of his car? You could only see passenger side and you saw an officer go up to the passenger side and try to...

[redacted] Open the doors.

Michaelson: ...open the door. Could he get, did he get the door open?

[redacted] It didn't look like it. I don't know. It almost seemed like the taser went in from the rear of the car, but I could be completely wrong, but I didn't see the door actually get opened.

Michaelson: Is this the, was this the front door of the car or the pass…

[redacted] It seemed liked the…

Michaelson: …back passenger door?

[redacted] …the back passenger door. But that's where I had no idea and I heard the zapping.

Michaelson: Uh-hum.

[redacted] And at first I thought it was guns, but then I realized shortly thereafter that it was a Taser.

Michaelson: Right.

[redacted] Cause the gunshots were a lot louder.

Michaelson: How many times did you hear, uh, did you hear it more than once or just once, the Taser?

[redacted] The Taser? I, it wasn't one continous noise. It was like a zap zap noise.

Michaelson: Um-kay.

[redacted] It was a few times. I don't know how many.

Michaelson: What did, was there any thing else, uh, did you see what led up to the stop? Or all, all the, you just…

[redacted] No, I saw the, it was already pulled over and car comes zooming in, in front of it. At that point, I didn't know when all the other cars came, cause I was too busy staring at the _____.

Michaelson: Right. So you saw this one car pulled over and then you saw, did-did you see part, did you see part of the police car or what you thought was a police car, behind that car?

[redacted] I, _____ sorry this was last week.

Michaelson: It's okay.

[redacted] It almost looked like an undercover behind it, with a siren on top. But I...

Michaelson: Okay.

[redacted] ...you need to correct me if I'm wrong.

Michaelson: Okay.

[redacted] But that's, I did see a car behind it. It was a police car with a siren.

Michaelson: Okay.

[redacted] So.

Michaelson: And then this car that came in from the front, did it, how was that, how did it pull up into the front?

[redacted] It _____. It was really fast. I didn't even know. It just pulled up in front, cause I was looking back and forth, cause then another car when, after the shooting came in, zipped in there too. There were cars everywhere that day.

Michaelson: Was it, the car, uh, like side to side, where they side to side or head on head on or?

[redacted] That's' the car in the front of it.

Michaelson: Uh-huh.

[redacted] This is the police car, in the front of the police car. It was like that.

Michaelson: All right, so basically...

[redacted] Head down.

Michaelson: ...from what you're describing here, that the, that-that person's car and the police car that pulled in front of it, they just came nose to nose, basically?

[redacted] Face to face. I don't think it was right on top of each other.

Michaelson: Right.

[redacted] There was some space there, but (long pause). I think.

Michaelson: Okay. And then, you couldn't see the drive, the, the driver's side. You saw the passenger's side.

[redacted] Yeah.

Michaelson: And was, uh, how was, how'd you know it was an officer? That was at the passenger side.

[redacted] I'm pretty sure he was in uniform.

Michaelson: Okay. You, you said he was in uniform?

[redacted] I didn't see anyone without uniforms, so yeah.

Michaelson: Okay.

[redacted] It would have had to have been.

Michaelson: Okay. Then could you, could you describe, so you heard "get out of the car" many, many...

[redacted] It was a lot.

Michaelson: "Get out of the car", somebody's saying "get out of the car, get out of the car", a lot of times.

[redacted] Yeah. That's what kept me at my window.

Michaelson: Right.

[redacted] It's like, what in the, I just thought they were getting pulled over, until that, so.

Michaelson: And then heard somebody say "get the fuck out of the car".

[redacted] They were yelling it loud. You could hear. I mean, I don't know how anyone couldn't hear all the screaming out there.

Michaelson: Right.

[redacted] So.

Michaelson: And uh, during this time, could-could you see this officer that's at the passenger side? What was he doing during this time?

[redacted] At the passenger side? He was trying to open the doors, continuously, like, it seemed like it was really quick, but you saw him _____ like, nonstop...

Michaelson: Okay.

[redacted] ...trying to get the doors open.

Michaelson: Do you know if he was able to get the door open?

[redacted] I don't. No idea. _____ I know he didn't get the front door open, while I was looking at that point.

Michaelson: The front door on the passenger side?

[redacted] Yeah.

Michaelson: Right? Um, what's, uh, what did you, what, what happened next? What was the next thing that you, uh, kinda heard?

[redacted] From when he pulled up and they were yelling and trying to get in?

Michaelson: Um-hm.

[redacted] I kept hearing "get out of the car" and then what I thought was a Taser being zapped.

Michaelson: Okay.

[redacted] At that point and then it went quiet.

Michaelson: Could you hear any more commands?

[redacted] (long pause) I don't think so, I mean I know they were talking but I didn't know what they were saying at all.

Michaelson: Okay.

[redacted] I have no idea what they were saying.

Michaelson: Okay. Yeah, then what happened?

[redacted] It went quiet and then, I don't know where, it just was a bunch of gun fire. Like I said it sounded like about 10 times and that's where, I don't know where all the other police came from, but there was a lot more. And they all kind of scattered away a little bit.

Michaelson: Uh-huh.

[redacted] Not, I sure some of them stayed there, but…

Michaelson: Right.

[redacted] …it seemed like everyone was in shock. And it, that's when I walked away from. I saw another cop, police car come up and they said to move closer. Somewhere in there. It had to have been after the gun fire started though. Trying to think.

Michaelson: Okay.

[redacted] There was another one that came up behind and they kept telling them to get closer.

Michaelson: Another police car came up behind this person's car and what were they doing? Were they, could you hear what the officer were saying at that time?

[redacted] All I heard them say was "move forward more" and that could've actually been before the gun shots, I'm not positive.

Michaelson: Okay.

[redacted] It's just weird, cause they pulled up and they said "more" and they moved up like a foot.

Michaelson: So you heard all these, the, all these gun shots go off?

[redacted] Um-hm.

Michaelson: And then what happened then?

[redacted] That's when I walked away from my window.

Michaelson: 'kay.

[redacted] I don't know if they were talking to people in the windows or not, but somebody said "get out of your windows". And that when I'm like, oh, someone's shooting a gun. I probably shouldn't be staring.

Michaelson: Right

[redacted] So, I walked all the way back to my apartment and couldn't see anything anymore.

Michaelson: Okay.

[redacted] And I just heard a couple more shots and then it went quiet, or, and then I walked back over and that's where they were moving 'em. And I didn't go on my balcony, but I did see them make sure the police office was okay. They were patting him down on his legs and taking off the vest.

Michaelson: Right, right. What's, um, did, you said there was, you heard all these multiple gun shots. You go away from your window.

[redacted] Yes.

Michaelson: And then you heard a couple more gun shots?

[redacted] Yes.

Michaelson: How did the, were those, did they sound exactly the same as the other gun shots did, or?

[redacted] No, they were slower. _____ The timing was slower. They were very rapid, the one…

Michaelson: Right.

[redacted] …I was by my window.

Michaelson: Uh-huh.

Martello: And then it, there was pauses between them. And it sounded, it didn't sound as loud, but I don't know if it was just the way the building was and it was echoing.

Michaelson: 'kay. But they didn't sound as loud though?

[redacted] No.

Michaelson: What, did you hear any commands at that time?

[redacted] At that point, I didn't really hear much. I mean, I know they were saying stuff, but I was kind of in shock that I just watched a shoot out…

Michaelson: Right.

[redacted] …outside my window.

Michaelson: Right.

[redacted] So.

Michaelson: Um, so then you hear, you heard 2 more…

[redacted] I don't know how many more shots.

Michaelson: …shots or whatever you think and then, and then, about this, that's when you're lookin, that's when you look out your side your window again?

[redacted] Yeah, after it was all done…

Michaelson: _____ after everything was done.

[redacted] The shooting was done…

Michaelson: Okay.

[redacted] …and I came over and it was right when they were pulling the guy onto the sidewalk.

Michaelson: And what did you, what happened then? You see 'em pulling to the sidewalk and then what happened? Did you see him?

[redacted] Um, That's when I, I think I said I didn't actually go on my balcony. I want to say I looked out and that's when they were making sure people were okay.

Michaelson: Uh-huh.

[redacted] Where I saw 'em, they were, I want to say they were patting down one of the guy's legs, making sure he was okay, cause he looked really shaken up. And they were, I would assume, making sure nothing happened to him. And that was directly below here.

Michaelson: Right below your deck, basically?

[redacted] Pretty much. I didn't walk out so I didn't, so it had to have been a little bit farther out, cause I know I never went on my deck during the whole thing.

Michaelson: Right. Okay. And…

Martello: And I saw the paramedics moving up to him.

Michaelson: What's that?

[redacted] I did see the paramedics come from both ways up to the sidewalk where the guy was laying.

Michaelson: How long do you think it took, um, for the paramedics to get to the person that was down on the ground outside his car?

[redacted] I saw them running when they were, they were there really quick. Cause they _____ were just pulling him aside and they lifted up the guy's shirt, cause he had a white shirt on…

Michaelson: Um-hm

[redacted] …I want to say. They lifted it up and then I saw a guy running with a kit with him…

Michaelson: Right.

[redacted] …from behind here and I want to say one came from the other side of the building too. There were a bunch of paramedics surrounding it.

Michaelson: Okay.

[redacted] I mean, it was pretty immediate.

Michaelson: And just, going back a step, um, your balcony faces, also looks, overlooks NE 6th Avenue, correct?

[redacted] Yes.

Michaelson: Okay. Uh, what happened, what happened when you saw the paramedics come in and then what did you see?

[redacted] Um, I think at that point I was on the phone, to be honest.

Michaelson: Okay.

[redacted] Um, cause when it first started happening I heard the shots I had to call my work and say if anything weird happens, lock the doors, cause we're so close.

Michaelson: Right.

[redacted] And then I called them and be like "okay, I don't think you have to worry", cause they were all freaking out, calling me, so. Um, I just saw lot of police, everywhere. Every block was getting shut down. But I mean, they didn't really do too much in that area where it all happened, after they laid the guy down.

Michaelson: Right, right. Um, is there anything that you can think of that I haven't asked you or something that, that's important? That you can think of right now?

[redacted] I can't really think of anything. I didn't see the other see the other side of the car. I only saw them pulling him out and the guy trying to get in his car. And then telling him to get out.

Michaelson: Did you witness anything that you thought was, what, based on what you saw and anything you thought, thought was inappropriate or bad that the officers did?

[redacted] No.

Michaelson: Okay. Um, do you have anything?

Musser: Just to clarify. When you said you saw them checking a guy's legs for injuries, you're talking about an officer _____?

[redacted] An officer.

Musser: Okay.

[redacted] It seemed like they were patting him down. I had to assume that's what they were doing. I don't know. And then they took off his bullet proof vest. So. (long pause) I'm trying to think. That was, I think that was it.

Michaelson: That's all right. Okay. Anything else?

Musser: I can't think of anything.

Michaelson: All right. Okay, the time is, uh, about approximately 6:45. And this is the conclusion of the interview.

Transcribed Verbatim With Punctuation Added 05/20/10 1244 K. Brattin, Edited 052110 at 0839, S. Thoman. SDT

APPROVAL ROUTE: Detective Division

CASE NUMBER 10 038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1821	05/17/10	2100

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6/Halsey	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Witness statements	

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ CS
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
SB			F	W	

ADDRESS	CITY	STATE	ZIP
Ave. #	Portland	Oregon	97232

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
SB			M	W	

ADDRESS	CITY	STATE	ZIP
Ave. #	Portland	Oregon	97232

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

Summary:

INVESTIGATOR

On May 12, 2010 an officer involved shooting took place at the listed location and on May 13, 2010, other detectives and I conducted a canvass of the apartment complex located at Ave. I left my business card on multiple apartments where the residents did not answer. These apartments all faced NE 6th and have a view of of NE 6th Ave.

Upon my return to work on May 17, 2010, I had a message from SB I called her back on May 17, 2010 at approximately 1845 and spoke with her by telephone. She told me she lives in apartment # with her husband SB . She told me she and her husband were out during the time of the officer involved shooting and didn't see or hear anything. She said they returned home at approximately 2000 hours that evening and saw the roads closed off by police activity. She first learned of the event that took place from news reports on the internet.

I have attempted to contact her husband, , but he has yet to call me back as of May 18, 2010 at 2330.

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
David Michaelson	23060	DETS	A	3534	Sgt. Michaelson #23060

PPB-SSD-TH

05-18-10 2356

423 (08/07)

PORTLAND POLICE BUREAU	CONFIDENTIAL SPECIAL REPORT	☐ INFORMATION ☐ CONTINUATION	☐ CLEARANCE ☐ SUPPLEMENTAL	Page/Of 1/12

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353		OFFICER INVOLVED SHOOTING.

☐1. UNFOUNDED ☐2. PENDING	☐3. SUSPENDED ☐4. CLR BY ARREST	☐5. EXCEPTIONAL ☐6. REFERRED	ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
			051210/1821	051810/1700

LOCATION OF OCCURRENCE
NE 6TH AVENUE/NE HALSEY STREET PORTLAND, OR.

PERSONS **CO**-Complainant **SB**-Subject **SI**-Sick/Injured/Cared For **PE**-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
DE	OTIS, KEATON DUPREE	1588602	M	B	010485

ADDRESS	ZIP	PHONE
3541 N. HOUGHTON STREET PORTLAND, OR	97217	UNKNOWN

SUBJECT OF THIS REPORT	PROPERTY RECEIPT NO.
INTERVIEWS OF WITNESSES REGARDING OFFICER SHOOTING.	1193113, 1203055

NARRATIVE/PROPERTY ITEM CODE — S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ ell
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR ☐ Vehicle
OPR ☐ Crime/ Prop
OPR ☐ Book
OPR

NO CONNECT INFORMATION

NONCONNECT INFORMATION

Persons Interviewed (Interviews Recorded):

[redacted]
MW DOB [redacted]
Address: [redacted] NE 73RD Avenue
Portland, OR 97218
Phone: (503) [redacted] cell
(503) [redacted] home
Witnessed traffic stop prior to shooting. Heard shots fired from his location at McDonald's.

[redacted]
FU DOB [redacted]
Address: [redacted] SE 141ST Avenue [redacted]
Portland, OR 97233
Phone: (503) [redacted] cell
(503) [redacted] home
Witnessed shooting from nearby Keizer building. Took photographs of scene.

[redacted]
MB DOB [redacted]
Address: [redacted] Avenue # [redacted]
Portland, OR 97232
Phone: (503) [redacted] cell
Heard shots fired and witnessed officers actions post shooting. Took photographs of scene.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective J. MUSSER	40710	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING.	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6TH AVENUE/NE HALSEY STREET PORTLAND, OR.

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO--List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
ITEM 5: ADDITIONAL PROPERTY--Record no more than four additional items of property in the narrative--and/or a Special Report and attach as additional pages.
ITEM 6: ADDITIONAL OFFICERS--List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM | CODE

[redacted]
MI DOB [redacted]
Address: [redacted] Avenue # [redacted]
Portland, OR 97232
Phone: (605) [redacted] cell
(503) [redacted] home
Heard shots fired. Observed a screaming female in a red car during incident. Also observed a female watching the incident from a window of a grey house.

[redacted]
MU DOB [redacted]
Address: [redacted] Avenue # [redacted]
Portland, OR 97232
Phone: (503) [redacted] home
Heard shots fired. Witnessed officer down rescue and officers actions post shooting.

Persons Interviewed (Interviews Not Recorded):

[redacted]
MW DOB [redacted]
Address: [redacted] Avenue # [redacted]
Portland, OR 97232
Phone: (503) [redacted]
Was home, but did not see nor hear incident.

[redacted]
FB DOB [redacted]
Address: [redacted] Avenue # [redacted]
Portland, OR 97232
Phone: (503) [redacted] cell
Did not witness incident.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective J. MUSSER	40710	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING.	☐ Incident	☐ Traffic Accident	☐ Custody ☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6TH AVENUE/NE HALSEY STREET PORTLAND, OR.

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ITEM | CODE

[redacted]
FW DOB [redacted]
Address: [redacted] Avenue #[redacted]
Portland, OR 97232
Phone: [redacted] cell
Did not witness incident.

[redacted]
MB DOB [redacted]
Address: [redacted] Avenue #[redacted]
Portland, OR 97232
Phone: ([redacted]
Did not witness incident.

[redacted]
MW DOB [redacted]
Address: [redacted] Avenue #[redacted]
Portland, OR 97232
Phone: (503) [redacted]
Heard shots fired, but did not observe incident.

Officers Mentioned

Detective E. KAMMERER, #29988
Homicide
Detective Division
Primary investigator.

Detective M. SLATER, #27192
Homicide
Detective Division
Primary investigator.

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING.	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE
NE 6TH AVENUE/NE HALSEY STREET PORTLAND, OR.

NARRATIVE: The order of appearance for additional information will be:
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ITEM | CODE

Detective A. DRAN, #34502
General Assignment
Detective Division
Assisted in apartment complex canvass and witness interviews.

Detective M. HOPPER, #36239
General Assignment
Detective Division
Assisted in apartment complex canvass and witness interviews.

Detective T. HARRIS, #27566
General Assignment
Detective Division
Assisted in apartment complex canvass and witness interviews.

Sergeant D. MICHAELSON, #23060
Supervisor
Detective Division
Assisted in apartment complex canvass and witness interviews.

Officer A. RUSSELL, #40932
Afternoon Relief
North Precinct
Notified me of her contact and collection of evidence from witness [redacted]

Criminalist H. DURHAM, #33027
Forensic Evidence Division
Took photographs from witness vantage points.

EXHIBITS

1. Property/Evidence Receipt 1193113:

Item 1: One CD-R of five recorded witness interviews.

I placed this item into property as evidence at Central Precinct.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective J. MUSSER	40710	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING.	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE: NE 6TH AVENUE/NE HALSEY STREET PORTLAND, OR.

NARRATIVE: The order of appearance for additional information will be:
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ITEM | CODE

2. Property/Evidence Receipt 1203055

Item 1: one page printed email from [redacted]

I Placed this item into property as evidence at Central Precinct.

SUMMARY

On May 12, 2010, at approximately 7:00 pm, I arrived at the scene of NE 6Th Avenue and NE Halsey Street to assist in an investigation regarding an officer involved shooting. I interviewed witnesses and canvassed the Cornerstone Apartments at [redacted] Avenue, along with Detective Dran, in an effort to locate additional witnesses. I interviewed witnesses [redacted] and [redacted] I obtained an audio recording of the interviews using a hand held audio recording device. I also collected photographic evidence from [redacted] and [redacted] who took pictures of the scene of the incident.

On May 13, 2010, I returned to the Cornerstone Apartments. Detective Hopper, Detective Harris, Sergeant Michaelson, and I canvassed the west and north side apartments at the location in a second attempt to locate additional witnesses. I obtained audio recordings of interviews with additional witnesses [redacted] and [redacted]

All recorded interviews were transcribed and attached to this report for further details.

NARRATIVE

Interview with [redacted]

I conducted an interview with [redacted] on May 12, 2010, at 7:55 pm, inside the [redacted] located at [redacted] Clackamas Street. I recorded the interview using a hand held audio recording device with [redacted] knowledge and permission of the recording. [redacted] told me he

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective J. MUSSER	40710	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING.	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE
NE 6TH AVENUE/NE HALSEY STREET PORTLAND, OR.

NARRATIVE: The order of appearance for additional information will be:
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ITEM | CODE

was sitting inside his vehicle at a stop sign on the northeast corner of NE Halsey Street at the intersection of NE 6TH Avenue. He said he was facing west bound on NE Halsey Street, as he was enroute to the McDonald's on the Northwest corner.

[redacted] old me it was approximately 6:30 pm when he stopped at the mentioned corner. He said he looked to his left and saw a traffic stop of a silver car that was driven by a young black male who was wearing a [redacted] hat. He said he also noticed a man with a beard and a bicycle standing at the Northeast corner watching the traffic stop. [redacted] said he observed police pointing handguns towards the man in the silver car and heard the police yelling commands at the man to put his hands on the steering wheel. [redacted] old me the traffic stop was to the south of his location, and when he realized he was down range of the police officers handguns, he drove to the nearby McDonald's.

[redacted] said he drove through the McDonald's drive through, ordered a cheeseburger, and parked his vehicle in the parking lot along the street to the North of the location. He told me he heard shots fired while he was parked and consuming his cheeseburger. He said he heard five to six shots and described the shots as sounding like "a string of firecrackers going off." After he heard the shots, [redacted] said he walked south on NE 6TH Avenue and looked towards the traffic stop.

[redacted] told me he observed a police officer sitting on the ground, the windshield to the silver car was "shot out", and police were still pointing there guns at the silver car. [redacted] told me he saw a woman standing in front of a house and the man with the beard still watching the traffic stop. He said the man with the beard told him he thought the police had tased the driver of the silver car. [redacted] told me he went and stood behind a concrete wall when he realized they were still down range of the officer's aimed guns.

Wher[redacted] arrived home after have left the scene, he told me he watched the seven o'clock news on channel eight. He said he saw the news reporting about the shooting incident, and he decided he should return to the scene and talk to an officer about what he observed.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective J. MUSSER	40710	DET	A	GEN	

PORTLAND POLICE BUREAU — **CONTINUATION REPORT** — Page/Of 7/12

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING.	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE: NE 6TH AVENUE/NE HALSEY STREET PORTLAND, OR.

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ITEM | CODE

See attached transcription of interview for further details of [redacted] statement.

Interview with [redacted]

I conducted an interview with [redacted] on May 12, 2010, at 9:44 pm, inside the Keizer Dental Building at 1314 NE Grand Avenue. Officer Russell had notified me she had contacted [redacted] and was told [redacted] witnessed the incident. Officer Russell also told me she collected a memory card from [redacted] camera after [redacted] told her she took photographs of the incident. Officer RUSSELL gave me the memory card and property receipt, which I then gave to Criminalist Durham per the direction of Detective Kammerer.

I recorded the interview with [redacted] using a hand held audio recording device with [redacted] knowledge and permission of the recording. [redacted] told me she was sitting inside her vehicle, which was parked in the parking lot on the NE 6TH Avenue side of the Keizer Building. She told me it was sometime during the six o'clock hour and she was arriving for work. While she was in her vehicle, she said she observed two officers talking to someone in a car to the right of her location.

After what she estimated to be a minute or two, [redacted] told me she heard multiple sirens in the area, and saw additional police officers arrive at the scene of the traffic stop. She told me she saw police officers surround the stopped car and try to open the doors to the car, but they could not get in. [redacted] told me she heard a shot and then she observed all of the officers pull out their guns and shoot into the car. [redacted] told me she saw one of the officers "slumped", and saw one or two officers drag the slumped officer away.

[redacted] told me she had her camera with her and took photographs from her vantage point after she heard the shots. She said she gave the memory card from her camera to Officer Russell.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective J. MUSSER	40710	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE:				
10-38353	OFFICER INVOLVED SHOOTING.	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6TH AVENUE/NE HALSEY STREET PORTLAND, OR.

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ITEM | CODE

See attached transcription of interview for further details [redacted] statement.

Interview with [redacted]

Detective Dran and I contacted [redacted] at apartment [redacted] inside the Cornerstone Apartment complex during our canvass of the building on May 12, 2010. I conducted an interview with [redacted] inside his apartment in the presence of Detective Dran. I recorded the interview with [redacted] using a hand held audio recording device with [redacted] knowledge and permission of the recording. I began the interview at 11:52 pm.

[redacted] told me he was inside his apartment when he heard yelling and shots fired outside of his apartment, which has a balcony that faces NE 6TH Avenue. After hearing the shots, [redacted] said he walked outside onto his balcony. He said he was unaware there was a traffic stop being conducted outside of his apartment until after he heard yelling and gunfire, and walked across his balcony and observed the vehicle that had been "fired upon."

The yelling [redacted] said he heard was similar to "step out of the car." When [redacted] looked outside, he said he saw police officers had their guns drawn and had a vehicle blocked in. [redacted] told me the gunfire he heard was very rapid, sounded like it was from an automatic weapon, and was approximately ten to fifteen rounds.

When [redacted] walked out onto his balcony, he said he was able to get a better vantage point, and saw a person slumped outside of a grey vehicle. [redacted] told me he saw an unknown race male with his upper torso slumped outside of an open front passenger door of the grey vehicle, he was face down in the gutter, and he had one foot still in the vehicle. [redacted] told me the slumped subject's right arm was under his torso. He said he saw the subject take his "last breaths" because [redacted] said it appeared as if the slumped body was gesturing as if gasping for air.

[redacted] told me he heard officers yelling commands for someone to step out of the vehicle. He said he assumed maybe someone else was inside the vehicle.

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING.	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE: NE 6TH AVENUE/NE HALSEY STREET PORTLAND, OR.

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ITEM | CODE

[redacted] also said he saw three officers staged tactfully behind a tractor which was parked across the street from the grey vehicle. He said there was no way the officers could have seen the slumped subject's hands because they were not visible.

[redacted] described the formations he witnessed officers take as they addressed the person inside the vehicle. He said he saw an officer fire an orange or red colored shotgun at the slumped subject. He said he also observed an officer drive away from the scene with an unknown subject in the backseat immediately after he heard all the gunfire. [redacted] told me he witnessed officers drag the slumped subject out of the vehicle and place him in handcuffs.

[redacted] told me he took photographs of the incident while officers were addressing the subject slumped outside of the vehicle. [redacted] gave me the memory card from his camera to take as evidence. He downloaded the pictures from the memory card to his computer before I seized the memory card, but he told me the pictures would still be on the memory card. I gave the memory card to Criminalist Durham per the direction of Detective Kammerer.

See attached transcription of interview for further details [redacted] statement.

Interview with [redacted]

I contacted [redacted] at apartment [redacted] inside the Cornerstone Apartment Building during our second canvass of the building on May 13, 2010. I began a recorded interview at 6:45 pm, with the knowledge and permission of [redacted] that the interview was being recorded using a hand held recording device.

[redacted] told me he was home inside his apartment during the time of the incident. He said he heard a noise outside and opened his sliding door and looked outside his balcony, which faces to the North overlooking NE Halsey Street. [redacted] said he saw a woman in a red car and said the woman was screaming. Shortly after observing the woman screaming, [redacted] said he saw police arrive and ask the woman to get out of her car.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective J. MUSSER	40710	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING.	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6TH AVENUE/NE HALSEY STREET PORTLAND, OR.

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[redacted] told me he thought the incident involved a traffic accident and did not know it involved a police shooting until after he heard someone mention that a subject had shot at police and police shot back. After he heard about the shooting, [redacted] said he realized the noise he had heard were gun shots.

See attached transcription of interview for further details [redacted] statement.

Interview with [redacted]

On May 13, 2010, I received an email at 8:14 pm from [redacted] who lives in apartment # [redacted] at the Cornerstone Apartments. [redacted] was responding to a business card I had left on his door during a canvass of the building earlier that evening.

I contacted [redacted] via telephone shortly after I received his email that same day. I recorded the telephone interview with the knowledge and permission [redacted] that our conversation was being recorded using a hand held audio recording device. [redacted] told me he was in his living room, which has a balcony that overlooks where the incident occurred. He said he heard a "barrage" of gun shots that he first thought were firecrackers. He said he went to his balcony and saw several police officers "under cover" of an unmarked patrol car that was directly behind the "perpetrator" car. He told me he believes it might have been three officers at the patrol car and said they were yelling "exit your vehicle with your hands above your head now" at least a half dozen times. [redacted] said the police spoke very loudly and anyone could have heard them.

[redacted] said he did not see anyone exit the vehicle. He said he saw an officer lying on his back in the middle of NE 6Th Avenue and it upset him because he thought someone had killed the officer. [redacted] said he witnessed two officers rush out into the street and drag the fallen officer to safety behind a patrol car. [redacted] said he believed the officers had killed the "perpetrator" when the firing stopped and he assumed the "perpetrator" was armed because he had taken down the fallen officer.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective J. MUSSER	40710	DET	A	GEN	

CASE NO.	CLASSIFICATION	TYPE: ☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special
10-38353	OFFICER INVOLVED SHOOTING.	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

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[redacted] said there was no doubt what was expected of the driver of the vehicle because of the loud and clear commands he was given. [redacted] also said he believed the police gave the subject ample opportunity to get out of the situation with his life.

See attached transcription of interview for further details of [redacted] statement.

Interview with [redacted]

I contacted [redacted] on May 13, 2010, at his apartment during a second canvass for witnesses in the Cornerstone Apartment Building. [redacted] said he was asleep at home during the incident. He told me he did not witness nor hear the incident when it occurred. When he awoke, he said he noticed crime scene tape around the area of the incident.

Interview with [redacted]

I contacted [redacted] at her apartment on May 13, 2010, at approximately 12:46 am, during the first canvass for witnesses in the Cornerstone Apartment Building. [redacted] told me she did not witness the incident. [redacted] called me later that day and told me her daughter had witnessed the incident. [redacted] said Detective Warren and Detective Burkeen interviewed her daughter.

Interview with [redacted]

I contacted [redacted] on May 13, 2010, at her apartment during a second canvass for witnesses in the Cornerstone Apartment Building. [redacted] told me she and her roommate, [redacted] were not at home during the incident.

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING.	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special	M	B	010485

SUBJECT'S NAME: OTIS, KEATON DUPREE

LOCATION OF OCCURENCE: NE 6TH AVENUE/NE HALSEY STREET PORTLAND, OR.

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Interview with [redacted]

I contacted [redacted] on May 13, 2010, at his apartment during a second canvass for witnesses in the Cornerstone Apartment Building. [redacted] told me he did not witness the incident.

Interview with [redacted]

I contacted [redacted] on May 13, 2010, at his apartment during a second canvass for witnesses in the Cornerstone Apartment Building. [redacted] told me he was inside his apartment during the incident. He told me he heard five to six gun shots outside, but he did not look out the window for fear of "wild bullets." [redacted] told me he looked out his window a few minutes after he heard the shots and saw a vehicle "pinned in." [redacted] did not seem to have any other details regarding the incident.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective J. MUSSER	40710	DET	A	GEN	

UREAU OF POLICE
619 NW INDUSTRIAL WAY, STE. B4
ORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	AM	REFER CASE NO.	PPB CASE NO.
No. 1193113	051810	1700 PM		10-38353

CHECK ONLY ☒ EVIDENCE | FOUND PROPERTY | PRISONER'S PROP. | SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐

HOME ADDRESS CITY STATE ZIP

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

P.P.B.

SIGNATURE

HOME ADDRESS CITY STATE ZIP PHONE

TYPE OF INCIDENT: OFC INVOLVED SHOOTING

DELIVERING OFFICER: J. MUSSER

BEST ASSIGN: 40710 / DET

LOCATION WHERE SEIZED FOUND SURRENDERED: N/A

INVESTIGATOR (IF DIFFERENT): E. KAMMERER

BEST ASSIGN: 29928 / DET

☐ DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB

☐ SUSPECT

FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORGIN LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1: CD-R OF 5 RECORDED WITNESS INTERVIEWS.		
ITEM 2		
ITEM 3		
ITEM 4		
ITEM 5		
ITEM 6		
ITEM 7		
ITEM 8		

LOCKER	DATE	RECEIVED BY
C27	051910 0100	

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

INVENTORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION	BY	WHITE - RECORDS COPY YELOW - CITIZENS RECEIPT PINK - WITH PROPERTY
D. TIME:		

02-01-10

UREAU OF POLICE
319 NW INDUSTRIAL WAY, STE. B4
ORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	AM	REFER CASE NO.	PPB CASE NO.
No. 1203055	051910 1900	PM		10-38353

CHECK ONLY: EVIDENCE | FOUND PROPERTY | PRISONER'S PROP. (CAVE COPY YES / NO) | SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐

HOME ADDRESS CITY STATE ZIP

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

P.P.B.

HOME ADDRESS CITY STATE ZIP PHONE

EVOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

SIGNATURE

TYPE OF INCIDENT: OFF INVOLVED SHOOTING

DELIVERING OFFICER: J. MUSSER BPST/ASSIGN: 40710 / DET

LOCATION WHERE SEIZED/FOUND/SURRENDERED: 1111 SW 2ND AVE

INVESTIGATOR (IF DIFFERENT): E. KAMMERER BPST/ASSIGN: 29980 / DET

☐ DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB

☐ SUSPECT

FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORGIN LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1: ONE PAGE EMAIL FROM		
ITEM 2		
ITEM 3		
ITEM 4		
ITEM 5		
ITEM 6		
ITEM 7		
ITEM 8		

DELIVERED TO: PAR / CRIME LAB / SATELLITE PROP. ROOM / PRED / OTHER	LOCKER	DATE	RECEIVED BY
	C27	051910 1900	

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

INVENTORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION	BY	WHITE - RECORDS COPY YELOW - CITIZENS RECEIPT PINK - WITH PROPERTY
DATE TIME:		

02-01-10

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL TAPED STATEMENT TRANSCRIPTION

Musser: This is Detective Jennifer Musser with the Portland Police Bureau and I am here with [redacted] and it is May 12th at 7:55 PM, and we are conducting a witness interview. Oh, so you were parked...

[redacted] _____

Musser: ...or you were sitting in your car.

[redacted] No I was, um, heading, um west on, uh, Northeast Halsey and came to a, a stop at the corner of Northeast Sixth and Halsey and to my left I noticed the, there was a car, a small silver car.

Musser: Okay.

[redacted] With a, a young black man with a [redacted] hat on and there's a, the police had, uh, _____ and told the, uh, individual in the car to, uh, put his hands, um, on the steering wheel where they can see it and uh, where I was parked at the stop sign witnessing this I realized that I was in the line of fire (laughs) so to speak.

Musser: Not a good place to be.

[redacted] And, uh, so I proceeded to, um, pull into the McDonalds, uh, drive through for, and ordered a dollar cheeseburger.

Musser: Okay.

[redacted] And, uh, and to my right was an individual on a bike who had a, a beard and you know and I acknowledged him and, uh, you know we kind of _____ each other but, uh, I didn't want to hang around and so by the time that I ordered my cheeseburger, paid for it and, um, got my bur, as they handed my burger through the drive-up window I heard this rapid succession of shots so I, uh, pulled, parked my car, got out, walked around the corner of, which would be, I believe like Weidler and Sixth and I saw the police officer on, on the ground, uh, sitting on his, he was, he was upright but he was on the ground like, you know, like this, you know.

Musser: So basically sitting up with his legs out...

[redacted] Like that.

Musser: ...in front of him and his hands in front of him, is that what you're showing?

[redacted] No he was, not, I don't know where his hands were but...

Musser: Okay.

[redacted] ...I, I noticed that, I go gosh the, an officer's down, you know, but not completely laying down.

Musser: Right.

[redacted] And, um, (clears throat) I noticed that the windows were, uh, shot out of the, the car and, um, and then I, you know, you know, saw the guy with the beard and, uh, you know asked, you know I said, you know, because I know that he pretty much saw the whole thing and, uh, and I said, um did you the police officer (noise near tape player) that got see on the ground and he said no I didn't see that, but uh, he said that he, um, thought that they had tased, uh, the, uh, guy and, um, and at that point the officers still had their guns drawn in our direction and, um, and I thought well I didn't know whether the guy was still alive or I don't know, you know, what had happened it was, you know, a block away but I, it didn't make sense to be in the line of fire again (laughs)...

Musser: Right, smart man.

[redacted] ..._____ in _____ direction, so I walked, uh, uh, went back to the parking lot and I, I, um, did see some woman that looked like she lived there and she was going to ask him what things were happening and, you know, and elaborate and, uh, then several or many police cars showed up on the scene and, um, one of the police officers that first arrived, um, I went up to the police officer and I said that this gentleman with the beard and the bicycle pretty much saw the whole thing and, um, so they started interviewing him. I didn't tell them what I had seen or anything but, and so I just went home and then turned on the TV and I realized oh this is, maybe I should come back and (laughs).

Musser: Thank you so much, thank you.

[redacted] Uh, you know, uh, you know 'cause I, you know, I don't know if what I have to say is important but, uh, at least, you know, you know I didn't see, um, anything that was, uh, how do I say this, um, you know I thought that, that the police were taking very, uh, a very precautionary measures with this individual and you know,

um, but I, I, uh, just thought that you know maybe it wasn't important but after I got home I thought well maybe I should come back and tell you what I saw so.

Musser: Right okay so if you don't mind, um, I want to go over this a little bit and, uh, I have some questions I want to ask you, so your (clears throat) according to what we've drawn here with, um, north at the top of the page showing Sixth Avenue and Halsey and we've got our four corners and on the northeast corner, um, you are sitting in your vehicle at a stop facing westbound, is that correct?

[redacted] Yes.

Musser: Okay and then you look over and this guy on the bike is he in the street, on a sidewalk?

[redacted] He's on the corner.

Musser: Okay.

[redacted] You know, uh, you know, you know he was there, uh, you know when I pulled up.

Musser: Okay.

[redacted] And, um, and, um, and for the lack of me I don't know why he stayed there, you know but he did (laughs).

Musser: But it, did it look like he was looking over towards where the car stop was?

[redacted] Yeah, he was, he was watching the whole thing.

Musser: Okay. Now do you remember, um, and just, do you remember what's on this corner just to clarify our corners real quick.

[redacted] I, I, you know, I, I, I know McDonalds is on the, uh, northwest corner…

Musser: Okay.

[redacted] …'cause that's where I was headin' to.

Musser: Okay that's okay and do you remember what's on the, uh, southeast corner?

[redacted] I think it's an apartment building or something like that.

Musser: Okay and do you know what's on the southwest corner?

[redacted] To be honest I don't know.

Musser: Oh, no that's okay, um, so as you're pulling up to the stop what is it that catches your eye, is this traffic stop just happening is it already going on.

[redacted] It's, it's, it's, it's already, the guys pulled over the lights are on.

Musser: What do you mean lights on.

[redacted] The police car.

Musser: Okay so the overhead lights like the red and blue?

[redacted] Um-hm, um-hm.

Musser: Okay and how many police cars are there do you know?

[redacted] I think there at, are at least two cars.

Musser: Do you know where they were in relation (tapping noise) to the car that's pulled over?

[redacted] There in back of him.

Musser: Okay, so approximately two cars in back of this car that's pulled over.

[redacted] Yes.

Musser: And then do you remember I think you said what color of the car is that's pulled over.

[redacted] It was, silver.

Musser: Okay.

[redacted] It was a very small compact car.

Musser: Okay and um, were there people inside it or outside it?

[redacted] There was the individual inside the car.

Musser: Do you know where?

[redacted] In the driver's seat.

Musser: Okay.

[redacted] Driver's side.

Musser: And how would you, could you see that guy?

[redacted] Um-hm.

Musser: Um, is it fair to say it was still light out?

[redacted] Yeah.

Musser: No _____, okay, uh.

[redacted] I think it was, you know, approximately six-thirtyish.

Musser: Okay.

[redacted] You know, uh, maybe not, not, maybe not even that late, um, I work in the neighborhood for, uh, in the Lloyd Tower as a real estate agent.

Musser: Okay, um, uh, you had said earlier a black man, can you estimate age or do you know younger older.

[redacted] He, he appeared to me to be relatively young, I would, if I was to a age, you know, group I would say he's probably in his twenties.

Musser: Okay.

[redacted] Would be my guess.

Musser: Okay and then you said you described a [redacted] hat, why would you say it's a [redacted] hat?

[redacted] Well it's kinda like you know like, you know, like, uh, these guys from Jamaica wear, you know, it's, uh, you know, they'd have some type of maybe, uh, dreadlocks or, um, or an afro…

Musser: Okay.

[redacted] …and then they have this woven hat that's kind of like what Bob Marley would wear or something.

Musser: Okay.

[redacted] You know, these [redacted] hats.

Musser: Any particular colors that you saw?

[redacted] I, fffffffff, it, it, non discreet I mean nothing bright, I think more subtle colors I think.

Musser: Okay so just none in particular that you remember, okay. Um, um, and then I think as you described, you pull into the McDonalds to get a cheeseburger, um, I'm assuming you went to the drive-thru by the way you described it?

[redacted] Yes.

Musser: Okay, when you were in the drive-thru did you still have a line of vision of this corner?

[redacted] No.

Musser: Okay. Do you remember what was blocking your view or it just, I think if I remember if the McDonalds building is here.

[redacted] Yeah, yeah, so you.

Musser: The drive-thru is.

[redacted] You, you come in here, you come around, you place your order here and you drive here.

Musser: Okay.

[redacted] And so I was, you know I just ordered a dollar cheeseburger and there wasn't anybody in front of me and it went pretty quick and I gave them the dollar and then, then as I was sitting waiting for the cheeseburger, uh as the gals handed me the thing that's when I heard the gunshots.

Musser: Okay, um, and we're going to get to that but real quick, so you, you pulled forward, so you just see a car stop going on.

[redacted] I, I.

Musser: Are guns drawn at this time?

[redacted] Yes.

Musser: Okay so you look over a car stop is going on, do you see guns come out or you look and guns are already out?

[redacted] Guns are already out.

Musser: Okay.

[redacted] And they're pointed at me, in, uh, or in my direction (laughs).

Musser: So like in a northeasterly direction.

[redacted] Yes because they're over here, you know, you know, and you know, he's in the car and, you know, so it's, you know.

(Tapping)

Musser: So is it fair to say, um, you see guns, is it because you can see the officers over the car or are they out in the street?

[redacted] They're in the street.

Musser: Okay do you remember how many officers you saw?

[redacted] Uh, uh, at the minimum of two.

Musser: Do you remember if they were male or female officers?

[redacted] I believe they were male.

Musser: Do you remember anything about them other than obviously they look like, we all look the same police officers in blue, shaved head, hair, hats, anything like that?

[redacted] Uh, uh, you know.

Musser: Height?

[redacted] Big guys.

Musser: But nothing in particular, but if you were to see them again do you think you'd recognize them?

[redacted] Not particularly.

Musser: Okay.

[redacted] I, I wasn't really focusing on the police so much, um, you know I, you know I just kind of looked over and saw this guy pulled over, you know, and, uh, you know, you know, looked like to me it was a traffic infraction and, you know and I, and I kind of said to myself well this is, this is kind of a, an aggressive traffic stop (laughs) but, uh, but you know, I mean then again, it, than I thought well maybe this could be a stolen car.

Musser: Right.

[redacted] You know, uh, drugs or something I don't know, um, you know but, you know, (sigh) you know, when I after focusing on the individual being pulled over it was then when I saw that the guns were drawn I thought well.

Musser: When you saw the what was gone?

[redacted] Uh, when the guns were drawn.

Musser: Oh.

[redacted] And, and pointed in my direction, you know, not that they were aiming at me.

Musser: Right, _____ smart move to get out of the line of fire.

[redacted] Yeah.

Musser: (Laughs)

[redacted] I just didn't want to hang around and, and, you know, I didn't want to interfere with what was going on, I, I didn't want to park over and, you know, see what else was going on, I just went on with my business. It was only after I heard the, the gunshots.

Musser: Right.

[redacted] And I thought oh my goodness they shot the guy.

Musser: Um, when you say you saw at least two officers and you saw guns, I don't know if you know much about guns, this gun I have here on my hip is a handgun, obviously there's larger guns like rifles and shotguns, would you say they were holding handguns, rifles.

[redacted] No they were hold, holding, uh, handguns.

Musser: Okay.

[redacted] It seemed like it looked like a standard issue glock.

Musser: Okay. Now, so you see the car stop you see the officers with guns drawn you pull into the McDonalds and you are in the drive-thru and you hear a succession of shots, could you estimate how much time went by from time you're at the stop sign and you see the officers to the time that you hear the shots.

[redacted] Um, probably took, I guess we could ask McDonalds how fast that it takes to take an order and have it delivered but I would just say a few minutes you know.

Musser: Okay a few minutes like, um, do you think it was a minute two minutes less than a minute, how long do you think it took. You said there was no one in line, correct...

[redacted] Yeah.

Musser: ...so you placed your order.

[redacted] Yeah.

Musser: So pretty much from the time it takes you to pull into the driveway.

[redacted] Um-hm.

Musser: I don't want to put words in your mouth I'm just...

[redacted] Yeah.

Musser: ...just trying to describe. So you, you don't hesitate you pull into the driveway you order a cheeseburger.

[redacted] Yeah.

Musser: You pull up to the window.

[redacted] Pay the dollar.

Musser: 'Kay.

[redacted] And then, um, drive up to the, the window there and, and the burger wasn't right there waiting for me, they (laughs), you know.

Musser: Right.

[redacted] But, uh, but it was shortly thereafter that.

Musser: Okay.

[redacted] And you know, it may, may be a couple, couple minutes, uh, you know.

Musser: Okay. Would you say more than two or no more than two, I know they are tedious questions, I'm a detective that's what I do, sorry (laughs).

[redacted] I mean I guess, um, to drive there from the stop sign to the order, you know, I guess it would take thirty seconds or something and then, um, uh, him another thirty, minute there to hand the dollar off and another minute, so approximately two minutes I would say.

Musser: Good.

[redacted] Would be the time point, timeline.

Musser: Okay now, um, you said you heard a succession of shots, do you know how many you heard?

[redacted] It went pop, pop, pop, pop, pop, you know, I mean it was, one two three four _____ I would say five or six rounds were fired.

Musser: Pop, pop, pop, pop, pop.

[redacted] Yeah, I mean.

Musser: So it was only about five.

[redacted] Five, I, yeah five to six shots I would estimate, uh, it sounded like, um, you know, um, for lack of better words, uh, you know like a string of fire crackers going off.

Musser: Okay.

[redacted] 'Cause it was pretty rapid succession of fire.

Musser: Okay. After the suc, succession of fire so you pretty much hear 'em pop, pop, pop, pop, pop, did you ever hear like a lag time and then another pop or a pop.

Maxson: No.

Musser: So you just, you heard that succession of five or six shots and that was it.

[redacted] Yes.

Musser: Okay, um, and then you hear the succession of shots and then you said you parked, correct?

[redacted] Yeah so then there's a little parking area here.

Musser: Oh that's right.

[redacted] And so, so I pull in here and finish my.

Musser: And the street kind of runs this way.

[redacted] Yeah.

Musser: Okay.

[redacted] So I finished my, uh, dollar cheeseburger and get out of my car and I'm walking in this direction and as I turned a corner then I see the policeman on the ground here.

Musser: Okay so you pretty much come to the northwest corner.

[redacted] Uh-hm.

Musser: And then you stay there and you see the officer sitting in the street.

[redacted] Yes.

Musser: And which way is he facing, do you know?

[redacted] It looks like he was facing, uh.

Musser: North _____.

[redacted] The north.

Musser: Okay and so he's sitting on the.

[redacted] Or I mean or I mean, yeah, I mean let me think here, I think he's facing this direction here kinda, he's but he's, I can see his chest.

Musser: Okay, okay and then, um, the guy on the bike, is he still on the northeast corner?

[redacted] So the guy on the bike is over here, I think that's Burger King.

Musser: So he kinda walked north a little bit.

[redacted] Yeah.

Musser: Okay.

[redacted] And so then I walk across the street to him.

Musser: Okay.

(Tapping)

[redacted] And I go wow, uh, did you, I said to him, I go did you the policeman get shot and he goes, he, he said he didn't see him.

Musser: Okay.

[redacted] Uh, he said but what he saw was that they, uh, tased the guy.

Musser: Okay.

[redacted] I go and I'm thinking to myself that doesn't sound like a tasing, it sounded like gunfire (laughs)...

Musser: Right.

[redacted] (Laughs) But you know, uh, you know, but, and it, and it, and it now this is not me saying this but I'm just thinking I was what went through my mind was perhaps _____ you know, you know they were telling this guy to, you know, put his hands on the wheel and all this stuff and you know maybe he wasn't cooperating or something and then they tased him and then when he got tased he shot the police officer and then they.

Musser: Let's.

[redacted] Shot.

Musser: Let's go back to the commands, um, you actually heard police say put your hands on the wheel.

[redacted] Put your, uh, you know, it was something like put your hands on the _____ where we can see them, where we can see them, is _____.

Musser: And do you remember, let's kinda break it down in a three, you're sitting in the car is kinda like the first thing, the second thing you are going through the drive-thru and then, um, you hear the shots and you leave. So when you are hearing these commands do you remember where, um, during this interaction you heard that, were you parked, were you at McDonalds?

[redacted] No I was parked in, on the corner.

Musser: Okay so when you were parked on the corner.

[redacted] I'm not parked, I mean…

Musser: Right.

[redacted] …I'm in drive, I'm at a stop sign.

Musser: Right, right, sorry, you're sitting at the stop sign and you notice the traffic stop.

[redacted] Yeah.

Musser: You hear commands from the police.

[redacted] Yes.

Musser: Do you remember how many, did it sound like one officer was giving commands, multiple officers.

[redacted] Gosh that's a good question, um, I can't definitively say.

Musser: Okay.

[redacted] But I, I didn't distinctly remember a command to, uh, put, uh, put your hands on the steering wheel where we can see them.

Musser: Okay so we don't know how many but definitely coming from an officer yelling to put your hands on the steering wheel, did you hear any other commands other than that or do you know how many times that was yelled?

[redacted] Um, I think they were saying that in a successive, uh, manner.

Musser: Okay so in a successive manner meaning definitely more than once more than twice.

[redacted] I think so.

Musser: Okay did you hear any other commands other than putting your hands on the wheel?

[redacted] Uh, no, you know, not to say that it didn't happen.

Musser: No and I'm not asking you to guess what happened.

[redacted] _____.

Musser: Just what you heard and what you saw.

[redacted] Yeah.

Musser: Right.

[redacted] Yeah.

Musser: Do you remember hearing anything being shouted out from the person in the car?

[redacted] No.

Musser: Okay could you see what the guy was doing, did it look like he was complying, could you not see, was there glare.

[redacted] Um, I didn't see, all I saw was his face.

Musser: Okay.

[redacted] And his hat (laughs).

Musser: Okay.

[redacted] And, uh, uh, to say I actually say that um, I saw him actually place his hands on the steering wheel I can't really definitively say that because I.

Musser: Right and I'm not asking you to make anything up, just what you saw and what you heard.

[redacted] Yeah, yeah.

Musser: So you hear commands, um, and then, uh, you had mentioned that you noticed that windows were shot out of a car, when did you notice that.

[redacted] Well after I went to the drive in, parked my car, walked down the street, saw the policeman, you know, in the street and then I saw the windows of the car shot out.

Musser: And which car?

[redacted] The, the _____ of the victim I guess, uh.

Musser: Okay so the silver car that's being pulled over?

[redacted] Yeah.

Musser: Not a police car.

[redacted] Correct.

Musser: Okay, um, could you tell what window was shot out?

[redacted] I think it was the front window.

Musser: So front, um, of the windshield.

[redacted] Uh-hm.

Musser: Okay, um, okay and you then you walk over to the guy on the bike whose standing on the east side of the corner and you guys have a conversation.

[redacted] Uh-hm.

Musser: Um, let's see and we already described the guns were pointed from what you remember to the north, northeast direction.

[redacted] Uh-hm.

Musser: Um, now you had mentioned that, um, after you eat your cheeseburger and you walk back onto Sixth that you see a woman you believed lived there.

[redacted] Yeah I think she lived like right here.

Musser: So you think on the northwest side of the street, so is there a house, I know this, this right here is a McDonald's lot, is there a house kinda north of the lot?

[redacted] Yes.

Musser: Okay, um, where was she?

[redacted] She was in front of her house.

Musser: Okay.

[redacted] And, um, we went, you know, we kinda went back across the street, um, and then she was talking to some, I don't know what she was just kinda asking what was going on or something, I didn't really talk to her and the, the, uh, guy on the bicycle with the beard, we went back to the, oh, oh, I remember, um, 'cause the, the guns were still drawn.

Musser: Okay.

[redacted] And, um.

Musser: This was after you noticed the officer down?

[redacted] Yeah.

Musser: Okay.

[redacted] And, uh, and, and I'm telling this woman, I go excuse me but, you know, we're in the line of fire and I'm going to step behind this concrete wall here (laughs) and you know and you know and you know, uh, yeah so that's, you know, and so that's what was kinda confusing to me because, uh, um, uh, 'cause all of these gunshots that took place, you know, I would have thought whoever that was the recipient of those shots wouldn't be doing anything and you got, they still had their guns drawn, um.

Musser: Okay.

[redacted] And, uh, so I didn't know, I, I didn't see the guy and didn't know what was going on but I realized that, um, the guns were drawn, pointed in a northern direction and, you know, just didn't want to, uh, be _____.

Musser: Now after the shots and which you don't see 'cause you're over here parked getting your cheeseburger, but then you walk and you see the officer in the street.

[redacted] Uh-hm.

Musser: Do you know where the guy from the car went? Did you see him around anywhere?

[redacted] I didn't.

Musser: Okay.

[redacted] 'Cause the, well I think the windshield was shattered and…

Musser: Okay.

[redacted] …I couldn't really see inside the car.

Musser: Um, do you know, could you describe the woman that you think lives in that house, do you know if she was one of the witnesses that was waiting to talk to officers or do you know what she looks like?

[redacted] Um, I guess if I saw her in a line-up I could probably identify her (laughs).

Musser: Okay was she, what nationality, a female.

[redacted] A female maybe Hispanic, ____ a short heavyset gal, long hair.

Musser: Long hair.

[redacted] And I don't know if she really saw anything.

Musser: Okay.

[redacted] Uh, but, uh, maybe just after the fact, but I don't know.

Musser: Um, what color was her hair?

[redacted] Dark hair.

Musser: Okay, um, so then you see an officer and you mention that the guy on the bike or you mention something to the officer and then you go home.

[redacted] Yeah, so, uh, one, one of the first police officers that arrive on the scene, um, parks his car, uh, drop, you know, blocking off the, um.

Musser: So to the north of Halsey, the street to the north of Halsey.

[redacted] Yeah this, this is uh.

Musser: This is Halsey.

[redacted] Yeah, so, so.

Musser: To the north of there.

[redacted] Yeah north of Halsey one block, um, you know, I guess this is Weid, where Weidler and, uh.

Musser: Sixth.

[redacted] Sixth and Weidler he, he pulls his car there and he gets out and, um, uh, and I went up to him and I said, um, was officer shot.

Musser: Okay.

[redacted] You know, 'cause I saw the guy on the ground and he said yeah and, uh, I said oh wow, um, um, and then I said, um, I said to the officer I said this gentleman here pretty much saw everything.

Musser: Okay.

(Background noises and voices)

[redacted] And, uh, so he, and another officer just arrived shortly thereafter and of course by then, the whole City of Portland Police Department show up.

Musser: Sorry, um, so then officers show up, um.

(Door closing)

[redacted] And so, uh, that officer…

(Background voice and laughing in background of interview for a few moments)

[redacted] …and another one, um, um, another officer, uh, so there's two officers, took down a statement from a guy.

Musser: Okay.

[redacted] And, um.

Musser: So than you go home.

[redacted] So then I figure, you know, this guy pretty much saw everything I did, uh, you know and you know maybe even more and so I thought, you know, he was a more credible witness than I am and I went home, uh, turned on the news and then I realized that, uh, um, you know that, um, you know that they're interviewing the

po, the news departments interviewing these guys that were hearing the gunshots, you know, and I'm going.

Musser: Do you remember what channel news you were watching?

[redacted] Channel eight.

Musser: Okay how much time do you think elapsed from the time that you left the scene, went home and saw the news and came back?

[redacted] Um, forty five minutes or something, I.

Musser: And did you.

[redacted] I, I turned on the news at, um, seven o'clock, I got home at seven o'clock and left the home at 7:15 I think.

Musser: Okay.

[redacted] 'Cause, I, I, I realized it and I said gosh you know, um, you know, maybe I should come back, you know.

Musser: Um, during the time that you left did you talk to anyone that may have possibly seen what happened?

[redacted] No.

Musser: Okay, um, from what you saw on the news, um, do you think that anything you heard on the news has influenced what you're recollecting that you saw?

Female1: _____.

Female2: Well _____.

(Continual background conversation during interview)

[redacted] Um, uh, to be honest, uh, you know I heard the, the pop, pop, pop, pop, pop.

Musser: Right.

[redacted] And one guy on the news, you know, described it as a string of firecrackers and, and I thought that was pretty accurate description.

Musser: Okay so you agree its not that it influenced what you saw, um.

[redacted] It just reinforced what I heard.

Musser: Right, okay, um, it's everything that you're telling me then is true to what you remember or saw, not from what you've heard or anything that influenced your decision when you.

[redacted] Right.

Musser: Okay.

[redacted] Yeah.

Musser: Okay, um, now you said that, um, um, that the police took cautionary measures or that they were taking cautionary measures, uh, you had mentioned something about taking cautionary measure while they were on the traffic stop, um, sorry.

[redacted] Yeah, yeah I mean, and, and, and the reason being is I, I've been pulled over for not signaling at a traffic signal and you know, had gotten pulled over and, um, you know the policeman comes up and asks oh, what did, do you know what you did wrong and I had no idea and he said you didn't turn on your traffic signal and I go well there was nobody to traffic signal to, there's, the street's empty (laughs) and so, you know and so I roll down my window, he comes up and you have a, you talk to the police officer, you know.

Musser: Right so from your experience in a traffic stop obviously because guns weren't pointed at you and it wasn't nec.

[redacted] Right, yeah, he didn't, he didn't come up and have his guns drawn and say put your hands on the steering wheel where I can see 'em, you know.

Musser: Right.

[redacted] So, you know, so, um, eh, eh, so my first (shuffling noise) reaction you know was, you know it looked like they guy was, the guy was pulled over to the side, he wasn't um, um, in the middle of the street, you know, you know, you know, but, you know, but obviously there's some, the police must have been alerted to something for them to, um, approach that car in the manner that they did with the guns drawn.

Musser: Right, okay (door closing) so obviously you know then that, um, we're not just going to pull our gun out on everyone at a traffic stop, so you believe that there was some other circumstance for _____.

[redacted] Yeah, yeah, you know…

Musser: Okay.

[redacted] …what, what it is I have no idea.

Musser: Okay.

[redacted] …but it could be a stolen car, maybe you know, uh, whatever, you know that, uh, warranted them to take this, you know, in my opinion to take this, you know in my opinion it seemed like a very standard, uh, precautionary measure for a potentially dangerous person.

Musser: Correct, okay, um, um, was there anything that you saw while you saw the traffic stop or even after you heard the shots, um, that caused concern to you, obviously the first is going to be the guns drawn you get away from the line of fire. Is there anything else, any actions of anyone, civilians, police, um, that caused concern other than obviously the guns being drawn?

[redacted] Well, uh, you know after the gunfire took place and, um, there's all kinds of people on the street here, and the, the police officers still had their guns drawn and I just thought, um, um, it's not smart to be in the line of fire (laughs), you know, and you know, and, uh, and, but even the, you know, uh, you know we were kinda loitering around and didn't want to go any further than, uh, once I realized that the, the, the thing wasn't over yet 'cause the guns were still drawn.

Musser: Right, um, did you see any other actions taken by the police, did you see what happened after you saw the officers sitting out in the road?

[redacted] He was in the road, I saw that, uh, that, uh, the, the police had guns drawn, it looked like they were over on this side, you know.

Musser: Over on the sidewalk.

[redacted] On the sidewalk and, and of course then it was in the line of fire to where we were on the other side of the street in front of this house here, _____ drive through there.

Musser: Okay.

[redacted] And so, um, I, and I remember distinctly wanting to get behind this concrete wall in the event that, uh, more gunfire went off.

Musser: So obviously it's kinda setting off bells and whistles if you will, you see guns drawn, something's not right, something dangerous is going on and you're, you want to seek cover.

[redacted] Yes.

Musser: Right, you're very smart. You'd be amazed at how many people, uh, don't seek cover when they see guns drawn. Um, when you describe that you were at the stop sign and you saw, um, two police cars behind this car that's pulled over and then you lose site and you walk back out onto Sixth and you look down at the traffic stop, do you remember if you saw any more police cars?

[redacted] I think I'm hearing police, um, uh, sirens going off, um, and I think maybe some more police cars are on the scene.

Musser: Okay but you don't remember for sure?

[redacted] Uh, you know, I, you know I'm not, uh, I, I guess, you know when I see guns drawn in my direction, I, I just don't, um, fixate it like a deer in the headlights, you know.

Musser: Right.

[redacted] I'm, I've, I've kinda got you know.

Musser: Like fight or flight?

[redacted] Uh, yeah.

Musser: Got to get out of there, right?

[redacted] And so, um, uh, so, uh, uh, yeah so, you know, why they kept the guns drawn, you know so long after the fact I have no idea.

Musser: Okay.

[redacted] But, uh, it was enough for me to move on.

Musser: Okay, um, and obviously and I'm not asking you to speculate what was going on, um, you don't know why guns are drawn and that's fine I don't want you to make up an excuse, but from what you're describing to me clearly you're saying that you believe the officers are acting within actions because something dangerous is going on. Is there anything you saw that you think, um, there was some sort of misconduct or anything disturbing you saw about officer behavior or.

[redacted] You know I think that, uh, I think that they were kind of going by, I mean if you want to use the term textbook.

Musser: Okay.

[redacted] You know, I didn't see, um, I didn't hear anything I didn't see anything, that that that, um, was unusual, uh, uh, for a policeman, uh, in a situation that was potentially dangerous to them.

Musser: Right.

[redacted] So I would say it was a textbook, um, uh.

Musser: Kinda like I guess you see stuff like this on TV where you see officers giving commands and then sometimes something happens and there's a shooting, um, is that kind of like what you saw unfolding or.

[redacted] Yeah I it, it, you know you, um, you know, uh, it, it, it seemed like that whatever caused them to think this gentleman individual was, uh, dangerous, um, they, um, were, you know telling this guy to, uh, do things so that, that they wouldn't, um, um, uh, uh, I guess my point is if I had police officers tell me to put your hands on the steering wheel and where they can see them I'm gonna do that (laughs), you know I mean, you know, just, you know, you know, so, uh, it, and how, you know, I, you know I don't know what developed after that point but you know, I just knew that it was time for me to get out of the line of fire, you know, so.

Musser: Okay, uh, and then when you, you met with the man on the bike briefly and the woman outside her home, did, do you recall either of them or anyone telling you what they saw specifically other than what you already described the guy on the bike saying that he saw officers tase.

[redacted] Yeah, yeah, he, he, you know I again, I, I asked him if he saw the, you know, the officer getting shot and he said that he.

Musser: So you believed the officer was shot that was on the floor.

[redacted] Yeah, yeah.

Musser: Okay and what did the guy on the bike say.

[redacted] He, he said he didn't see that or you know, he, uh, you know, he said something to the point that, that he thought that the guy got tased.

Musser: And then...

[redacted] (Laughs)

Musser: ...obviously you see an officer on the floor, if you see an officer sitting in the middle of the street either one he's not doing his job or he's hurt, what was it though that made you think, obviously you hear gunshots so you think he's shot right, did you see blood did you see him.

[redacted] I didn't see any blood.

Musser: Okay.

[redacted] Well I saw him on the street, you know and, um, and so, I, I, you know, you know obviously his, something happened to this guy, you know, later I, you know, watching TV I realized he was shot in the leg and, and that kind of made me, you know, kind of reinforced what, um, I saw that, um, uh, you know, he got shot and he was just kind of laying waiting for the ambulance to come and he's not going to lay on the street, you know, you know, he's just gonna prop himself up until, uh, you know, so, you know, um, uh, you know but it, it, um, you know, you know who knows you know, uh, maybe those shots were from the guy in the car, you know, um, and, you know I didn't see any...

Musser: Right.

[redacted] ...shooting take place at all obviously because I was in McDonalds so.

Musser: Okay, uh, is there anything else that you can think of or questions or concerns or.

[redacted] Um, that's it, you know but, um, you know I, you know I don't know if it's important what I described or not but you know, I'm happy to share what I saw.

Musser: Okay well thank you so much we are going to conclude our interview, it is 8:36 PM.

Transcribed Verbatim 05/18/2010 at 1051 hours J. Toman

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL TAPED STATEMENT TRANSCRIPTION

Musser: Okay this is Detective Musser with the Portland Police Bureau, uh, it is 9:44 PM on May 12th, and I am here with [redacted]

[redacted]

Musser: Uh, how do you say your last name?

[redacted]

Musser: Um, regarding the incident that occurred today, uh, now [redacted] um, Officer Russell said that, um, you were in your van which is parked here in front of the Kaiser Building, uh, what time was that and can you describe what happened?

[redacted] I can't exactly tell you what time it was, it was around (noise near tape), six something.

Musser: Okay.

[redacted] I don't remember, but I was parked there and then I looked to my right and I saw a couple of officers talking to somebody in a car and then a couple, maybe a minute or two, I heard a bunch of sirens going around and then I was thinking, you know, are all these sirens coming towards that car or are they going to something else, but then later I saw all the cars coming towards that car and all officers coming out. They surrounded the car, they tried to open the door, they tried to, you know, open all the doors but they couldn't get in and then I heard a shot and then all of a sudden I saw all of the officers pulling out their guns and they started shooting into the car and then I saw somebody like one of the officers slumped or, you know, and then two or one of the officers, I can't remember, grabbed the other officers trying to pull him away dragging him on the, um, pavement or something.

Musser: Dragging the slumped officer?

[redacted] Yeah, like...

Musser: Okay.

[redacted] ...trying to pull him away from the line of fire or something then all of a sudden the shooting stopped and then, um, that was it.

Musser: Okay so, um, you're in your car which is parked in the parking lot.

[redacted] Um-hm.

Musser: Because you're coming to work?

[redacted] Yes.

Musser: Okay and what draws your attention over there is it because there is a car stop going on is that.

[redacted] Yeah.

Musser: Okay.

[redacted] I saw a policeman standing there and then.

Musser: How many policemen do you know?

[redacted] I saw about two officers.

Musser: Okay so two officers, do you know how many police cars?

[redacted] I saw about two police cars.

Musser: Okay and they had a car pulled over someone on a bike.

[redacted] Somebody in a car.

Musser: Okay do you know what the car looked like?

[redacted] It looked like, like a tan or almost the color of my car but a little bit lighter.

Musser: What color is your car?

[redacted] It is like a tan is it, is that a tan color? Like the color of that couch.

Musser: Okay like what type of car.

[redacted] Like a sedan.

Musser: Okay and, um, so you see these two police officers, do you see what they're doing, are they in their car.

[redacted] No they're standing outside the, uh, person's car.

Musser: Okay do you know where in relation to the car?

[redacted] Like on the left side.

Musser: Like the driver's side or passenger's side?

[redacted] The driver's, yeah I think that car it has the driver's side would be on the left.

Musser: Okay 'cause is it, is, that way is up toward the McDonalds is north, correct?

[redacted] Um-hm.

Musser: Was it facing up that way?

[redacted] Yeah.

Musser: Okay, uh, so you see these officers standing by the driver's side of the car, what are they doing?

[redacted] I think they were talking to him or I don't know.

Musser: Okay now you say him, could you tell if it was a male or female?

[redacted] Oh, I.

Musser: No that's okay, it's.

[redacted] I _____ mistake or what.

Musser: So you don't know if it was a male or a female?

[redacted] Yeah.

Musser: Okay could you tell how many people were in the car?

[redacted] No.

Musser: But you could tell there was someone in the car?

[redacted] Yes.

Musser: Okay, um, so you see them talking and then, um, uh, do you know, um, if they were police cars like the typical police cars that you see that are white...

[redacted] Yes.

Musser: ...with that say police?

[redacted] Yeah.

Musser: Okay.

[redacted] _____ says police.

Musser: Did they have their overhead lights on?

[redacted] Um-hm, um-hm.

Musser: Okay and then what happened?

[redacted] And then I heard a bunch of sirens going on like coming from like everywhere.

Musser: Okay.

[redacted] Like, you know like I can hear sirens coming from somewhere all around, I don't know where they were coming from but as I was staring at the cops and wondering, you know, are those, is that the ambulance going somewhere but all of a sudden all these police cars started coming towards that vehicle.

Musser: Okay.

[redacted] And then all these police got out of the car and they went towards that vehicle and, uh, they were like talking or there was, I know they were saying something but then later they started trying to get into the car or trying to get it open.

Musser: Now you say...

[redacted] From _____.

Musser: ...that they're saying something like they are talking amongst themselves or they're yelling coming out of the _____.

[redacted] There's, yeah, at the first, at whoever's inside that vehicle.

Musser: So they're yelling, like do you think they were yelling commands at him?

[redacted] I think so.

Musser: Okay do you know what they were saying?

[redacted] No I didn't hear anything.

Musser: Okay and then they're trying to get into the vehicle?

[redacted] Um-hm, like the, the cops surrounded the car and I saw cops.

Musser: Like all the way around or just on one side?

[redacted] All the way around.

Musser: Okay.

[redacted] And they're trying to get the doors open or.

Musser: And then what happened?

[redacted] And then I heard a shot.

Musser: Okay did you see where that shot came from?

[redacted] No.

Musser: You said heard a shot.

[redacted] I heard a shot and then after that I saw all the officers pulling out their guns and started shooting inside the vehicle.

Musser: Okay when you said pull out guns like, like their, their, um, handgun on their hip or shotguns out of their car or do you remember what?

[redacted] I'm not going to say, uh, because at the same time I was working on my camera.

Musser: Okay.

[redacted] I'm trying to you know get a shot from there but like as soon as I heard that shot and then I look again and all the officers were shooting into that car.

Musser: Okay.

[redacted] You know like I seen them, I think it was the pistol they had, I don't know if somebody had the thing but I saw the, some of the officers were shooting with their gun.

Musser: Okay and what, did you see anything happening when they were shooting into the car with the gun?

[redacted] Then I saw one officer like bent over like he kinda went you know like this or something and then I can't remember if it was one or two officers grabbed him and dragged him.

Musser: Now when you say bend over like he was (phone ringing) standing or bent over what, just bent over himself?

[redacted] Yeah I think he got shot.

Musser: You thought he got shot like was he standing?

[redacted] Yeah he was standing.

Musser: Okay so you see him slump over…

[redacted] Yeah, slump over.

Musser: …standing up.

[redacted] Um-hm.

Musser: Okay and then what happens?

[redacted] And then now I can't remember if was two or one officers like grab him and trying to pull him away.

Musser: Did you see where they took him?

[redacted] No I didn't.

Musser: Okay, um, and then what happened?

[redacted] And then later the shots stop and then, uh, I turn around and look and the nurses were in the doorway over there and they were calling me to come in.

Musser: The nurses meaning the nurses that were here in the Kaiser building?

[redacted] Yeah.

Musser: Okay.

[redacted] They were standing from in front of the door over there. So, um, I got her in my car and came back inside.

Musser: Uh, can I ask why you took out your camera and decided to take pictures?

[redacted] I don't know if was so unreal to me like I was, I just witnessed something, um, I've never seen before and I just came from a Walgreens to purchase some of the pictures that were in there and then just all of a sudden like I have my camera, I need to take some pictures of this.

Musser: Um, so when you took the pictures was it after you heard the shots or before?

[redacted] Yeah I took the pictures after the shots because, uh, when I came from Walgreen I, I realized I bought some new batteries and I put 'em, put 'em in the wrong way.

Musser: Oh.

[redacted] So when I was trying to take the pictures of the incident it wouldn't turn on so then I was trying to figure it out and then I thought maybe I put the batteries on wrong.

Musser: Okay, um, so you said you heard a shot?

[redacted] Um-hm.

Musser: And then you heard more shots from the police? So you heard a shot and then there were more shots?

[redacted] Um-hm.

Musser: Do you know how many shots you heard after you heard that first shot?

[redacted] No it was a lot.

Musser: It was a lot?

[redacted] Yeah.

Musser: And when you said you heard those shots was it from the officers that were all the way around that light beige colored car?

[redacted] I cannot say if it's all the officers plus the person or persons in the car, I, I, but it was just a lot of shots.

Musser: And then you came inside the building?

[redacted] Yeah.

Musser: Okay, um, and then I assume 'cause I think Officer Russell…

[redacted] Um-hm.

Musser: …came here to talk to the nurses.

[redacted] Um-hm.

Musser: And then you told her that you had, um, seen the incident and then Alicia, Officer Russell took the memory card from your camera.

[redacted] Um-hm.

Musser: And then, um, uh, I will make arrangements to meet with you tomorrow so we can plug 'em in and print them.

[redacted] Um-hm.

Musser: Um, is there anything else you can think of or any questions or concerns?

[redacted] Uh, no.

Musser: Are you concerned I mean obviously you see officers shooting guns.

[redacted] Um-hm.

Musser: That's obviously…

[redacted] Um-hm.

Musser: …um, a cause for concern, is there anything about the officers behavior that you could tell that you thought.

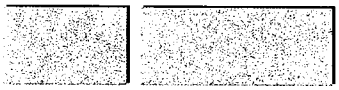
[redacted] No I was like I just saw that 'cause its like the first time I've seen, you know this shooting and I just thought wow, you know these police officers, they really risk their lives each day, you know, you never know what's gonna happen, but I just asked the officer if all the officers were okay and she said yeah, they're, they're okay, so.

Musser: Um, okay, we'll go ahead and conclude the interview. It is 9:55 PM.

Typed verbatim 05/18/2010 at 1408 hours

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010



TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL TAPED STATEMENT TRANSCRIPTION

Musser: This is Detective Musser; I am here with Detective Dran. We are in the apartment of Mr. [redacted] it's apartment number 122 at [redacted] [redacted]th Avenue, um, [redacted] witnessed the officer involved shooting today and with his permission we are going to record the interview, um, it is still May 12th at 11:52 PM. Okay [redacted] um, so you were home today in your apartment.

[redacted] Yes.

Musser: Was someone else home or was it just you.

[redacted] No.

Musser: Okay explain what you saw today, where you were.

(Sniffles)

[redacted] So as I, I heard the noise and the shooting I walked outside, um, and saw, uh, several officers with their guns drawn, um, speaking and verbalizing some directions for, uh, I guess it would be the victim that was out there, um, and that's really generally it, I mean it, it happened so quickly but I, I stood out there for the whole event until the other officers showed up.

Musser: Okay and you said when you heard the noise, the shooting, so you didn't actually see anything until you heard gunfire?

[redacted] Yes and as I walked out that's when I saw the, the, uh, the officers yelling.

Musser: Okay so you're in your apartment where may I ask?

[redacted] Right here, actually I was just trying to straighten up all of this stuff...

Musser: Okay.

[redacted] ...and I actually turned around and opened up my, opened up my curtains a little bit more and slid the door back.

Musser: Okay so, so we're on the first floor of the apartment building and you have a balcony that faces to the west which would be Sixth Street and, um, you have these long vertical blinds that are at your slider door that goes toward your, um.

[redacted] Balcony.

Musser: So the blinds were closed or open?

[redacted] They were they were cracked.

Musser: Okay.

[redacted] Uh, a bit. Can I?

Musser: Yeah go ahead.

[redacted] So they were like this.

Musser: Okay.

[redacted] So that's when I, as I turned around and saw all of the shooting I quickly draw, drew my curtains back _____ (sound of moving the blinds) back this way and went outside.

Musser: Okay did you see, um, did you know that there was a car stop or police action going on before you heard the shooting?

[redacted] No I couldn't see, I couldn't actually see the, uh, the, uh, vehicle, um, that was fired upon until I walked clear across towards my balcony, that's the only way 'cause it's very obstructive _____.

Dran: Can we take, can I take a look to see for perspective.

[redacted] Yes.

(Noise of moving blinds)

Dran: _____.

[redacted] Yeah there's no way to really see the other vehicle from even with my back turned this way.

Musser: Okay.

[redacted] Um, facing my kitchen, it's difficult to see even the car standing up.

Musser: Okay so, so you didn't even know there was a car stopped.

[redacted] No.

Musser: So your first knowledge of any sort of police action going on was you hear gunfire.

[redacted] Just gunfire.

Musser: Okay.

[redacted] Or yelling and gunfire actually.

Musser: Yelling and gunfire?

[redacted] Yes.

Musser: Or, so you heard yelling first and then…

[redacted] Yes.

Musser: …gunfire. Do you remember what the yelling was that you heard?

[redacted] Um, I recall them saying _____ step out of the car.

Musser: Step out of the car?

[redacted] Yes.

Musser: Okay now when you first heard that since you didn't know a, a car stop, a police traffic stop was going did you think it was police at that time or did you not know what was going on?

[redacted] Well with the curtains drawn that way I, I was able to see a couple of officers from here 'cause they, there was two officers standing I think maybe adjacent, um, to this walkway.

Musser: Okay.

[redacted] And I could see them and I could see that their guns were drawn, then there was a couple of officer, officers, um, across the street and then a couple others in the middle of the street.

Musser: Okay so you hear yelling and you can see immediately upon looking out, you can see officers?

[redacted] Yes.

Musser: Okay and the guns are drawn.

[redacted] Yes.

Musser: Okay so you hear the yelling, step out of the car, guns are drawn and you see two officers…

[redacted] Yeah the _____.

Musser: …adjacent.

[redacted] Adjacent to the stairway.

Musser: Okay.

[redacted] And there was another vehicle like right in the middle of the street.

Musser: Meaning a police car.

[redacted] A police vehicle.

Musser: Okay.

[redacted] Patrol car, so I, I mean I think there was one there and that one was still there actually and there may have been another one towards the corner so it was pretty, the car was pretty blocked in but without knowing there was actually a vehicle I wouldn't have known other than hearing them saying stuff out of the vehicle.

Musser: Um, you see the officers yelling you see the guns drawn then you hear gunfire. Do you remember how many sounds of gunfire or in what succession?

[redacted] Um, yeah it was, it was quite a bit, I was in [redacted] (breath) so it was very rapid.

Musser: Okay.

[redacted] So I mean obviously I couldn't count the number of firings but it, it was quite a few.

Musser: Quite a few meaning more than two, more than five, I mean if you had to guess.

[redacted] It sounded like it was more of an automatic weapon so I would say anywhere from 10 to 15.

Musser: So it sounded like and automatic weapon.

[redacted] Yes.

Musser: So pretty fast?

[redacted] Yes.

Musser: Okay. Um, so you are pretty familiar with guns and gunfire…

[redacted] Yes.

Musser: …you said you were in [redacted]

[redacted] Yes.

Musser: [redacted] or.

[redacted] [redacted] background.

Musser: Thank you.

[redacted] Yes.

Musser: Um, um, did you actually see officers firing or you just heard.

[redacted] Well I guess I could see just the drawing, the, the weapons drawn but I, I mean it's hard to really tell whether or not.

Musser: And then I guess I should ask too, you could see weapons drawn, handguns, rifles, shot.

[redacted] Just handguns.

Musser: Handguns? 'Kay.

[redacted] Yes just handguns. I don't think any of the other officers arrived with the automatic, uh, rifles or handguns until after it was pretty much over.

Musser: Okay so you described walking out on your balcony that's after you hear the gunshots?

[redacted] Yes.

Musser: Okay and then what I'm assuming you get a better vantage point when you walk out onto your balcony.

[redacted] Yes.

Musser: What do you see?

[redacted] I actually walk to the very edge of my balcony and stood up on the concrete or the brick ledge.

Musser: Okay.

[redacted] And that's when I can actually see the person that was fired upon laying down, down on the ground slumped over.

Musser: So you see a person slumped over, describe what you mean slumped over like sitting up slumped over…

[redacted] His.

Musser: …are they in the car…

[redacted] His, his.

Musser: …out of the car _____.

[redacted] He was, well, his foot was up in it might have been his right foot was bent over inside the car, the rest of his upper torso was face down in the gutter actually, on the concrete. It was really hard to tell, I guess the way he was slumped over it was just his head was down, um, with a hood on maybe.

Musser: So one foot is inside the car and I'm assuming car's facing northbound.

[redacted] Yes.

Musser: What color is the car do you know?

[redacted] It looked grey.

Musser: Okay.

[redacted] Like a grey Nissan actually.

Musser: So if we're facing northbound I'm assuming the side, the passenger side is open, is it a front passenger door or a back passenger door.

[redacted] Front passenger door.

Musser: So front passenger door is open, one foot possibly right foot is still inside the vehicle, the rest of the body, torso and head is out.

[redacted] Outside laying in the gutter.

Musser: Head down in gutter, possibly hood over the head, um, could you see hands or the other foot?

[redacted] Actually just as he was slumped over his, um, right arm was underneath and its, as its twisted so you couldn't see his hand really, I mean there's no way they could have known that is, where his hands were really 'cause you couldn't see them.

Musser: Um, could you tell what this person was wearing at all? Do you remember clothing?

[redacted] It looked like jeans, um, grey hoodie, um, and it looked like his athletic shoes might have been grey as well.

Musser: And you said his, could you tell if it was male or female?

[redacted] It definitely did, the body looked male.

Musser: Okay could you tell what race?

[redacted] No.

Musser: Okay, um, so you see this person slumped down in the car. Could you tell if this person was alive or dead?

[redacted] Um, um, personally for me, I watched him take his last breaths.

Musser: Okay.

[redacted] So I mean he, he was breathing and, and gesturing trying to get his last breath but there was no way that he.

Musser: Um, you say gesturing like he was.

[redacted] Like he was trying to gasp for air.

Musser: Okay, um, did you see officers do anything after that, were they tending to him, were they calling commands, was he.

[redacted] They were calling commands, um.

Musser: Do you remember what kind of commands?

[redacted] They were still asking him to step out of the vehicle. I assumed that there might have been another person inside the vehicle, um, I don't know that they actually, there's three officers behind that construction lift thing.

Musser: Oh the big, um...

[redacted] Yeah, so.

Musser: ...tractor that's across the street?

[redacted] Yes.

Musser: Okay.

[redacted] So they were staging across there tactfully trying to get a nice vantage point on the vehicle but there's no way they could have seen his, his body slumped over because at that, that distance and because of the obstruction of the vehicle and the construction vehicle, um, there was several other officers that appeared on the scene here, um, and they also got a nice angle closer to the stairwell to where they could see the vehicle.

Musser: Okay.

[redacted] All in all that might have been five, five officers, um, one look like he had a shotgun, two had, uh, automatic assault rifles.

Musser: When you say automatic assault rifles.

[redacted] Uh, they looked like M16's to me from a distance so I wasn't sure really what they were but they were still, um, giving commands to, to, uh, show your hands.

Musser: Okay.

[redacted] Show your hands, and that kept, they kept verbalizing that command.

Musser: Okay and then what happened from there?

[redacted] Um, I guess the officer, I'm not sure 'cause I stepped away, I wasn't sure if there was another vehicle, uh, another person in the vehicle so I stepped further back away to where I could still see wh, the action that was going on. But one of the officers had a shotgun and it looked like he fired at that person that was slumped over.

Musser: Um, you say looked like, did, did you hear or.

[redacted] Um, there was a pop so I wasn't sure what that was so.

Musser: What color, do you know what color that, um, shotgun was?

[redacted] Orange, orange or red _____ orange or red ammunition.

Musser: So there's three officers that are on the other side, on the west side of the tractor.

[redacted] Um-hm.

Musser: And they're calling commands and then there's officers that are over here by the stairs, kind of angled, can they do they have a view?

[redacted] They have a view, they actually have a very good view of the person laying in, outside of the vehicle.

Musser: Okay.

[redacted] So I don't, I don't think they were able to tell whether or not that person was still alive or not.

Musser: Okay.

[redacted] But, uh.

Musser: And how many officers was it were over here do you think?

[redacted] Um, after the one vehicle took off there was one officer that took off with someone in the backseat but there, um, there might have been four or five others that as they came up on the scene and stood closer towards that blue patrol car that's there now.

Musser: So you saw one police car take off with someone in the backseat?

[redacted] Um-hm.

Musser: Do you know who was in the backseat?

[redacted] No, no, that was very quickly. That was pretty much right, that was right after the firings took place and that happened fairly quickly.

Musser: And how many are here again by the stairs?

[redacted] I'd say about four or five.

Musser: And the officer with the orange or red shotgun, is he one of the ones that's here at the stairs?

[redacted] Yes.

Musser: Okay.

[redacted] You know I took pictures.

Musser: Oh you did? Can I see them?

[redacted] So (laughs under breath), I can bring them up on the laptop.

Musser: Oh yeah can we do that in just a second...

[redacted] Sure.

Musser: ...let's finish this part and we'll take a look at the pictures. And what do you see from there, so they're calling commands and then do they every approach the body or what happens?

[redacted] Um, finally they do approach the body and.

Musser: Who does do you know which group?

[redacted] Um, the group that was closer to, towards his patrol car, um, they all gathered together and walked over towards the vehicle and the victim, um, and then they drug the victim out and handcuffed him I think.

Musser: Okay, okay, um, actually if, um, I were to draw here's, here's the apartment building kind of just a thing like this.

[redacted] Not very good (laughs).

Musser: Okay, so this, so this is north. So this is north there's a house here, this is Halsey, this is Sixth, McDonalds lot's here, you guys are here and the car is parked here, victim's car, okay, so from the point you started watching, you see officers where? Can you draw where, like maybe circles for officers.

[redacted] Okay.

Musser: Um, or even if you know where the...

[redacted] Would you like me to draw where the cars are?

Musser: Yeah if you know where the patrol cars are, that would be great.

[redacted] Okay, uh, so there's a patrol car here, there's another one here.

Musser: Which way is this one facing, do you know where the front of the car is?

[redacted] This is the front end of the vehicle.

Musser: Okay.

[redacted] Maybe that's a better wrong drawing angle, but.

Musser: Okay.

[redacted] Yeah, maybe it's, uh, yeah it would be the front end would be here.

Musser: Okay.

[redacted] This would be the front its right there.

Musser: Okay.

[redacted] Um, so it's angled that way, the vehicle here, is this the tractor?

Musser: Yeah.

[redacted] So there's three officers here.

Musser: Okay.

[redacted] There's.

Musser: And where is your, I no, I noticed this building that kind of does like a this part juts down it goes in and it juts down again.

[redacted] Uh-hm, uh-hm.

Musser: Where is your balcony in re, is it, sorry _____ if you need to re-draw it.

[redacted] No _____.

Musser: But does, is this the part of the building that actually sticks out, it kind of does almost a U.

[redacted] Yeah it does.

Musser: Are you in this part or you are on the inner part?

[redacted] I'm on this inner part.

Musser: Okay.

[redacted] 'Cause this would be, this would be where the stairwell would be.

Musser: Okay.

[redacted] So I, you know, there's stairs here.

Musser: Okay.

[redacted] Then there's, uh, my neighbors thing here and my balcony here and another neighbor's balcony here, so these all neighbors.

Musser: So this is you.

[redacted] No this is actually me.

Musser: Oh okay.

[redacted] And there's a neighbor here. And this is where I was standing.

Musser: Okay.

[redacted] Up on a ledge, um, distance wise is probably not to scale.

Musser: Right.

[redacted] I'm able to see all of this with the exception of if I'm sitting here because of that stairwell is out so far, it is really difficult to see that vehicle but I can see this vehicle and everything from here back.

Musser: Okay.

[redacted] To across the street.

Musser: Okay from basically from the backend of the victim's vehicle you can see, um, without going out on your balcony the patrol cars the backend.

[redacted] Yes.

Musser: Okay.

[redacted] Yes so there's officers here.

Musser: Okay.

[redacted] An officer here, at some point there was an officer out here.

Musser: Where was the patrol car that took off with some, someone in the backseat.

[redacted] It was here originally.

Musser: Okay.

[redacted] It might of, there was another patrol car here at some point.

Musser: Okay.

[redacted] So, um, originally this car when I heard the action and walked out here, obviously something had already happened to where that vehicle took off very quickly and that...

Musser: Backed out the back way south.

[redacted] Backed out.

Musser: Okay.

[redacted] But then another vehicle, in fact it might have been a couple vehicles but I think there might have been a vehicle out here as well, but that vehicle also, uh, another vehicle came and replaced this position here.

Musser: Okay.

[redacted] So all in all _____.

Musser: So the one that left, another came and took its spot.

[redacted] Yes.

Musser: Okay.

[redacted] Uh, and so five officers.

Musser: And were these two, the police car that was here and the one that was originally here that took off.

[redacted] Um-hm.

Musser: Were they marked patrols cars, like were they the typical white Portland Police cars or were they…

[redacted] No.

Musser: …just like a solid color?

[redacted] No they were a solid color, in fact this one was not a marked car as well.

Musser: Okay.

[redacted] This, this was a, it might have been a dark [redacted] um, this one here that took off, um, it was unmarked.

Musser: Okay.

[redacted] But they took off but that was a marked car.

Musser: Okay.

[redacted] The one that replaced _____ marked vehicle was marked…

Musser: Okay.

[redacted] ...a regular patrol car like this one.

Musser: Okay, um, and so, um, the, the officer with a shotgun obviously was here.

[redacted] Um-hm.

Musser: And then you see them eventually approach, drag the person...

[redacted] Um-hm.

Musser: ...out of the vehicle and handcuff them...

[redacted] Yes.

Musser: And then, uh, that, is that when you take pictures at that point?

[redacted] I had been taking pictures pretty much to a good portion of it.

Musser: Okay was any of it during this or was it after.

[redacted] It was after, after the, uh, after the actual shooting was when the pictures started, I went out to take the pictures.

Musser: Okay.

[redacted] 'Cause I had to run back in and I actually grabbed my camera out of my bag.

Musser: Okay.

[redacted] Uh, but by then these officers were already positioned, these officers had gotten in place as well, uh.

Musser: Um, is there, um, anything that you saw other than obviously you see someone slumped out of a car.

[redacted] Um-hm.

Musser: And you hear gunfire, is there anything that you saw on the actions of any civilians or officers, um, that caused alarm to you?

[redacted] I did not.

Musser: No?

[redacted] No I did not see that.

Musser: Okay, um, can you think of anything Detective Dran?

Dran: No, huh-uh.

Musser: Okay, um, okay, um, it is 12:13 AM, it is now May 13th, um, we're going to conclude the interview and try to look at those pictures, um, thank you so much especially since it's so late, um.

Typed Verbatim 05/19/2010 at 1010 hours J. Toman

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL TAPED STATEMENT TRANSCRIPTION

[redacted] _____ you were gathering information so that, uh, uh.

Musser: Yeah, this is Detective Musser with the Portland Police Bureau, it is May 13th, it is approximately 6:45 PM, and I am in Apartment Number [redacted] with how do you say your name sir?

[redacted] [redacted] (pronounced as [redacted])

Musser: With [redacted] and he heard some shot last night but did not witness the incident, um, can you go ahead and tell me again you heard some shots.

[redacted] Yeah I heard some shots, um, _____ down the street and then, uh, I heard a couple of, uh, shots, uh, I, uh, I'm like, uh, and I came to see what happened, uh, one of the, uh, woman, uh, screaming in the car.

Musser: This is down on the street a woman in the car?

[redacted] Yeah, down on the street and the woman in the car she might saw the incident so she started screaming and then, uh, backing off car little bit and, uh, she never _____ what happening to the driving she keep on screaming and then cops came after a couple of, uh, minutes, very, very short span of time cops came and then asked her to step down the car.

Musser: Okay.

[redacted] That's what I witnessed and, uh, uh, that is, that is all, yeah, _____ I witnessed.

Musser: Okay and you had said earlier when we had first met at the door that you believed it was a cherry red car and that it was parked approximately, there's some parking meters.

[redacted] Parking meter, yeah.

Musser: Just...

[redacted] That's where the car is.

Musser: ...east of the stop sign in front of a [redacted] house and her car was about in the middle of where the parking meters were.

[redacted] Uh, just a few inches, uh, away from the stop sign.

Musser: Okay, um, but you didn't see what happened and you said that you assumed that maybe there was a car accident because you had…

[redacted] Yes.

Musser: …heard her screaming?

[redacted] Yeah because, uh, as she's screaming, uh, loudly I thought that something is like a car accident but later on I came to know that it's, uh, shots police, uh, I mean like, uh, someone shot at police again backfired, um, those guys.

Musser: Um, and you had said you heard a noise at first, did you know right away that it was shots or later on once you heard what was going on, that's.

[redacted] Uh, later on I came to know it is shots.

Musser: Okay.

[redacted] Um, initially I thought, uh, something noisy.

Musser: Okay.

[redacted] Uh, I mean later on somebody said like it's a shots then I came to recognize, uh, those are shots.

Musser: Okay, okay, um, we are gonna go ahead and conclude our interview, um, it is approximately 6:47 PM, uh, thank you very much.

Transcribed Verbatim 05/19/2010 at 1131 hours

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 12th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL TAPED STATEMENT TRANSCRIPTION

Musser: Uh, this is Detective Jennifer Musser of the Portland Police Bureau and I am on the telephone with Mr. [redacted] who lives in the Cornerstone Apartments, Number [redacted] um, I was out today canvassing and left a card for Mr. [redacted] and he sent me an email because he, um, heard the incident. So Mr. [redacted] is on the phone and has agreed to do a recorded interview. Okay Mr. [redacted] um, regarding yesterday's incident with the, um, Officer Involved shooting, you were home at the time?

[redacted] I was home at the time, yes, I was in my live, in my living room, uh, with, it has a, uh, a balcony that overlooks Sixth Avenue.

Musser: Okay.

[redacted] I was directly above the, um, the incident.

Musser: Okay.

[redacted] Looking down on it.

Musser: And did you hear the incident first or were you out on your balcony and.

[redacted] No I was in my living room, I heard a barrage of gunshots, uh, uh, that I thought at first was firecrackers but then I realized that they were not, they didn't sound right to be firecrackers and I decide, I told myself well that must be gunshots so I went to the, to the balcony and the door was open and like I said I had the screen door closed and, uh, I looked down and I saw, um, uh, some, uh, several of police officers undercover behind a, um, um, patrol car, uh, which was directly behind the, the perpetrators car. The perpetrators car was like right against the curb like it was parked but the, there was a unmarked plain vehicle behind, right, directly behind, um, um, perpetrators car kind of at an angle out in the street and behind that at a more of an angle into the street was a patrol car and the officers were, uh, I don't know how many, I think at least three were there, um, taking cover by, uh, from the patrol car and they were firing gunshots at the, um, uh, perpetrators car which was parked like I said next, parallel to the curb, and they yelled, they yelled out, uh, several times, um, "Exit your vehicle with your hands above your head now," and they _____ and they spoke very loudly and with, anybody could have heard them and, uh, I don't know if it was the same officer repeating the command several times or whether different officers spoke the command but the command was, the command to

exit the vehicle with your hands over your head, was given, I don't know at least, I would say at least a half a dozen times, and, and nothing happened. I was in a position where I could have seen the, um, vehicle door, the driver's door open if someone and someone get out of it if that happened, but it did not happen. I did not see anyone exit the vehicle and, um, when I first came to the, um, uh, to the, uh, to the balcony door I saw the officers firing and then, then I saw the, uh, uh, fallen officer and he was lying on his back in the middle of Sixth Avenue which up, upset me very much because I thought they, someone had killed him and it was a terrible thing to see, I never, I never witnessed anything like this in my life and I lived in Northwest Portland during the years when it was not, when it was not the most desirable place to live, I'm talking in the seventies and eighties and there was a lot of things happen in Northwest Portland at that time but, but never any, I, I've never experienced anything like this, it's just, uh, almost, uh, unbelievable. Then, uh, the two, two officers, while, while the fired, the shots were being fired at the perpetrator's vehicle, two officers rushed out into the street and, and grabbed hold of the fallen officer and drug him, um, to safety, um behind the patrol car and, um, then there was a number of shots fired during that time, I don't, I don't, I couldn't even guess how many but quite a few, and then the, the gunfire stopped and I assumed at that point that they had, uh, they had killed the perpetrator because, um, uh, because they were firing and then it stopped so why would it stop if, if he hadn't, if he hadn't, uh, been killed, because he was obviously, uh, he was obviously armed because he took down, um, one officer and um, um, I guess that's about it, they, uh, I never did see, I waited for, um, like an ambulance to come for the, uh, for the driver of the vehicle, uh, the perpetrator but nothing, no, no emergency vehicle ever, ever showed up, and so that was more of an indication to me that he, that and ambulance wasn't needed because he was dead, and that's about it unless there's something else I stated in my email that I have overlooked that you might want to clarify.

Musser: Okay, um, uh, just a few questions on what you had mentioned. Um, you said you could hear officers clearly yelling commands.

[redacted] Oh yes.

Musser: And I just want to clarify you were on the fourth floor of the apartment building out on your balcony.

[redacted] Um-hm.

Musser: And you could hear from the fourth floor.

[redacted] Oh yes, oh yes.

Musser: Okay.

[redacted] Very clearly, they, it was, there was, there was no, uh, how can I say it, there was no doubt what the perpetrator had to do, what was expected of him and there was no reason for him not to comply because the command was very clear and like I said it was, it was loud and clear and, uh, um, directly to the point. No one could have mistaken what, uh. They gave him more than ample opportunity to, to get out of the situation with his life, but obviously he chose not to for reasons I'm sure.

Musser: Now when you say they gave him more than ample opportunity is that you heard commands being yelled before the gunfire or why, can you clarify that a little bit?

[redacted] Um, no there, there was some gunfire and I assumed that, I assumed that, I, I assumed that the gunfire was a result of the driver of the vehicle, uh, firing upon the officer that took him down and I assumed that that that's why, what, what led to the, the initial gunfire of the police because he was in the vehicle with the gun and they were trying to get him out and uh, uh.

Musser: So kind of like in a, in a timeline, um.

[redacted] Um-hm.

Musser: At what time did you see the officer go down, was that before or after you saw _____.

[redacted] No, I didn't, I didn't see him go down, he was down when I got to the window and looked out, I heard the gunshots and then I went to the window and the officer was lying in the street, not window the door.

Musser: Okay.

[redacted] The officer was lying in the street at that point.

Musser: Okay.

[redacted] So I, I assumed during sometime, during those initial shots that were happening before I appeared at the doorway is when the officer went down, I, I, I imagine, I don't know when else it could have been.

Musser: Okay, okay, thank you for clarifying that and, um, did you ever hear anything, um, being yelled from inside the vehicle that you, um, had said is the perpetrator vehicle?

[redacted] I, not, not to my knowledge, I didn't, I didn't hear or see anything of the, I, like I said had he gotten out of his vehicle I, I could have more than likely seen him step out into the street but at the angle his uh, um, vehicle was parked but I didn't see, um, I didn't, I didn't see any, any sign of, for all I knew the, the, the perpetrator's vehicle could have been, uh, uh, empty or vacant or whatever because there was no, I, I didn't witness any activity, uh, uh, activity or sound of any kind coming from the vehicle, from that vehicle.

Musser: And you mentioned "he" when you were talking about perpetrator, is that because, um, you knew the identity of a person inside?

[redacted] Oh no.

Musser: Did you, okay, and you're just using "he" just as a reference to a person.

[redacted] Well yes I assumed it was a man, I can't imagine a woman doing something like that (laughs) but you never know these days do you I guess.

Musser: Um, was there, um, anything that you saw any actions of any officers that, um, caused alarm to you, obviously other than the shooting or, um, that you thought represented any form of misconduct or anything _____.

[redacted] Oh absolutely not, no I, _____, to be perfectly honest, uh, I, uh, I was very proud of their behavior to be specific, uh, I think, I thought they handled the situation with the utmost professionalism and, and, uh, uh, well I don't know, I don't know what words to use, they knew what they were doing and they did it correctly with, with deliberates and confidence if that helps any.

Musser: Um-hm.

[redacted] Um, uh, there was, no, there was no, like I said they gave, gave the man ample opportunity to get out of the situation with his life but for reasons of his own he chose not to.

Musser: Okay and were you aware, I know, I realize you are up on the fourth floor that there was a police presence outside your window before you heard the gunshots, or was that your first alert that police were out there and something was going on?

[redacted] Now, now, now ask, ask me that again, I didn't.

Musser: Um, so police obviously were outside down on the street...

[redacted] Um-hm.

Musser: Outside your apartment, you're up on the fourth floor. Had you been aware that police were outside before you heard the gunshot or was it only after you heard the gunshot?

[redacted] Oh no I had no, I had no, I had no idea who was out there before I heard the gunshots, no there was, there was no kind of siren or anything like that, I understand they had been chasing the man for quite, for several blocks but there was no, um, no I, I, uh, just all of the sudden out of the clear blue sky I just heard a bang, bang, bang, bang, bang, bang, da-da, bang, bang, bang, like that and, I mean, um, no, no warning what so ever and then I went to the window and I saw that it was police and that one of the officers had, had been taken down.

Musser: Okay, um, now you mentioned all those bangs, do you remember, um, approximately how many bangs or shots that you heard?

[redacted] Well I don't, I, I really couldn't say because there was, there were very, they were very rapid and because I'm sure more than one officer was firing, there was, uh, there was at least, there was at least two officers I'm sure with, um, handguns then there was another officer with the, I, I guess an assault weapon of some kind, he would have had to put it to his shoulder to fire and he did, he did do that.

Musser: He did fire or he had it at his shoulder?

[redacted] Uh, he had it on his shoulder and I'm sure that he, that he did fire it, uh, I can't say I'm sure, I'm assuming he did as part of the, of the barrage.

Musser: Okay do you remember, do you remember if there was any color to that particular assault rifle?

[redacted] It was dark.

Musser: It was a dark color, okay.

[redacted] Yeah.

Musser: Um, now you mentioned that you know the officers chased the subject for several blocks, how do you.

[redacted] I heard that later.

Musser: Okay.

[redacted] I did not know that at the time, I had no idea, I heard that later.

Musser: Okay.

[redacted] I think I, I think it was, I think I heard it on the news later.

Musser: Now, um, this incident happened yesterday evening, um, so as you mentioned you've heard of the incident on the news, has anything you've heard on the news or from anyone you've spoken with influenced, um, what you're telling me tonight or is this…

[redacted] No, no.

Musser: …do you, think accurate to what you remember?

[redacted] This is all, uh, what I observed prior to anything I heard, uh, and, it has nothing to do with, what I heard, what I heard later had nothing to do with what I'm, what I've told you so far, I mean, I, I, accounted what I saw as accurately as, as I possibly could.

Musser: Okay, okay is there anything else that you can think of?

[redacted] No except that, uh, like I said I can't imagine anything the officers could have done that would have, would have avoided this tragic end because like I said they, they were, uh, well it was like watching a movie to be perfectly honest because I mean, they, they did everything they do in movies, you know, the, the right way, you understand what I'm saying?

Musser: I do, okay.

[redacted] And like I said I was, I was very, very pleased with their behavior and very proud of, of the fact that they were so, uh, professional and so knowledgeable and so confident, it made me feel very safe.

Musser: Okay, alright well thank you, um, [redacted] I'm going to conclude this recorded portion of the interview. It is 9:40 PM.

Transcribed Verbatim 05/19/2010 at 1455 hours.

PORTLAND POLICE BUREAU

CONFIDENTIAL

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE
☐ CONTINUATION ☐ SUPPLEMENTAL

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353	10-38359	OFFICER INVOLVED SHOOTING

☐1. UNFOUNDED ☐ 3. SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
051210 / 1821	052010 / 1400

LOCATION OF OCCURRENCE
NE 6th AVENUE / NE HALSEY STREET

PERSONS **CO**-Complainant **SB**-Subject **SI**-Sick/Injured/Cared For **PE**-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	010485

ADDRESS	ZIP	PHONE
3541 N HOUGHTON STREET	97217	

SUBJECT OF THIS REPORT
INTERVIEW OF [redacted] & SEARCH OF POWER STATION

PROPERTY RECEIPT NO.

NARRATIVE/PROPERTY ITEM CODE **S**-STOLEN **L**-LOST **F**-FOUND **D**-DAMAGED **K**-SAFEKEEPING **R**-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
Intell
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person

OPR
☐ Vehicle

OPR
☐ Crime/ Prop

OPR
☐ Book

OPR

CONNECT INFORMATION

Victim in PPB Case #10-38359:

Officer Chris BURLEY, DPSST #45975
M/W, DOB [redacted]
Work Address: 449 NE Emerson Street
Portland, Oregon 97211
Hotspot Enforcement Action Team (HEAT), Unit 1951

NONCONNECT INFORMATION

Person Interviewed:

[redacted]
M/W, DOB [redacted]
Home Address: [redacted] SW 140th Avenue
Beaverton, Oregon 97006
Cell Phone: 503-[redacted]

Officers Mentioned:

Detective Sergeant Kraig MCGLATHERY, DPSST #26847
Detective Mark SLATER, DPSST #27192

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE
NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO--List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
ITEM 5: ADDITIONAL PROPERTY--Record no more than four additional items of property in the narrative--and/or use a Special Report and attach as additional pages.
ITEM 6: ADDITIONAL OFFICERS--List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM | CODE

EXHIBITS

1. Portland Police Bureau Property/Evidence Receipt #1203491
2. Transcript of interview of [redacted]

SUMMARY

I interviewed [redacted] regarding his observations of the Officer Involved Shooting. Sergeant McGlathery, Detective Slater, and I then searched a nearby power station for bullet strikes and fired bullets, with negative results.

NARRATIVE

On May 12th, 2010, KEATON OTIS shot Officer Burley twice during a traffic stop. Other officers onscene returned fire, fatally wounding KEATON OTIS. Several witnesses were identified and interviewed that evening, and other witnesses contacted us over the following days. On May 16th, 2010, Detective Slater received a voice mail from [redacted] stating he had witnessed the events leading to the fatal shooting. Detective Slater called [redacted] and arranged to meet with him in person the next day and record the interview.

On May 17th, 2010, at 1005 hours, Detective Slater and I met with [redacted] at NE 6th Avenue and NE Halsey Street at his request. Prior to starting the interview, I asked [redacted] to show me where he had been at various locations when he had witnessed what had occurred. [redacted] and I then sat in the back seat of our unmarked detective car, where I interviewed him about what he had seen and heard. I activated a digital recorder at 1008 hours, and verified [redacted] understood the conversation was being recorded and he agreed to the recording. The following is a brief summary of the interview and [redacted] statements. Please see the attached transcription for a more detailed and verbatim account of [redacted] interview.

[redacted] said he had been leaving work at [redacted] and he had been walking northbound on NE 7th Avenue. [redacted] said he heard a police siren and

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO--List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
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ITEM | CODE

saw a silver or white sedan turn eastbound onto NE Wasco Street from NE Grand Avenue, traveling at a faster than normal rate of speed. [redacted] said a darker colored sedan with activated police lights emanating from inside the vehicle was following the first car. [redacted] said he did not see the occupants of either vehicle but it appeared to him a police car was attempting to stop the first car.

[redacted] said he continued to watch the two cars as they both turned northbound onto NE 6th Avenue. [redacted] said as both cars neared NE Clackamas Street, they passed out of sight behind a building on the east side of the street and he lost sight of them. [redacted] said a short time later, the siren stopped. [redacted] said he continued walking to a parking structure on the east side of NE 7th Avenue at NE Clackamas Street, where his car was parked. [redacted] said got into his car, a silver Saturn, and exited the structure, driving northbound on NE 7th Avenue. [redacted] said he then turned westbound on NE Halsey Street and was in front of 617 NE Halsey Street when he heard what he initially thought were firecrackers, but then realized they were gunshots.

[redacted] said as he continued to approach the intersection of NE 6th Avenue and NE Halsey Street, he saw two lighter colored police cars similar in style to the dark colored police car he saw earlier, with police lights activated. [redacted] said these two cars were on NE 6th Avenue, south of NE Halsey Street, parked facing south. [redacted] said he also saw police officers in what he called "defensive positions" around the cars, with their guns pointed to the south. [redacted] thought these officers had fired or were still firing their guns. [redacted] said the officers were positioned in such a way they were "protecting themselves from something."

[redacted] said there was a red car stopped in the road in front of him short of the intersection, and a car behind him. [redacted] said the car behind him backed up, and [redacted] backed up his car, and noticed the red car in front of him was also backing up. [redacted] said he turned around and then drove out of the area.

The interview was concluded at 1020 hours. The audio recording of the interview was later copied to a CD-R and also receipted on Portland Police Bureau Property/Evidence Receipt #1203491. The recording was later placed into the Property Room.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

PORTLAND POLICE BUREAU | **CONTINUATION REPORT** | Page/Of 4/4

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE: NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
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ITEM	CODE

Please refer to the attached transcript for a more detailed and verbatim account of [redacted] interview.

After interviewing [redacted] Detective Slater and I met with Sergeant McGlathery, who had arranged for an employee from Pacific Power to meet us at the scene. At the southwest corner of NE 6th Avenue and NE Halsey Street is a power station belonging to Pacific Power. This station is bordered by NE Grand Avenue on the west, NE Halsey Street on the north, NE 6th Avenue on the east, and NE Clackamas Street on the south. This area is directly inline with the known trajectory of the bullets fired by KEATON OTIS and which struck and passed through Officer Burley.

The Pacific Power employee provided Detective Slater and me with protective clothing, and then allowed us access to the power station. Detective Slater and I then searched inside the listed area for bullet strikes and fired bullets. Sergeant McGlathery searched through the mound of asphalt located on the west curb line on NE 6th Avenue. Despite extensive searching in both locations, no bullet strikes or fired bullets were located.

This investigation is ongoing.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

BUREAU OF POLICE
1619 NW INDUSTRIAL WAY, STE. B4
PORTLAND, OREGON 97210

PROPERTY EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No. 1203491	5-17-10/1300 AM (PM)		10-38857

EVIDENCE ONLY | FOUND PROPERTY | PRISONER'S PROP (MEDICAL TEST ONLY) | SAFEKEEPING

PROPERTY TAKEN FROM:	LAST NAME	FIRST	M.I.	SEX	DOB
DENIED OWNERSHIP ☐	—				
HOME ADDRESS	CITY	STATE	ZIP		
OWNER OF PROPERTY	LAST NAME	FIRST	M.I.	SEX	DOB
HOME ADDRESS	CITY	STATE	ZIP	PHONE	

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

SIGNATURE

TYPE OF INCIDENT: Felon in Fleh Shoty | DELIVERING OFFICER: Kinzer | P# 41 | FIRST ASSIGN: Detect

LOCATION WHERE SEIZED/FOUND/SURRENDERED: 111 SW 2nd Ave | INVESTIGATOR (IF DIFFERENT) | PDS ASSIGN

☐ DEFENDANT ☐ SUSPECT

LAST NAME	FIRST	M.I.	SEX	RACE	DOB

FOR GUN LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN
USE ONLY ONE ITEM PER SELECTION

		STLN	FOR PED USE ONLY
ITEM 1	CD-R containing interview of [redacted]		
ITEM 2			
ITEM 3			
ITEM 4			
ITEM 5			
ITEM 6			
ITEM 7			
ITEM 8			

DELIVERED TO PROPERTY EVIDENCE CONTROL FOR FOOD STAMPS OR PERSONAL USE BY OFFICER

LOCKER	DATE	RECEIVED BY
C6		

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

INVENTORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION
DATE: TIME: BY

WHITE - RECORDS COPY
YELOW - CITIZENS RECEIPT
PINK - WITH PROPERTY

02-01-10

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 17th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Kammerer: Okay, this is Detective Erik Kammerer with the Portland Police Bureau. Today is May 17, 2010. It is approximately 1008 hours. We are in the back seat of, uh, an unmarked police car at the intersection of NE 6th and Halsey. Also present Detective Mark Slater and we are here to interview [redacted] regarding what he saw and heard about an officer involved shooting that occurred on May 12, 2020. Portland Police Bureau Case # 10-38353. And Mr. [redacted] you understand this conversation is being recorded?

[redacted] Yes.

Kammerer: And you are okay with that?

[redacted] Yes.

Kammerer: Okay. And prior to, uh, getting in the car, you, uh, walked us, uh, through the area, uh, here that, and showed us places that you saw vehicles and people. Is that correct?

[redacted] Correct.

Kammerer: Okay. Um, if you could just start out, uh, talking about, uh, how you became aware of what was going on out here that day.

[redacted] Okay. Um, I work in the 700, uh, Multnomah Building. Uh, and I was leaving work, um, traveling down 7th Avenue. Uh, where I noticed, I heard sirens.

Kammerer: And you were in your car, is that correct?

[redacted] No, at this point I was walking here to my car.

Kammerer: Okay.

[redacted] Um, I noticed sirens, uh, and a sedan, uh, was either silver or white, um, light colored, turned down, uh, turned off of, is that Grand? Here the main…

Kammerer: Yes, Grand is the main…

[redacted] Okay.

Kammerer: …North/South street, a block to our west.

[redacted] Um, turned off of Grand onto Wasco. Um, traveling, uh, fast, um, faster than I would have, then you normally see with police cars, uh, following it. Um, and then it turned here on 6th, going away from me. It went behind the, uh, this Baptist church temple thing. Um, and then I did not hear sirens anymore. Uh, they had stopped. Uh, again at this point, uh…

Kammerer: Just so it's clear for, uh, the recording, then the car turned eastbound on Wasco and then north bound on 6th. And once they passed Clackamas Street, they were out of your sight.

[redacted] Uh, right before…

Kammerer: Okay.

[redacted] …um, when they went around the, I, that's, uh, there's a building there.

Kammerer: Just on the south…

[redacted] Correct.

Kammerer: …east corner there at 6th/Clackamas.

[redacted] They went behind that building…

Kammerer: Okay.

[redacted] …and I, I could not see them any more.

Kammerer: Okay.

[redacted] Um, again it, it only, my only noticing that, uh, more than normal was just that, that the speed that they were, that they were in. Um, not, uh, uh, no brakes squealing around the corners or anything but they were, were traveling, uh, fast. Um…

Kammerer: And you heard sirens, is that correct?

[redacted] I did hear sirens and they stopped shortly after they, uh, got, were out of my sight.

Kammerer: And did you see the vehicle that was, uh, uh, following the silver vehicle?

[redacted] Yes. It was a, um a, a darker colored, larger sedan with lights. I believe they were in, on the inside.

Kammerer: Okay.

[redacted] Um.

Kammerer: Could you see the occupants of that vehicle?

[redacted] Uh, no I could not.

Kammerer: What about the silver car. Did you see who was driving that?

[redacted] I could not see…

Kammerer: Okay.

[redacted] …anybody in there. It was, um, in and out of cars. There's a parking lot…

Kammerer: Okay.

[redacted] …that was, um, that had a few cars blocking my view and, and, but I could, you know, tell that the car was coming this way.

Kammerer: So after you lost sight of the vehicles and you didn't hear the sirens any more, what did you do next?

[redacted] Um, then I proceeded to go to my car in the, uh, parking structure on 7th.

Kammerer: Okay.

[redacted] Uh, and got in my car, got out of the structure and then went down, um…

Slater: Halsey?

Kammerer: So you would have driven, uh…

[redacted] I was, I…

Kammerer: …north bound on 7th?

[redacted] Yeah, yeah, I took a left. Um, and then at the, and turned left on, uh, Halsey.

Kammerer: So you would have been going west bound on Halsey?

[redacted] Yes.

Kammerer: And what kind of car do you have?

[redacted] I have a-a was driving a '98 Saturn, um, sedan, silver.

Kammerer: Okay. So you are driving west bound on Halsey, from 7th.

[redacted] Correct. Um, about half way, uh, on that block, I hear what I initially thought were, uh, fire crackers. Due to the, um, kind of, uh, loud, um, fast, but sporadic, not with any sort of timing.

Kammerer: Um-hm.

[redacted] Um, I get closer to the intersection and I see two police, uh, cars. Um, close to the intersection, um, facing, um, what direction is this?

Kammerer: That direction?

[redacted] Yes.

Kammerer: So south bound.

[redacted] Facing south, um, with police officers, um…

Slater: Do you remember what those vehicles looked like.

[redacted] They were, um, definitely police vehicles. Uh, they were, (long pause) they were lighter colored. I don't believe they were, it was not the dark colored…

Kammerer: Okay.

[redacted] …um, vehicle I, the police car I saw earlier.

Kammerer: Okay.

[redacted] Um…

Kammerer: Did they have lights on top?

[redacted] I believe so.

Kammerer: Okay.

[redacted] I did see lights.

Kammerer: Okay.

[redacted] Um, they were, when I noticed, they were, um, in defensive positions. Uh, uh.

Kammerer: The officers?

[redacted] The officers around, on, close to the car. Um, with guns pointed, um, I'm sorry, I'm…

Slater: Back south.

[redacted] Back south.

Slater: Okay.

[redacted] Uh, looked to me like, um, they had fired, or were firing. I couldn't, I didn't, um, I was inside my vehicle. I, they were definitely, uh, guns were pointed this way. Um, the shooting all happened, where the time I heard it, and the time it ended was-was-was pretty quick.

Kammerer: Uh-hm.

[redacted] Uh, but they definitely were, um, next to the car in such a fashion that-that they were either, um, protecting themselves, um, or from something.

Kammerer: Uh-hm.

[redacted] And, uh, there was a red car in front of me and there was a car behind me. Um, the car in front of me was, was much closer to the, uh, situation then I was. Um, after I sort of figured out the shooting had stopped, um, after, I, uh, kind of got my-my sense around me, I, ah, noticed the car behind me backing up. I followed suit. Um, the car in front of me did as well.

Kammerer: Okay. And then when you backed up, uh, did you then...what did you do after you backed up?

[redacted] I backed up, um, then went in the opposite direction...

Kammerer: So east bound?

[redacted] East bound, and then I turned, uh, back on 7th, going, um, uh, to, to a , to um Broadway.

Kammerer: Okay. And you just left the area at that point?

[redacted] I left when I left the area, um...

Kammerer: Okay.

[redacted] Yeah.

Kammerer: Uh, when you were driving, um, did you have your windows up or down?

[redacted] They were up.

Kammerer: And were you listening to music?

[redacted] I was listening to sports talk radio.

Kammerer: Was that loud or?

[redacted] It was, uh, medium. Um.

Kammerer: Okay. Any thing else going on in the car, were you talking on the phone, er?

[redacted] No, at that point no.

Kammerer: Okay. Um, the red vehicle that was in front of you, do you recall, um, at what point you first noticed that red vehicle?

[redacted] Um, probably a, I would say a second after I heard shooting.

Kammerer: Okay.

[redacted] Um, I looked at it. Um, I-I noticed out of the corner of my eye that it was there. Um, kind of in the, in the sense that after I, the shooting was over, I'm kind of looking for, you know, looking around me to try to figure out if there's any more threat of danger or is there any way to get out. How-how am I gonna, you know, where am I in relation to what was happening.

Kammerer: Okay.

[redacted] Um, and it was there.

Kammerer: When you pulled out onto, um, Halsey, going west bound...

[redacted] Um-hm.

Kammerer: ...from 7th towards 6th, um, you didn't notice the red vehicle at that time?

[redacted] I prob, I mean I probably was aware of it, but it didn't, it didn't catch my eye until-until, um, everything had happened.

Kammerer: When you did notice the red vehicle, could you tell if it was moving?

[redacted] It was stopped.

Kammerer: It was stopped. Okay.

[redacted] Yes.

Kammerer: Do you remember where it was stopped?

[redacted] Um, it was not at the intersection. It was in, uh...

Kammerer: Short of it?

[redacted] ...it was short of it.

Kammerer: Okay.

[redacted] Like it had, well, I don't know what-what it-what it was thinking, but it looked to me like it had figured out what was, what was happening and stopped short when it noticed...

Kammerer: Okay.

[redacted] ...something was happening.

Kammerer: Okay. Um, is there anything else? Any thing we didn't ask you that you think's important?

[redacted] Not that I can think of.

Kammerer: Okay. Mark?

Slater: No.

Kammerer: Okay. Um, it is 1020 hours and I'll go ahead and conclude the interview.

Transcribed Verbatim With Punctuation Added 051910/0921 K. Bratton

APPROVAL ROUTE: Detective Division

CASE NUMBER 10-038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 1. INFORMATION — PAGE/OF 1 / 3

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
2. Pending	05/12/10	1821	05/13/10	1400

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th and NE Halsey Street	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Witness interview in the officer involved shooting	

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
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- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ CS
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			F	B	

ADDRESS	CITY	STATE	ZIP
NE 7th Ave #	Portland	Oregon	97211

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE
		(503) 7

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.
1213034

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

NON-CONNECT INFORMATION:

Person Present:

F/B DOB
Home Address: NE 7th Ave #
Portland, Oregon 97211
Mailing Address: N. MLK Blvd.
Portland, Oregon 97211
Cell Number: (503
Relationship: Witness' mother, present during the interview

Additional Detective:

Detective Warren, #23188, Assault Detail
Conducted interview with witness

CONNECT INFORMATION:

EXHIBITS:

Property and Evidence Receipt #1213034:

Item 1: diagram drawn by witness

SUMMARY:

Detective Warren and I conducted an interview with who witnessed the officer involved shooting. lives in the Corner Stone Apartments in Apt # This is a ground level apartment located on the northwest corner at NE 6th Avenue and NE Halsey Street.

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Meghan Burkeen	40396	DETS	M	ASLT	

PPB-SSD-TH

05-19-10 1348

423 (08/07)

watched the Officer involved shooting from her bedroom through the blinds which was approximately 10 to 15 feet from the incident.

NARRATIVE:

told Detective Warren and me the following statements regarding what she witnessed in the Officer involved shooting. The yelling from the incident drew attention to looking out the window. The first thing she saw was two police vehicles surrounding the silver vehicle. The vehicle towards the front left corner panel was silver and the vehicle to the left rear corner panel was dark blue. It was clear to these vehicles were police cars. It was clear to her the people making the stop were police officers wearing a uniform. It was clear they were Portland Police Officers.

She saw two police cars surround a silver car. She could see and hear three Officers telling the driver of the silver car to get out of his vehicle but he refused. knew the subject was refusing because she saw the subject move his arm or shake his hand no. She never heard the subject say anything. drew a general diagram of what she witnessed. The silver vehicle was pointing north. She drew two police vehicles; one at the front of the silver vehicle and one to the rear of the silver vehicle.

When looked out of her bedroom window the Police Officers were out of their cars and already at the silver car. One officer was towards of the front of the silver car and one was at the driver's side door. She only saw 2 officers at first. said the first officer to show up was the officer in the silver car, and then the blue police car pulled up next. The silver car was already stopped. Officers in the silver car and blue car got out at the same time and approached the silver car at the same time. Their guns were not drawn yet and nothing was in their hands. They were giving the driver of the silver car verbal commands to get out of his car. She is not sure what the driver was doing at this time and she did not see anyone else was in the vehicle.

did not lose sight through the entire incident. She never ducked when the shots started. There was a glare from the window so she was not able to see what the subject was looking at. only saw the subject take his hand off the wheel to shake no to him getting out of the vehicle. Both hands were on the vehicle prior to this. The subject waved his left hand/arm at the officer. The hand never returned to the wheel.

described the driver of the silver vehicle as a black male 20 to 30 years old, brown short hair, darker complexion, short in height, thin, skinny, thick mustache, wearing a white t-shirt, black hooded zip up jacket, and Nike shoes. She saw the clothing after the shooting.

After the two Police Officers gave commands for the driver to get out of the vehicle, the tasing occured next. The officer in the silver police car tased first followed by the officer from the blue car. She does not know how much time has elapsed but the tasing's are right after each other. The subject in the silver car begins to "shake" from being tased by the Officers. After he shakes, the subject moves over to the passenger side of the vehicle and then the two Police Officers who tased him also move to the passenger side. thinks he is moving over to the passenger seat to get away from being tased. She could see the driver crawling around in the vehicle but he continued to shake for a few seconds. When he moved to the passenger side of the vehicle, the Officers draw their weapons and start shooting. did not hear any yelling prior to the gun shots. There were a lot of shots but she does not know how many. By now there are more officers involved.

By the time the two officers move to the passenger side after doing the tasing, other officers arrived.

COPIES
☐ DET
☐ CENTRAL
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☐ JDH
☐ JUV
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☐ _____
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____

COMPUTER ENTRY
☐ Desk
DPSST
☐ Person
DPSST
☐ Entry / Vehicle
DPSST
☐ Distribution
DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Meghan Burkeen	40396	DETS	M	ASLT	

APPROVAL ROUTE Detective Division

CASE NUMBER 10-38353

PORTLAND POLICE BUREAU **SPECIAL REPORT** TYPE: I. INFORMATION PAGE/OF 3 / 3

COPIES
☐ DET
☐ CENTRAL
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☐ CAT
☐ DHS/CHS
☐ DVD
☐ DVRU
☐ ECRT
☐ JDH
☐ JUV
CS
☐ DVCS
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____

[redacted] does not know how many arrived because they came from different directions. The additional Officers arrive before the shots are fired. [redacted] remembered seeing a lot but does not know specifically how many. All of the officers that arrived had their guns out. She saw the two officers who did the tasing put their tasers away and pull out their guns.

Before the shots are fired, the subject in the silver car was on the passenger side. [redacted] could see him leaning over or laying across the seat on his side but his feet were still on the driver's side but she could not see his hands or his face. [redacted] described officers behind the silver car began shooting at the back door of the driver's side with black pistols. She describes them as two new arriving officers. They were approximately a car length away from the silver car. [redacted] says they were the first two officers to shoot.

[redacted] said the rear driver side window shattered. The subject in the silver car was in the "leaned over" position stretched across the front seat when the officers start shooting. [redacted] describes seeing 2 bullet holes in the passenger side door. She does not know where the bullet holes came from. She describes them about 4 inches apart. She does not know what happens next because she was crying at the same time. After the shooting, she remembers officers yelling "let me see your hands." An officer then opens the passenger side door and she sees all of the blood on the subjects shirt. The officers waited for a minute and then another officer uses a "long gun" that fired "little things" at the subject. The subject is still partially in the car. The "little things" fired at the suspect hit him three times in the side.

Before [redacted] left the window she could see the paramedics working on the subject. She said they arrived fairly fast once they pulled him out of the vehicle.

[redacted] did not see anything else because she was scared and crying. She left the window to go call her mother.

[redacted] does not know the subject and she did not witness anyone else get hurt. This concluded our interview.

The entire interview with [redacted] was captured in an audio recording. Refer to the recording for the complete witness statements.

COMPUTER ENTRY
☐ Desk
DPSST
☐ Person
DPSST
☐ Entry / Vehicle
DPSST
☐ Distribution
DPSST

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Meghan Burkeen	40396	DETS	M	ASLT	

PPB-SSD-TH

JREAU OF POLICE
519 NW INDUSTRIAL WAY, STE. B4
ORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No. 1213034	051310 / 1400 AM (PM)		10-038353

ONLY ☒ EVIDENCE ☐ FOUND PROPERTY ☐ PRISONER'S PROP. GAVEL DRY CLEANING ☐ SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐

HOME ADDRESS CITY STATE ZIP

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

SIGNATURE

HOME ADDRESS CITY STATE ZIP PHONE

TYPE OF INCIDENT: Office Transfer Shortage

DELIVERING OFFICER: Boulanger

REST/ASSIGN: [illegible]

LOCATION WHERE SEIZED, FOUND, SURRENDERED: Dets

INVESTIGATOR/INTERPRETER

REST/ASSIGN

☐ DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB

☐ SUSPECT

FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN. LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1: diagram by witness		
ITEM 2:		
ITEM 3:		
ITEM 4:		
ITEM 5:		
ITEM 6:		
ITEM 7:		
ITEM 8:		

DELIVERED TO: CRIME LAB / CHECK ONE ONLY	LOCKER	DATE	RECEIVED BY
FED / OTHER	C-6	051310	

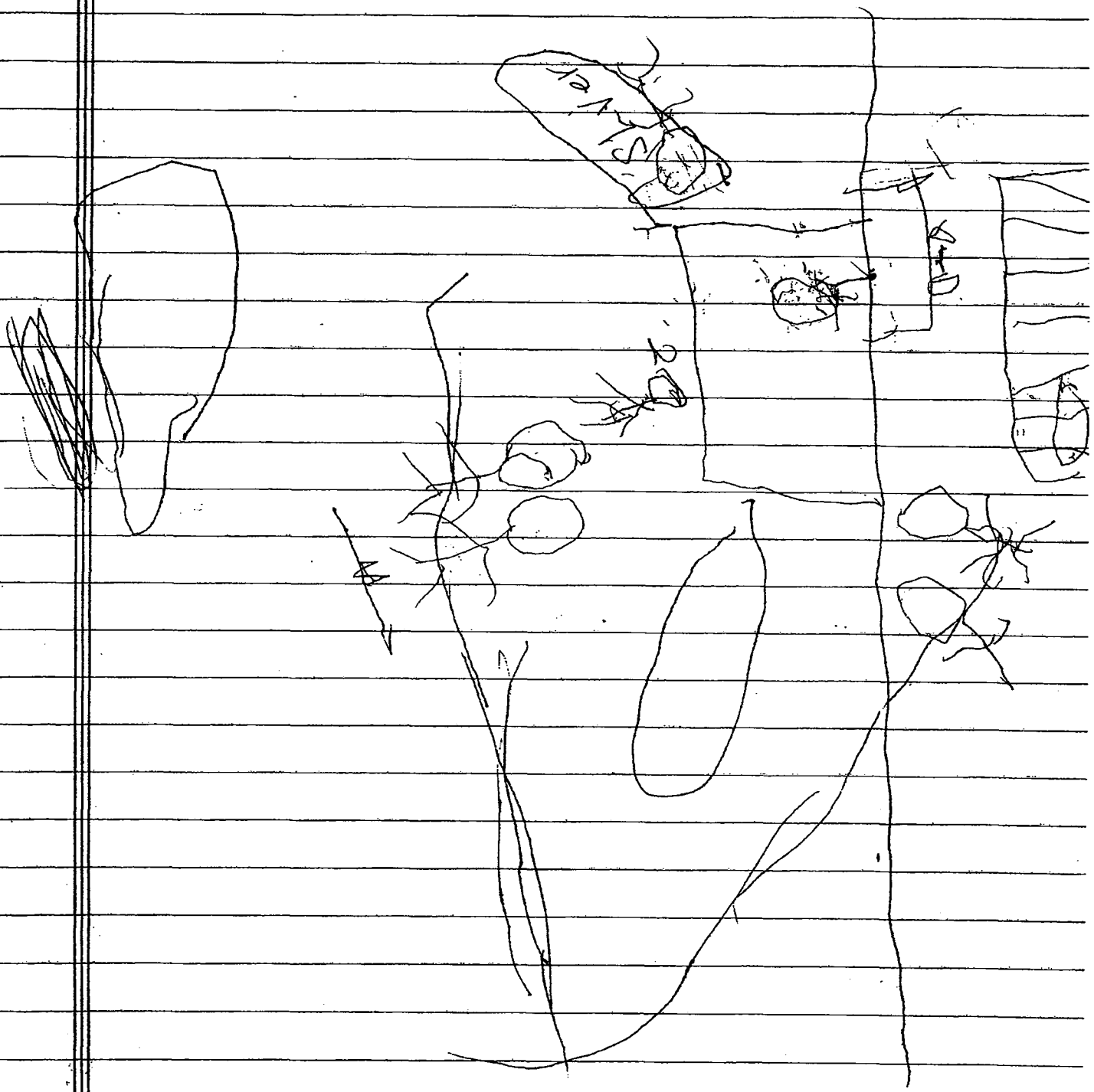
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

INV[illegible]RIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION
DATE: TIME:

BY

WHITE - RECORDS COPY
YELOW - CITIZENS RECEIPT
PINK - WITH PROPERTY

04-01-10



BUREAU OF POLICE
2619 NW INDUSTRIAL WAY, STE. B4
PORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER **No.** 1213387	DATE/TIME AM / PM	REFER CASE NO.	PPB CASE NO.
	5-17-10 / 1600		10-38353

ONLY ☐ EVIDENCE ☐ FOUND PROPERTY ☐ PRISONER'S PROPERTY ☐ SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME — FIRST — M.I. — SEX — DOB

DENIED OWNERSHIP ☐

HOME ADDRESS — CITY — STATE — ZIP

VOLUNTARILY RELINQUISHED ITEM(S) LISTED FOR SAFEKEEPING

OWNER OF PROPERTY LAST NAME — FIRST — M.I. — SEX — DOB

HOME ADDRESS — CITY — STATE — ZIP — PHONE

TYPE OF INCIDENT: Office Found Sketch — DELIVERING OFFICER: Kaufman — P.P.B. I.D. NO.: 29776

LOCATION WHERE SEIZED / FOUND / SURRENDERED: 111 SW 2nd Ave — INVESTIGATOR IF DIFFERENT — P.P.B. I.D. NO.

☐ DEFENDANT ☐ SUSPECT — LAST NAME — FIRST — M.I. — SEX — RACE — DOB

ITEM	FOR GUNS: LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN — LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
1	CD-R containing images of [redacted] 0 /		
2			
3			
4			
5			
6			
7			
8			

ALLEGED CRIME: STATE CRIME CODE — PED 1 — PED 2 — OTHER — CHECK ONE — PED 1 COPY — PED 2 COPY

LOCKER	DATE	RECEIVED BY
C6		

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

INVENTORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION — TIME: — BY

WHITE - RECORDS COPY
YELOW - CITIZENS RECEIPT
PINK - WITH PROPERTY

04-01-10

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 13th, 2010

[redacted]

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIALTAPED STATEMENT TRANSCRIPTION

Burkeen: So, start over again. Um, Detective Meghan Burkeen and present uh, is Detective Warren and [redacted] we're goning to be interviewing you about um, what you saw last night with the officer involved shooting. And also present is her mother, uh, [redacted] So, lets just start with [redacted] what you saw last night.

[redacted] Um, I saw two police cops surrounded a silver car and they got out and they told that, the person to get out of the car and he refused to get out of the car. And then they called um, back up. And they um, took out their taser guns and they start tasing. And then, uh, the police cops shows up and um, they, they took out their guns and then they start firing.

Burkeen: Um, can you tell me where you were standing or where you were in relation to all this going on.

[redacted] I was in my bedroom window.

Burkeen: Okay. Um, at the [redacted] address?

[redacted] No, at the [redacted] Apartments.

Burkeen: Okay, and what's that address?

[redacted] I think it's [redacted] I'm not sure. NE uh, Seventh Avenue.

Burkeen: Okay. And then your apartment number?

[redacted] Was [redacted]

Burkeen: Okay. Um, okay so you heard the guy, or, the pass- the person that was in the vehicle, not the police officer vehicle, but the other car. Could you hear anything that he was saying or?

[redacted] No.

Burkeen: Okay. Um, and you describe them tasering them.

[redacted] Um-hm.

Burkeen: 'Cause he wasn't listening to what the officers were saying.

[redacted] Yes.

Burkeen: What were the officers saying, do you remember? Could you hear what they were saying?

[redacted] Yes, they was telling him to get out of his car.

Burkeen: Um-hm.

[redacted] And he wouldn't get out.

Burkeen: Okay, was it one officer telling him that?

[redacted] It was three.

Burkeen: Three officers.

[redacted] Officers telling him.

Burkeen: Um, can you describe where the police officers were at?

[redacted] They was on the um driver's side of the car.

Burkeen: Okay, all three of them were?

[redacted] Yes.

Burkeen: Okay. And whi- and who tasered him again, I'm sorry, just one of 'em or all of 'em?

[redacted] Um, it was two of 'em.

Burkeen: Two of 'em, okay.

[redacted] Yeah.

Burkeen: Um, and then what happened after the tasering?

[redacted] He started to um, um, shake or, shake him in his car.

Burkeen: The, the person?

[redacted] Yes.

Burkeen: In the car, okay.

[redacted] He started to shaking, to shake so – and then um, they um, then the other police uh, officer tased him again.

Burkeen: Okay.

[redacted] And then he moved over to the passenger side of the car.

Burkeen: Okay, the same officer that tased him?

[redacted] Um-hm.

Burkeen: Moved over? Okay. And then were they, could you hear the officers telling um, the guy in the car anything after that?

[redacted] Yes, they was telling him to get out of the car again.

Burkeen: Okay.

[redacted] And he refused again.

Burkeen: Okay. Um, and then what did they do next after the, the officer moved to the passenger side and the driver refused to get out?

[redacted] They started um, pulling out their guns and then they started firing.

Burkeen: Okay. And then what did you see after the officers were shooting or firing their gun?

[redacted] Um, he like, he, I saw him laying down in his car. And then –

Burkeen: The officer or the?

[redacted] The pas- the, the man.

Burkeen: Okay.

[redacted] And one of the officers opened his uh, passenger seat and he, he um, pulled 'em out of his car.

Burkeen: Okay.

[redacted] And then he was on the sidewalk and his feet was in the car.

Burkeen: Okay, so you saw them pull him out through the passenger side?

[redacted] Yes.

Burkeen: Okay. Um and then you could, could you see what happened after they pulled him out on the passenger side?

[redacted] Um, they hold hi- their guns to him. And telling him, let me see your hands, let me see your hands. And um, he didn't respond.

Burkeen: Um-hm.

[redacted] So they shot him again.

Burkeen: You, you saw the police officers shoot him again?

[redacted] Yeah.

Burkeen: Okay.

Warren: Where, where was he the second time? The shot?

[redacted] In his car.

Warren: Silver car?

[redacted] Yes.

Warren: Okay, so – okay. Can I go back on this for a second, you, you said they're telling him to, to get out of the car and he's refusing.

[redacted] Um-hm.

Warren: How do you know he's refusing? Was, did you hear him say no or shake his head or?

[redacted] I saw him moved his arm.

Warren: You saw what?

[redacted] I saw him moved his arm off one, off the wheel.

Warren: Okay. And what did, what did the mean, what was the meaning of that do you think?

[redacted] It looked like he was shaking his hand no or something like that.

Warren: Like an I ain't coming out.

[redacted] Yes.

Warren: Kinda like this? Okay. Did you ever hear him speak?

[redacted] No.

Warren: Okay. Um, what I'd like to do um, if you could kind of draw your perspective of where you were standing and where uh, and, and where your apartment is and then the kind of street, um, I don't know if this works or not. It does. Just real, jut real generally.

[redacted] (Sound of pen on paper) This is the sidewalk. Um – this is his car.

Warren: Okay. And what street is that gonna be on?

[redacted] Um, Sixth.

Warren: And which direction does the car point? Is it pointed this way?

[redacted] Yes.

Warren: Okay.

[redacted] It's pointing that way.

Warren: Okay.

[redacted] And here is my um, my, my bedroom window.

Warren: How many stories up?

[redacted] The first floor.

Warren: The first floor.

[redacted] Yes. And there was like, there's blinds in my window.

Warren: Okay.

[redacted] And I can see out of the third blind.

Warren: Um-hm.

[redacted] And – um (pause)

Warren: [redacted] if you need to take a minute it's completely okay. I know this is hard.

Burkeen: Do you have any tissue?

[redacted] I'll see if I can find some.

Warren: If you need to take a minute it's alright.

[redacted] (crying)

[redacted] Do you have any cards I can have?

Burkeen: Sure.

Warren: They what?

[redacted] Extra business cards for the school -

[redacted] This is the person who was driving the car. And here's that one, the police cars, I mean the police mans. And – there's, there's the other police, the other police car, I mean police man.

Warren: Um-hm.

[redacted] And – he was, his feet was laying part in, in the car and the rest of his body was laying out.

Warren: Outside the vehicle?

[redacted] Yes. And there was, there was blood all over his white t-shirt.

Warren: And at what point do you, did you see that? After all the shots had been fired?

[redacted] Yes.

Warren: And after the officer had opened the cr- the passenger side door to the vehicle?

[redacted] Um-hm.

Warren: Is that right?

[redacted] Yes.

Warren: Okay. And is he, is the car a two-door or a four-door car, do you remember?

[redacted] A four-door car.

Warren: Okay. And they were, opened the front doors, the front passenger door, is that correct?

[redacted] Um-hm.

Warren: Okay. And did it appear that he had been sitting behind the driver's wheel or that he moved to the, uh, passenger side of the car or could you tell?

[redacted] I couldn't tell.

Warren: Okay. And tell me again what, what part of his body is outside of the car when that door opened?

[redacted] His head and his, his – the - his head and his arms.

Warren: Okay. And that's outside the car? Like straight over his head like, arms extended like this?

[redacted] Yes.

Warren: Is he on his stomach or on his side or on his, on his back?

[redacted] He was on his stomach.

Warren: On his stomach. So kinda like this?

[redacted] Yes.

Warren: And about how much, where is, where is the door, the door that's open, where does that come to him? Is it like, is he like halfway out the car or a third of the way out of the car or more than that?

[redacted] He was halfway out of the car.

Warren: So right about his waist?

[redacted] Yes.

Warren: From his waist down he was inside the car still?

[redacted] Yes.

Warren: That sound about right?

[redacted] Yeah.

Warren: Okay, um, did you lose any sight during this incident?

[redacted] No.

Warren: Okay. Did you duck or anything when you heard the shots or what, what did you do when you heard the shots?

[redacted] I was looking at him.

Warren: I'm sorry?

[redacted] I was looking at him.

Warren: Okay, alright. And what – could you see what he was, what he was looking at?

[redacted] No.

Warren: Could you see if he was looking at, could you see anything at all with him? Like which way he was facing, was he facing forward, was he facing towards the out, the driver's side of the car or was he, had he turned and started looking towards you or? Could you tell the direction he was facing?

[redacted] I couldn't, I couldn't tell.

Warren: Okay. Was there something that was obstructing you or just, just couldn't see because of the glare or something on the windows?

[redacted] It was the glare on the windows.

Warren: Okay. Did you see anything else that he was doing inside the car? I know he was, he, he, he was sitting there. Did you see him actually sitting behind the wheel when the whole thing started?

[redacted] Yes.

Warren: Okay. What else did he do when the officers were yelling commands at him to come out of the car? What sort of things, where, where, did he move anywhere in the car? Reach anywhere? Roll down a window? Anything you could, you could tell?

[redacted] I just, I just saw him took his hand off the wheel, that's all.

Warren: I'm sorry.

[redacted] I just saw him took his hand off the wheel.

Warren: Okay, when that happened were both hands on the wheel?

[redacted] Yes.

Warren: Okay, like where mine are now or were they down below or could you tell?

[redacted] It was on top.

Warren: Okay, and just, can you, can you show us, how, what, how he did it? Which hand it was.

[redacted] It was this hand.

Warren: Okay. He took that hand off.

[redacted] Yes.

Warren: Okay, and what did he, what exactly did he do? Did you see him do with that hand?

[redacted] He was telling one of the police officers like that.

Warren: Okay. And, and, okay, so he's waving it like this, what happened then?

[redacted] Um, I, I couldn't –

Warren: It, it's okay if you don't know. It's completely okay if you didn't see or you couldn't tell. I, I'm, I'm just trying to get a – how much you did see.

[redacted] I don't know.

Warren: Okay. It's okay, I'm not thinking you should've seen it. But if you did, we'd just like to know. Did his hand come back onto the wheel then? Or did you? No. It never did.

[redacted] No.

Warren: It sounds like, is that about when the shots to fired, to go out?

[redacted] Um-hm.

Warren: Okay. How long after you saw him moving his hand was it before the shots started firing? Or could you tell?

[redacted] No.

Warren: You couldn't tell?

[redacted] No.

Warren: Did it seem like a short time, like a few seconds or a long time like a half a minute or a minute?

[redacted] Um, just wave and then, that's it.

Warren: Okay. So he's waving and then the shoot, the, the shooting started.

[redacted] Yes.

Warren: Okay, and not sure how long it took.

[redacted] No.

Warren: Did it seem fairly quickly?

[redacted] It looked like he did it real fast.

Warren: Okay. The shooting happened real fast.

[redacted] Yes.

Warren: Okay. Now was that before or after he had been tased?

[redacted] After.

Warren: Okay, so he'd already been tased.

[redacted] Yes.

Warren: Okay. And the officers that used the tasers, or taser – how many times did you see that weapon deployed or fired at the guy in the car?

[redacted] Um, they tased him twice.

Warren: Okay. And can you, can you draw on that little map there where the, where the officers were standing when they used the taser both times.

[redacted] One officer was right here.

Warren: Okay.

[redacted] And the other officer (sound of pen on paper) was right there.

Warren: And can you put like maybe a number "1" and a number "2" as to which one tased first and which one tased second. Okay, that makes sense. When they tased did they open the door or did they go through the window? Did they break the window? How did, how did they, how did they reach him with the taser?

[redacted] They broke the window.

Warren: Okay. Did you see which officer broke the window?

[redacted] No.

Warren: And how do you know the windows broken?

[redacted] 'Cause there was glass all over.

Warren: Okay. And you saw that later or at the time?

[redacted] After.

Warren: I'm sorry.

[redacted] After time.

Warren: Okay, did you hear the glass breaking?

[redacted] No.

Warren: Okay. So by the time you looked out the window this was already going on it sounds like.

[redacted] Yeah.

Warren: Right, okay. And what was the first thing that drew your attention to look out the window and see what was going on?

[redacted] Everything.

Warren: Okay. Anything im- did you see the lights, did you hear yelling? See people screaming?

[redacted] I heard yelling.

Warren: Okay. Did you see, so you heard yelling. Was that before you saw the lights?

[redacted] Yeah.

Warren: Okay and so you came to the window and you looked out the window.

[redacted] Um-hm.

Warren: And what was the very first thing you saw?

[redacted] I saw two, I saw two police cars surrounding his car.

Warren: Okay, can you draw where those cars are? You can draw over those two, that's fine.

[redacted] Um, one car was there.

Warren: Okay.

[redacted] And the other car was there.

Warren: Okay. And can you describe the police cars for me? What'd they look like?

[redacted] There was – there was, one was silver.

Warren: Um-hm, which one was silver?

[redacted] The first car was silver.

Warren: Okay, which, which is the first car?

[redacted] This one.

Warren: Okay.

[redacted] Was silver.

Warren: Can you write silver on that for me, just so I can keep track.

[redacted] L-V-E-R.

Warren: You can put an R in there, that's fine.

[redacted] Alright (laugh).

Warren: Okay, and what about this car, what, what color was that?

[redacted] The other one was blue.

Warren: Blue, okay, like a dark blue or a light blue or?

[redacted] It was a dark blue.

Warren: Okay. So they're, they weren't just regular looking white police cars with a bl- with a blue stripe down the side?

[redacted] No.

Warren: Okay, but it's clear they were police cars.

[redacted] Um-hm.

Warren: Okay. And the officers, how do, do you know they're police officers? They look like every other police officer you've seen or did they have some special uniform on or?

[redacted] They looked like the other police officers.

Warren: Like what?

[redacted] They looked like the other police officers.

Warren: Just ordinary police officers, blue uniform?

[redacted] Um-hm.

Warren: With, saw the badge.

[redacted] Yeah.

Warren: Okay, alright. So it was clear to you that they were Portland, they looked like Portland Police Officers?

[redacted] Um-hm.

Warren: Okay, so it was clear to you it was Portland Police that was making the stop?

[redacted] Yeah.

Warren: Okay, alright. So the car, so that, that's, and that's first recall of what you saw. Looked out your blinds, the, the, this guys car is a silver car right? Also?

[redacted] Yes.

Warren: Okay. It stopped and then the silver police car kind of in front, kind of blocking it looks like, the way you have it drawn here.

[redacted] Um-hm.

Warren: And a blue police car behind.

[redacted] Yeah.

Warren: Right behind him.

[redacted] Yes.

Warren: That's the first thing you saw.

[redacted] Um-hm.

Warren: And the police officers were out of their cars. Is that correct?

[redacted] Um-hm.

Warren: And?

[redacted] They was already at the silver car.

Warren: And where, where exact, okay what exactly does that mean then? Where, where were they?

[redacted] One was, one was in the front of their car.

Warren: Okay.

[redacted] And one was on the side of his car.

Warren: Okay, okay. But they're both, the way you're describing it, it sounds like they were on the driver's side of the um, the, right, right in front, or next to the driver's side of the, uh, of, of the guy who was driving, correct?

[redacted] Yes.

Warren: Okay. Just the two police officers?

[redacted] Um-hm.

Warren: You didn't see anybody else at that point?

[redacted] No.

Warren: Okay. And could you tell which of the officers was giving most of the commands? Or were they both kind of, both dealing with things or was it, was it clear who might've been in control?

[redacted] Um, it was the first one who pulled up. He was coming and –

Warren: Okay, who would that be?

[redacted] The one who was driving the silver police car.

Warren: Okay. And he was the first officer?

[redacted] Um-hm.

Warren: Okay what, why do you say he was the first officer?

[redacted] 'Cause he showed, he showed up first. And he got, he got to the car first.

Warren: Okay, so did you see him actually arriving?

[redacted] Yes.

Warren: You did? Okay. And then the blue car pulled up after him?

[redacted] Um-hm.

Warren: Okay. So you did see a little bit before these cars were all stationary and parked where they, where they are, are, where they are on your drawing?

[redacted] Um-hm.

Warren: Okay. So did you, did you see his car moving at all?

[redacted] No.

Warren: He was already stopped.

[redacted] Um-hm.

Warren: Okay. So he's stopped and then you saw these two cars pull in?

[redacted] Um-hm.

Warren: And this car was first, the silver car.

[redacted] Yes.

Warren: Okay. And then how much longer was it before this car arrived?

[redacted] Right after this, right after this police car stopped he pulled in.

Warren: So within seconds.

[redacted] Yes.

Warren: Five seconds, maybe, no – could it have been a minute?

[redacted] Yeah.

Warren: Could've been a minute?

[redacted] Um-hm.

Warren: Okay. Was this guy out of his car already then when he stops? When the blue car stops?

[redacted] No, no.

Warren: He was still inside of his car?

[redacted] Yes.

Warren: When does he get out of his car?

[redacted] When, when he got out, he got out.

Warren: Okay.

[redacted] And then they both came to the car at the same time.

Warren: Okay, okay. And were their guns drawn?

[redacted] No, not yet.

Warren: Did they have anything in their hands at all?

[redacted] No.

Warren: What were they doing at that moment?

[redacted] They was just telling him to get out of his car, get out of his car.

Warren: Okay, so they both approached the driver's side of his vehicle. No weapons that you can see are in their hands and they're telling the driver to get out of the car.

[redacted] Yes.

Warren: Okay. What is the driver of the car doing?

[redacted] I don't know.

Warren: It's okay if you don't know. It really is. You can't see everything, but whatever you may have seen, I'd just like to know.

[redacted] I don't know.

Warren: Okay. Alright, so – could you tell if there was anybody else inside the car with him?

[redacted] No. It was just him.

Warren: Okay, you're sure of that?

[redacted] Yes.

Warren: Okay. How good of a view of him did you see? Did you get, of the driver?

[redacted] A good view.

Warren: I'm sorry.

[redacted] A good view.

Warren: Okay, what, what'd he look like?

[redacted] He was a black male.

Warren: Okay, how old?

[redacted] He looked like he was in his 20's or 30's.

Warren: Okay. What'd, wha'd his, uh, uh, what about hair, did he have any hair?

[redacted] Yes, he had not that much hair. He had some brown hair.

Warren: You say brown hair?

[redacted] Yes.

Warren: Okay. And was it like cut real short?

[redacted] Um-hm.

Warren: Okay, and how dark skinned was he?

[redacted] Um, the ski- the same as mine.

Warren: Same complexion as yours.

Montgomery: Yeah.

Warren: Okay. And get, get an idea how tall he was? I mean was, could he be as tall as I am or taller or shorter? I know it's hard 'cause he's sitting in a car.

[redacted] I can't tell.

Warren: Okay. You didn't get a sense if he was tall or short?

[redacted] He was short.

Warren: Okay, and how bi- how big a build was he?

[redacted] Not that much.

Warren: He's slender?

[redacted] Yeah.

Warren: Pretty skinny?

[redacted] Yeah.

Warren: Like really skinny or just kind of skinny?

[redacted] Just skinny like me.

Warren: Skinny like you, okay.

[redacted] Yeah.

Warren: Alright, fair enough. And um, he have a beard, mustache, goatee? Could you tell?

[redacted] He had a mustache.

Warren: Okay. How, how thick of a mustache do you think? Like, like mine is or not quite or?

[redacted] Like yours.

Warren: Okay. So fairly thick?

[redacted] Yes.

Warren: Okay. Um, you made a mention of his t-shirt, it was white.

[redacted] Um-hm.

Warren: Was that a t-shirt or a dress shirt or could you tell?

[redacted] It was a t-shirt.

Warren: Did it have any writing on it?

[redacted] No, just a plain t-shirt.

Warren: Anything else on? Or just the t-shirt?

[redacted] He had a jacket.

Warren: Okay, tell me about the jacket.

[redacted] It was a black jacket.

Warren: Kinda like yours?

[redacted] Yes.

Warren: Cloth jacket or leather or? Could you tell?

[redacted] It was (pause) it was just like a regular jacket.

Warren: Okay. Okay. Did it have any writing on it? I see your's says like Nike on it, does, did his have anything on it?

[redacted] No.

Warren: How about a, was, did it, your's has a hood, did, did his have a hood?

[redacted] Yes.

Warren: It did, okay. Like a zipper jacket then?

[redacted] Um-hm.

Warren: Okay, full zipper just like yours then (fire alarm sound in background)

[redacted] Uh – a fire alarm – at, it's a fire alarm.

Warren: Yeah well, if we smell smoke we'll go out. Great timing. Um, okay – did you see, did you eventually see what shoes he was wearing or do you, could you have saw any of that stuff?

[redacted] It was some [redacted] Nike shoes.

Warren: Okay, and when you tell me about his clothing and what you saw was that stuff you saw before the shooting or were you able to actually see that while he's sitting inside the car?

[redacted] It was after the shooting.

Warren: Okay. How much of him could you see before the shooting?

[redacted] I just saw him, just his black jacket.

Warren: Just a black jacket?

[redacted] Yeah.

Warren: Okay. Could you tell, could you tell if he, he, he was a black man?

[redacted] Um-hm.

Warren: Okay. Could you tell that he had the mustache?

[redacted] Yes.

Warren: Could you tell that if he was short and slender?

[redacted] No.

Warren: No you couldn't tell that stuff?

[redacted] No.

Warren: And the re- and we mentioned something about the window. The window had hit, it sounded like the window of the passenger side of the car was probably up?

[redacted] Yeah.

Warren: Is that, was it kind of the reflection that made it hard to see inside?

[redacted] Um-hm.

Warren: 'Cause you're seeing, looking through your window as well correct?

[redacted] Yes.

Warren: Okay. About how far, and you can estimate here if you'd like – about from myself where he was. Is this about how far away he was to you or closer or further away?

[redacted] Uh –

[redacted] Her window –

Warren: Um-hm.

[redacted] Is like she is right here, this is here window.

Warren: Right.

[redacted] The sidewalk is like right there.

Warren: Yep.

[redacted] Yeah.

Warren: Car is right here. And if I'm sitting in the car, this is about how far away you'd be?

[redacted] The window's here, so – little closer. I mean she was like, the window, um, her window is right.

Burkeen: So her window is right on the sidewalk.

[redacted] Right, sidewalk, street.

Burkeen: And then the car.

[redacted] Yeah, so like right there. Yeah.

Warren: How about here [redacted] does this sound about right?

[redacted] I guess.

Warren: Okay. About this far?

[redacted] Yes.

Warren: Okay, that's probably, less than 15 feet. Right about, probably 12 feet away. Okay. So the cars, the police cars are stopped and two policemen have gotten out. And they're yelling at him to come out of the car.

[redacted] Um-hm.

Warren: And for whatever reason he doesn't want to come out.

[redacted] No.

Warren: You, you mentioned a few times that they, they've yelled at him. Get out of the car, get out the car – what else did, did you hear them say, anything about, let me see your hand – or you said later, let me see your hands, but how about this initial contact right here? What are they yelling, what are they telling him? What else can you remember they may have said?

[redacted] That's it.

Warren: Okay. Just get out of the car.

[redacted] Um-hm.

Warren: Did they say why they wanted him to come out of the car?

[redacted] No.

Warren: Okay. Okay. Um, Okay. What happens next? They're yelling at him, come out of the car. Sounds like maybe the tasing happens next.

[redacted] Yes.

Warren: Okay, how long from the first time, when the both officers approach, and start yelling, do they start to tase him?

[redacted] About –

Warren: How long?

[redacted] Right, right after they said get out the car. Then they pulled out their tasers and then they started tasing him.

Warren: Do they both simultaneously tase him? They both do it at the same time?

[redacted] No. The man in the silver car.

Warren: Okay. Oh, you did mention that, okay.

[redacted] He started tasing first and then he started tasing after him.

Warren: Okay. And how much time has gone by now?

[redacted] I don't know.

Warren: Okay. Is it all happening really fast?

[redacted] Yes.

Warren: And, so the first officer tases and the second one, is he like right after him?

[redacted] Yes.

Warren: And what happens then? They're tasing him, and you mentioned something the, the man shaking.

[redacted] Um-hm.

Warren: Is that when you saw him shaking?

[redacted] Yes.

Warren: Okay, what happens? Just tell me a little bit more about that.

[redacted] After he shakes he moves over to the passenger side.

Warren: Okay.

[redacted] And then the police, the two police officers moved over to the passenger side.

Warren: Okay.

[redacted] Wa-

Warren: No, go ahead.

[redacted] That, that's it.

Warren: Okay. So he's getting tased and he moves to the passenger side of the car.

[redacted] Um-hm.

Warren: Is he doing that as a result of being tased or do you think he, he's trying to get away from being tased or, what'd you, how do you think he got over there?

[redacted] I, I think he was trying to get away from being tased.

Warren: Okay. So you could see him kind of crawling around, trying to move?

[redacted] Yes.

Warren: Okay, is he shaking during this time also?

[redacted] Yes.

Warren: How long did he shake?

[redacted] Um –

Warren: A few seconds? A minute?

[redacted] I think a few seconds.

Warren: Okay. So then he moves to the passenger side of the car.

[redacted] Yes.

Warren: What are the officers doing? When he moves to the other side of the, passenger side of the car what are the officers do, how do they respond?

[redacted] They pulled out their guns.

Warren: Okay, and then what happens?

[redacted] And then they started shooting.

Warren: Okay. Do you hear them yell anything to him before they started shooting?

[redacted] No.

Warren: Could you tell there was yelling on, you just couldn't make it out?

[redacted] There was no yelling involved.

Warren: There was no sou- no voices at all?

[redacted] No.

Warren: It was quiet.

[redacted] Yes.

Warren: Okay. And then you heard the gunshots.

[redacted] Yes.

Warren: Okay. Tell me about the gunshots. How many did you hear, or did you, could you tell how many there were?

[redacted] No, it went pretty fast.

Warren: Were there a lot of shots or just a few?

[redacted] There was a lot of shots.

Warren: Okay.

[redacted] There's...

Warren: ...And at this point was it just the two officers that were there?

[redacted] No, more was involved.

Warren: Okay, alright. Lets back up then and talk about the other officers arriving. 'Cause we, at, at one point we had the two officers out here.

[redacted] Um-hm.

Warren: Next to the car, they tased him.

[redacted] Yes.

Warren: Were they only, were they the only two officers that were here at that time?

[redacted] Yes.

Warren: Okay. So it sounds like, and you correct me if I'm wrong, but if he when the, it sounds like by the time he's moving to the other side of the car is when the other officers arrive?

[redacted] Yes.

Warren: Is that correct?

[redacted] Yes.

Warren: Okay. Tell me about the other officers arriving, where they came from and how many you thought, how many you saw.

[redacted] It was a lot. They was coming from different directions.

Warren: Okay and did they arrive before the shots? Or after the shots?

[redacted] Arrived before the shots.

Warren: Okay so you have a whole bunch of officers now starting to pull in before the shots are fired, but after the taser?

[redacted] Yes.

Warren: Taser –

[redacted] Then a whole …

Warren: …Guy moves, bunch of officers arrive.

[redacted] Yes.

Warren: Okay. Perfect. So we start out with two policemen. How many do you think we have now?

[redacted] A lot.

Warren: Like more than 10?

[redacted] Yes.

Warren: More than 20? I mean eventually I'm sure…

[redacted] …Yeah.

Warren: The whole Calvary arrives, but at this particular moment how many, how many did you see? Roughly.

[redacted] A lot, a lot of 'em. They was all over. Some of 'em was behind their cars.

Warren: Um-hm.

[redacted] Some of 'em was coming up to the silver car and some of 'em was behind the tractor.

Warren: Where's the tractor?

[redacted] Across the street from the uh –

[redacted] They were working on the street with the tractor so they were across the street.

Warren: Oh, I see.

[redacted] There was a, a yellow tractor…

Warren: …Oh, it belongs to the City?

[redacted] Yeah.

[redacted] Then some police car, some policemens were behind…

Warren: …I gotcha…

[redacted] …The yellow tractor.

Warren: Okay, that makes sense. Now when these officers arrive did, did you see guns?

[redacted] Yes.

Warren: Okay, whose got a gun?

[redacted] All of 'em does.

Warren: How about these two guys with the tasers?

[redacted] Yes.

Warren: They, they now have, they put their, you saw them put their tasers away?

[redacted] Yes.

Warren: At what point did they put their tasers away and pull their, their handguns out?

[redacted] They was moving fast.

Warren: Okay.

[redacted] They was like reaching and then they reached for their gun and then pulled it out.

Warren: Okay, okay. And that was after they tased him.

[redacted] Yeah.

Warren: Okay. So now these two officers are still here?

[redacted] Yes.

Warren: This guy's moved to this side of the car and now we have officers all over the place.

[redacted] Yeah.

Warren: Right. Did you see officers that were on this side of the car?

[redacted] No.

Warren: No. You, you drew one here who is kind of here, kind of next, in front of your window, whe- when does this guy arrive and when does he get to this point?

[redacted] There's police cars.

Warren: Um-hm.

[redacted] They get out of their car.

Warren: Um-hm.

[redacted] Some of 'em came over this side.

Warren: Um-hm.

[redacted] And some of 'em came over this side.

Warren: Okay.

[redacted] And behind there.

Warren: Okay, so they kind of fan out.

[redacted] Yes.

Warren: They go all over the place. Okay.

[redacted] Um-hm.

Warren: Alright. This guy is now over in the passenger side of his car.

[redacted] Yes.

Warren: Okay. What is he doing?

[redacted] I don't know.

Warren: Okay. Is he, is he sitting upright? Is he kinda laying down, is he kind of diving down to the floor of the car or is trying to stand, is he trying to get a door open, what'd you, what, what do you think he's trying to do? Or what do you think, what do you see him doing?

[redacted] He was leaning down.

Warren: (Sneeze). Excuse me.

[redacted] Bless you.

Warren: Thank you. I'm sorry, say that again.

[redacted] He was leaning down.

Warren: Leaning, what does that mean exactly?

[redacted] This way. The seats was there, he was laying down by the seats.

Warren: I'm not sure he- okay, let's say I'm...

[redacted] ...The front, the front seats.

Warren: Okay let's say I'm sitting in the front seat of the or the front passenger seat of the car.

[redacted] Yeah.

Warren: Tell me how to, how I need to lean to, to show.

[redacted] On his side.

Warren: Like this?

[redacted] Yes.

Warren: Okay. And this is before he gets shot?

[redacted] Um-hm.

Warren: Correct?

[redacted] Yes.

Warren: Okay, so he's kinda leaning like this so he's kinda, his head is kind of canted towards the passenger side window.

[redacted] Um-hm.

Warren: Could you tell, was he sitting in the seat like I am right now? Was leaning or was he kinda laying or could you tell?

[redacted] He was kinda laying.

Warren: Kinda laying across the seats?

[redacted] Yes.

Warren: So it was, maybe his feet were still on the passenger side or the driver's side of the car?

[redacted] Um-hm.

Warren: Okay, which way is his body facing?

[redacted] Towards the sidewalk.

Warren: Towards the sidewalk?

[redacted] Yeah, towards the, the passenger door. His body was laying like that.

Warren: Like this? Like I am right here?

[redacted] Yeah.

Warren: Like if this is the seat and here's my door, he's laying like this?

[redacted] Yes.

Warren: Okay. Where, where are his hands?

[redacted] I couldn't see his hands.

Warren: You couldn't see his hands?

[redacted] No.

Warren: Okay. His face must be fairly close to the window, in fact he's very close to you now. Correct?

[redacted] Yes.

Warren: What is he doing, what, what'd you, do you see him, can you see his mouth moving like he's trying to say something?

[redacted] No.

Warren: Do you see his mouth and face at all?

[redacted] I couldn't see his face at all.

Warren: Couldn't see his face at all?

[redacted] No.

Warren: Okay. Um, and this is before the shots are fired?

[redacted] Um-hm.

Warren: Okay, okay, keep going, what, what happens next? He's over here, he's kinda leaning up, the officers have tased him, they've gone to their guns, it looks like. These two guys pull guns. Everybody else has arrived.

[redacted] Yeah.

Warren: Right?

[redacted] Um-hm

Warren: Has anything else happened that you can recall? This, this is the kind of thing about going through this stuff is the more you think about it the more you talk about it the more you remember. It's very, and it, and this happens a lot. Anything else that you can remember that happened?

[redacted] Some police cars over here was firing at the car.

Warren: Firing at the car.

[redacted] Yes. They're fired at the backside, the backdoor of the driver's seat. That glass shattered.

Warren: Okay. What were they shooting at it with?

[redacted] Their guns.

Warren: What kind of guns?

[redacted] It was black guns.

Warren: Was it a handgun like the one I carry or was it like a shot gun? Like a big long gun?

[redacted] It was like your gun.

Warren: Like a pistol.

[redacted] Yes.

Warren: Okay. And where were those, can you draw, draw where those officers were? Where those shots came from. (pause) Okay.

[redacted] It was right there.

Warren: And these are two new arriving officers right? They weren't here for the original?

[redacted] Hm-um.

Warren: Okay. And how far away from this car where they standing when you saw them shoot at it?

[redacted] Right here.

Warren: So it's a ways – like a car length away?

[redacted] Um-hm.

Warren: Were they the first officers that you saw shoot at the car?

[redacted] Yes.

Warren: Okay. And what happened when they shot at the car?

[redacted] And then some more of them shot at the car.

Warren: But these guys had to be the first ones to open fire?

[redacted] Yeah.

Warren: Okay.

[redacted] Those two were sh- those two shot first and then the other shot it.

Warren: Okay. And you saw, I, I, I think you, uh, I think you described windows breaking?

[redacted] Yes.

Warren: Or shattering.

[redacted] Yes.

Warren: Okay, tell me about that.

[redacted] The window.

Warren: Which windows?

[redacted] The backseat window.

Warren: Like the, the passenger, or the driver's side rear…

[redacted] …The driver's side of the – the backseat of the driver's side.

Warren: Okay.

[redacted] That, that window shattered.

Warren: Okay. How about the back window, the rear window of the car? That one break too or did you see that one?

[redacted] No.

??: Oh, I'm sorry, I didn't realize you guys were still here (door closing)

Warren: Okay um, then the oth- other officers started firing.

[redacted] Yes.

Warren: Could you tell how many officers were firing?

[redacted] No.

Warren: It sounded like more than two?

[redacted] Yes.

Warren: Right. Okay. And no sense for how many rounds were fired? How many bullets were fired?

[redacted] No.

Warren: Okay. Where was he when the off- when, when the officers started shooting at him? Right where you described him?

[redacted] Yes.

Warren: In this kind of leaned over position stretched across both seats?

[redacted] Yes.

Warren: Okay. And then what happens?

[redacted] Then there's two, two bullet holes in the passenger seat car, in the car door. Like right next to each other.

Warren: Okay describe where, describe where you're talking about. Oh, on the side of the car.

[redacted] The side of the car there was two bullet holes right next to 'em.

Warren: Okay, did you see where those bullet holes came from?

[redacted] No.

Warren: Okay. And where in relationship to him, lets say on him again leaning against the car door, where, where over here are they? They're like around here? Or up here or could you tell?

[redacted] I couldn't tell.

Warren: Were they on the, they're on the driver's, so the passenger side front door.

[redacted] Yes. It was on the passenger side – door. They was right next to each other.

Warren: Like how far? A couple inches?

[redacted] Yeah. Like that far apart from each other.

Warren: Why, how, how many, how far away in reality would that be? Like this, this close?

[redacted] Go up – right there.

Warren: So about four inches. Three or four inches.

[redacted] Yes.

Warren: Okay. Okay. And then what happens? All the shooting stopped.

[redacted] Yes.

Warren: By now. Okay. And then what happens?

[redacted] I don't remember. I don't remember 'cause I was crying at the same time.

Warren: I can understand. You, you told us earlier about seeing a, a policeman opening the passenger side door and pulling the guy out?

[redacted] Yes.

Warren: Okay, do you remember that? Okay, was that…

[redacted] …And he had…

Warren: …Hmm?

[redacted] Had blood on his t-shirt.

Warren: Yeah, he had a lot of blood on his t-shirt. How long after the shooting did it, was it before the officer opened that door to pull him out?

[redacted] I don't remember.

Warren: Okay, do you remember them yelling, get, let me see your hands?

[redacted] Yeah, they was telling him, let me see your hands and he, he couldn't hear them.

Warren: Okay. But that door was still closed right? At that moment?

[redacted] Yes.

Warren: Okay. And then they opened the door.

[redacted] Yeah.

Warren: And an officer reached in and pulled him out? Okay. What, an- and, then what happens?

[redacted] They, they waited for a minute and then I could see another police officer with a long, with a long black gun and he fired at him with these little –

Warren: Um – um-hm.

[redacted] Little things.

Warren: Right.

[redacted] They stick out of 'em. He fired three of those.

Warren: Okay.

[redacted] At him. And he gave, he didn't budge.

Warren: That was after he had been pulled out of the car?

[redacted] Yes.

Warren: Okay. And he didn't move.

[redacted] No.

Warren: What, how, how was he laying on the ground now?

[redacted] His arms and his arms was out of the car.

Warren: Okay. So he's still partially still inside of the car.

[redacted] Yes.

Warren: When you saw the officer fire the, the uh, these rounds at him, where do they hit him? Where did you see him get hit?

[redacted] On his side.

Warren: Can you point on yourself maybe where, whereabouts it would have it, for me.

[redacted] Right here.

Warren: Like right here?

[redacted] Yeah.

Warren: Three time?

[redacted] Um-hm.

Warren: Fairly quickly like bam, bam, bam?

[redacted] Yes.

Warren: Okay. Then what happens?

[redacted] Then that's all I saw 'cause I was…

Warren: …What?

[redacted] I was scared and crying at the same time.

Warren: Yeah.

[redacted] And I couldn't see – anymore.

Warren: You couldn't see anymore? How come?

[redacted] 'Cause –

Warren: Just crying?

[redacted] Yeah, I was crying

Warren: Just crying too much?

[redacted] Too much.

Warren: Yeah. Okay. Alright. Did you leave the window at that point?

[redacted] Yes.

Warren: And go call your mom? Okay. And you were at work or somewhere?

[redacted] No, me and my other daughter had went out to eat. She didn't want to go, but she had ate at school so she wasn't hungry.

Warren: Okay. Alright. What else can you remember [redacted] Anything else?

[redacted] (Sniffling)

Warren: I'm sorry to have to ask you to relive this, but it's so important. You got such a good view of everything, it's really important to hear what you have to say about it. And what you saw.

[redacted] (crying). They must've called the paramedics 'cause there was the paramedics on the side. I could see – I could see them. They, they pulled out their um, their safety kits.

Warren: Um-hm.

[redacted] Um, and there was like monitors on one of them.

Warren: Um-hm.

[redacted] And they was putting little things on his body.

Warren: Right.

[redacted] And then –

Warren: Were they there pretty quick?

[redacted] Huh?

Warren: Were they there, were they fast?

[redacted] Yeah. And then they took, took those things off.

Warren: How long after they got him out of the car, before the medics were able to, to, to attend to him? Were you able to tell?

[redacted] Hm.

Warren: Did it seem like it happened fairly fast?

[redacted] Yes.

Warren: Okay. Is that before you've turned away from the window?

[redacted] Um-hm.

Warren: Okay. Can you think of anything else?

Burkeen: No.

Warren: Had you ever seen this guy before?

[redacted] No.

Warren: Did you get a good look at him later just to kinda see if he was someone you knew or something you could recognize?

[redacted] I didn't know him.

Warren: Okay.

Burkeen: Did you see anybody else get hurt? Besides that guy?

[redacted] No.

Warren: Okay. I don't have anything else, go ahead and end.

Burkeen: What time is it?

Warren: Uh, 2:57, 2:52 rather.

Burkeen: Alright. Ending at 2:52

Transcribed Verbatim with Punctuation Added 052110 / tb

CASE NO. 038353

MULTNOMAH COUNTY SHERIFF'S OFFICE **SPECIAL REPORT** ☐INFORMATION ☐CONTINUATION ☐ CLEARANCE ☐ SUPPLEMENTAL PAGE/OF 1 of 3

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-038353	10-038359	Officer Involved Shooting (OIS)

☐ 1. UNFOUNDED ☐ 2. PENDING ☐ 3. SUSPENDED ☐ 4. CLR BY ARREST ☐ 5. EXCEPTIONAL ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME: 5-12-2010/1823 THIS REPORT DATE/TIME: 5-15-2010/0830

LOCATION OF OCCURRENCE: NE 6th/NE Clackamas (Portland, Oregon)

PERSON CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion

CODE	NAME: LAST, FIRST MIDDLE	SEX	RACE	DOB
SB	[redacted]	M	W	[redacted]

ADDRESS: [redacted] NE 12th Portland Oregon 97211 ZIP PHONE: [redacted]

SUBJECT OF THIS REPORT: Interview of [redacted] PROPERTY RECEIPT NO.: N/A

NARRATIVE/PROPERTY S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

(ITEM) CODE ITEM BRAND MODEL/STYLE SERIAL NO. COLOR ENGRAVINGS/PECULIARITIES SIZE VALUE

COPIES
☐ DET
☐ Roll Call
☐ Gresham
☐ Fairview
☐ Troutdale
☐ TRF
☐ DA
☐ MDT
☐ PPB
☐ Crime Prev
☐ Intell
☐
☐
☐
☐
☐
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR
☐ Vehicle
OPR
☐ Crime/ Prop
OPR
☐
OPR

SUMMARY:

Interview of [redacted] (witness) related to Officer Involved Shooting incident.

MENTIONED:

Gosson, Lee Detective/MCT/DPSST #30282
Multnomah County Sheriff's Office 503-255-3600

Michaelson, David Det. Sgt./DPSST #23060
Portland Police Bureau 503-823-0460

Mallory,Sean Detective/MCT/DPSST #31088
Multnomah County Sheriff's Office 503-255-3600

ACTION TAKEN:

On Wednesday May 12, 2010, at 1912 hours, I was contacted (via Nextel) by Multnomah County Sheriff's Office Acting Detective Sergeant Lee Gosson at my residence. A/Det. Sgt. Gosson advised me that the Portland Police Bureau (PPB) had an Officer Involved Shooting (OIS) in the area of NE 6th/NE Clackamas and requested that I respond to the scene as a member of the East County Major Crimes Team to provided assistance with the pending investigation.

At 2000 hours I arrived at the scene. Detective Sean Mallory and I contacted PPB detective personnel at a PPB command post near the area NE 6th/NE Clackamas (Portland, Oregon). A short time later, PPB Detective Sergeant David Michaelson directed Detective Mallory and I to interview American Medical Response (AMR) ambulance personnel. Between 2025 to 2130 hours, Detective Sean Mallory and I conducted four recorded interviewed with AMR ambulance personnel at the Temple Baptist Church located at [redacted] Clackamas (Portland, Oregon). The interviews were conducted in a basement resource room within the church.

Detective Mallory and I then returned to PPB command post for additional investigative assignments.

Officer(s) Involved	BPST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
Detective LARS SNITKER/23519		ENF	M		

At 2205 hours, PPB Detective Sergeant David Michaelson directed Detective Mallory and I to interview [redacted] who had witnessed the OIS incident. Detective Sergeant Michaelson introduced us to Andree [redacted] to us near the PPB command post area. Detective Mallory and I then introduced ourselves to [redacted] as Multnomah County Sheriff's Office detectives. Detective Mallory and I led [redacted] to the Temple Baptist Church located at [redacted] Clackamas (Portland, Oregon). [redacted] provided me with his Oregon driver's license (ODL No.: [redacted]) prior to being interviewed. I positively identified [redacted] for his Oregon driver's license.

Between 2211-2238 hours, Detective Mallory and I conducted a recorded interview with [redacted] at Baptist Church located at [redacted] Clackamas (Portland, Oregon). The interview was conducted in a basement resource room within the church.

Detective Sergeant Michaelson then coordinated with PPB crime scene personnel on getting [redacted] vehicle released from the OIS scene.

STATEMENTS:

[redacted] (Witness at OIS incident) summary statement:
[redacted] indicated that he was driving his car (westbound) from the Lloyd Center area on NE 6th toward NE MLK, near the Burger King. [redacted] indicated that his sister, [redacted] was a passenger in the car. [redacted] indicated that there was a red car stopped in the roadway ahead of his vehicle. Another car passed by the stopped red vehicle. [redacted] observed police cars arriving into the area and believe that there may have been a high speed chase. [redacted] indicated that he began to go around the stopped red vehicle. [redacted] indicated that he observed a female screaming inside the stopped red vehicle. [redacted] believed that the screaming female maybe having a medical issue. [redacted] indicated that he pulled his car up to the stop sign at NE 6th/NE Halsey and exits his vehicle. [redacted] indicated that he wanted to help the screaming female in the red car because he is trained CPR. [redacted] indicated that near the intersection, he observed a [redacted] car with police cars behind and diagonal to the [redacted] car. [redacted] indicated that officers had their guns drawn. [redacted] stated that officers then began yelling to him that, "You're in the line of fire! You're in the line of fire! Get out of the way!"

[redacted] indicated that he went to the stopped red car where he had observed the screaming female. [redacted] indicated that she was screaming, "They killed him! They killed him!" [redacted] indicated that he tried to comfort the upset woman and saying, "It's going to be okay m'am." [redacted] indicated that "She's freaking out!" [redacted] indicated that a police officer then approached them from the Lloyd Center area (east), who advised them to get back. [redacted] indicated that the woman replied, "Get away from me!" to the police officer. [redacted] indicated that the woman continued to stating the "they killed someone." [redacted] then stated

that he heard, "pow-pow-pow." [redacted] stated that the female he was trying to aid began screaming again. [redacted] later indicated that she was hyperventilating and that "she could hardly breathe."

[redacted] indicated that he could not see the silver car or the occupant within the suspect vehicle.

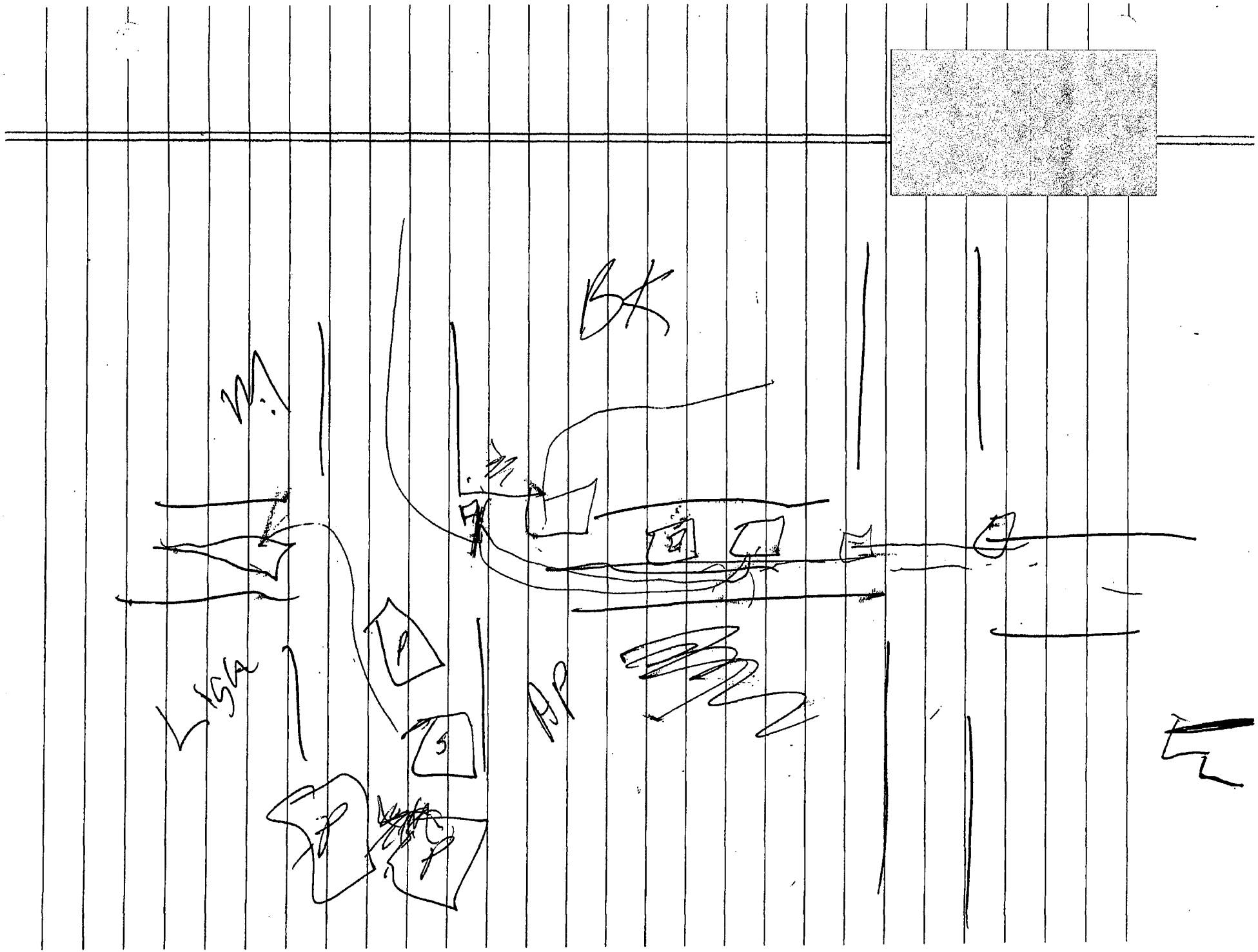
[redacted] indicated that he heard two gunshots as the upset female was getting out of her red car.

EVIDENCE:

Refer to attached [redacted] transcription for additional details.
Refer to attached diagram by [redacted]

ACTION RECOMMENDED:

Report forwarded to PPB Detective Kammerer.



SM: Detective Sean Mallory, MCSO, DPSST 31088
LS: Detective Lars Snitker, MCSO, DPSST 23519
[redacted] (Witness)

SM: This is Detective Mallory with the Multnomah County Sheriff's Office; it is Wednesday, May 12th, at 2211. I'm here with Detective Lars Snitker, and I'm here with [redacted] that's [redacted], last of [redacted]. Mr. [redacted] lives at [redacted] NE 12th Avenue, Portland, Oregon 97211. His cell number is [redacted], he can also be reached at [redacted] Mr. [redacted] I've asked you if I could record this conversation. . .

[redacted] Yes.

SM: Is it okay?

[redacted] Yes sir.

SM: And you see the recorder in front of you?

[redacted] Yes sir.

SM: Okay, so just a little bit of background, where do you work?

[redacted] I work at [redacted] at [redacted] and Sandy Boulevard.

SM: Okay, and how long have you worked for [redacted]

[redacted] For three years, almost going on three years, July 2nd will be three years that I've been at [redacted] And I also go to school so I'm only there when I'm in; I work at [redacted] when I'm in town.

SM: Okay, and you mentioned that you go to school, where do you go to school?

[redacted] I go to school at [redacted] University in [redacted]

SM: Okay, and how many years have you attended there?

[redacted] I'm currently a junior, I'll be, I'm classified as a junior, I've been going there for two complete years.

SM: Okay, and what's your major?

[redacted] Elementary education with special education with a minor in math and science, and then I just added a minor in coaching.

SM: So can you tell me, can you kind of run me through the chain of events tonight, why you're talking to us?

[redacted] Okay, I was coming from the Lloyd Center and I was right there by Burger King, I just came through, just came through the Stop sign, so I stopped at the Stop sign, came through and I seen a police officer coming, as I learned you're supposed to pull to the right of the road, so I pulled to the right of the road and the police officer stopped, he had his lights on, he stopped in the middle of the road diagonal to, I'm sorry. . .

SM: If you can just, I'm trying to jot down just a little bit of notes.

[redacted] . . .so Burger King, he was by Burger King, came through the Stop sign, there were two cars in front of me, um, the red car um, the lady in it she was in front, the second car was in the back of it, okay, the police car was diagonal with the Stop, so it was like, it was like between the light center place, that search thing in the McDonald's and it was diagonal, and. . .

SM: Just to make this a little easier, you want to go ahead and just kind of diagram that out and you can, it doesn't matter if it's scale or north or south or anything like that, just so I can get an idea, and then. . .

LS: And are you in a car?

[redacted] Yes I'm in a car, so I was in a car. . .

LS: Are you by yourself?

[redacted] No I'm with my sister.

LS: Okay.

[redacted] I'm in the car with my sister, and this road um. . .

LS: And I'm assuming you were driving the car?

[redacted] Yes, yes I'm driving the car.

LS: And what's your sister's name?

[redacted] My sister's name is [redacted]

LS: Okay.

[redacted] And this, okay this is McDonald's, right here is the apartment complex, or this is the apartment complex and the scribble is I'll put apartment AP right there, and this is the light place, the light thing, okay, and then this is the Stop sign, and as you know, like there's an opening right here where you can go into Burger King and then right here is another house, okay?

SM: Okay.

[redacted] And then, okay, so I came through here, there's one car right here, and one car right there; okay. . .

LS: Okay, so I'm just trying to figure out your direction of travel here, so is this Sixth, are you on. . .

[redacted] This is Lloyd Center, this is Lloyd Center down here.

SM: So you're heading westbound.

[redacted] I'm heading westbound towards MLK.

SM: Okay, and you're on, is that Sixth or Halsey?

LS: Halsey, so you're going westbound on Halsey then?

[redacted] I'm not for sure, it's between. . .

SM: It's the street that's right by Burgerville. . .

[redacted] Burger. . .

SM: . . .which I believe is Halsey.

LS: Halsey. . .

[redacted] Halsey, right in front of me is a Wendy's, like right, if you go down the street on the left hand side is Wendy's and if you go, if you turn around outside my car, go back the other way, it's the right hand side is Lloyd Center. . .

SM: Okay.

[redacted] . . .so I'm going down that street. So Lloyd Center is right here, so I'm going to put an 'L' for that one, so I'm coming down, coming down and I see this car, this red car is just stopped, this other car goes around and, oh and while this car was going around, there was a police car coming and he parked right there and he jumped out the car, so I'm thinking it's was uh, you know, it was high speed chase or something so I really didn't know what was going on, all I know is I'm already through the intersection so I have to keep going; so this car goes around, stops at the Stop sign and went that way, went and left. This car was sitting there so I'm going around it and I see this woman, Oooooh, screaming, screaming; and I'm like okay, my number one reaction is this, I'm certified CPR certified, um, you know I love helping people, I'm going in the ministry so I pull to the Stop sign, and I pull to the Stop sign for, you know to stop to get out the car and check to see if the woman's okay, and then I see um, I look to the left hand side because you're supposed to you know, looking and I see a car, I see a, I'm not for sure of the car, I'm not for sure what color the car was, I think it was [redacted] or, I can't think of the car color, but there's a car right here, there's a police car diagonal like that, just like that, and there's another car, police car like this behind them, and you see police, you know with their guns draw, all of them, it was, I mean it was a lot of them, it was more than I could count, you know, and then I'm looking here, I'm at the Stop sign, I hear um, Stop, Stop, Stop, get out, you know, get away, get away, you're in the line of fire, you're in the line of fire, get out the way; so I'm getting, I'm thinking...

LS: Are they yelling at you or are they. . .

[redacted] They're yelling at me, Get out of the line of fire, get out of the line of fire. So they're, I'm thinking that they're talking to me, I don't know if they're talking to anybody else but I'm thinking, I'm seeing this, they're yelling, I'm thinking it's me, I'm thinking it's, I'm in the line of fire, I see them, their car, and the door was open so I'm seeing, I'm seeing police, so I'm right here in the line of fire, like if you, if a police officer diagonal shot towards the, you know, the Stop sign, you would hit my car because I'm right there at the Stop sign, so my number one reaction is this, Get out of the car and make sure this woman's okay because she's in the car, Aaaaah, screaming so I went, I got out the car and I went to go and make sure she was okay, you know, and then she was like, you know, They killed him, they killed him, they killed him, and I'm like, you know, it's going to be okay M 'am, it's going to be okay, and then the other police officer he was coming from Lloyd Center, or he was coming the way from Lloyd Center, came that way, he came down the street and he was like, You guys get back, you guys get back, you guys get back, and the woman was like, Get away from me, get away from me; I'm like M'am this will be okay, and she was just like, They killed somebody, they killed him, they killed him, and then we sat there and then that's, Oh and then right when I was coming back the police officer, you hear, pow-pow-pow, and me and she starts screaming again, and then that's all I know from that point.

LS: Okay, so you're driving westbound. . .

[redacted] Westbound. . .

LS: . . .on Halsey. . .

[redacted] Yes sir.

LS: ...and this, you said there was a car in front of you that pulled, was it a red color car or. . .

[redacted] No just the red color car.

LS: A red color. . .

[redacted] This car went. . .

LS: The red color car is stopped maybe mid-block. . .

[redacted] Yeah.

LS: Is it pulled to the side?

[redacted] No, it's in the middle of the road. . .

LS: It's in the middle of the road?

[redacted] No it's not in the middle of the road, like you know a two-way, so it's kind of like she's going that way but she may be stopped because she's looking for some, you know how you stop in the middle of the road you're looking for something, or maybe you know, so I didn't know, I thought it was just pulling around, and I see her freaking out, Aaaaah. . .

LS: Okay, and you're coming through the intersection to the east here is that right. . .

[redacted] Yeah.

LS: . . .so you're driving through, you see this other vehicle that's behind the red car...

[redacted] Yes.

LS: . . .and do you remember was that a silver car or [redacted]

[redacted] It's, I'm not very particular, I want to say it was a light color car, I know it's light. . .

LS: Okay, so you see this light color car and you see it drive around the red car....

[redacted] Yes.

LS: . . .and then turn northbound on NE 6th and disappear, is that correct?

[redacted] Disappears, yeah.

LS: Okay, and as you come up on the red car. . .

[redacted] She's freaking out.

LS: She's freaking out and you can hear that in your car?

[redacted] Yeah, yeah because I rolled down my window because I'm seeing her, Aaaaah, screaming. . .

LS: Okay, did you go, did you drive by her slowly?

[redacted] Yeah, yeah, I drove by her. . .

LS: Okay, are you looking, was she by herself?

[redacted] No, no she was in the car and she's you know in the front seat screaming in her, like I didn't see her, her granddaughter, or the girl in the back...

LS: Okay.

[redacted] . . .I didn't see the girl...

LS: So there's two people in the car?

[redacted] Two people in the car.

LS: Okay.

[redacted] Okay.

LS: And the lady you heard screaming is the one sitting in the driver's seat in the stopped car?

[redacted] Sitting in the driver's seat, yes, yes, yes.

LS: Okay.

[redacted] And um, she was screaming but when I got out the car, I seen her granddaughter, her granddaughter was in the back.

LS: Okay, so you didn't initially know there were two people in the car?

[redacted] No, no.

LS: So you just saw the female screaming. . .

[redacted] I seen the female. . .

LS: . . .that they killed him.

[redacted] Yes, I seen the female screaming, yes.

LS: She's being upset right?

[redacted] Yes being upset, yes.

LS: Did you hear her yelling that they killed him at that point. . .

[redacted] Yeah, yeah.

LS: . . . as you drove by there?

[redacted] Yeah, at this point she said, They killed him, they killed him, Aaaaah, screaming.

LS: She's screaming, okay. And she appears very upset?

[redacted] Yes, yes.

LS: . . .and so you pull up. . .

[redacted] She seemed like she could hardly breathe, that's another reason why I got out, because she seemed like she was hyperventilating like, you know like, something was, you know, like, I thought that she was like hyper-, you know, I thought that she was like an accident just happened. . .

LS: Well you thought you were going to render her medical assistance, is that right?

[redacted] Yeah, yeah.

LS: Okay, and so you drive forward to the intersection of 6th and Halsey. . .

[redacted] Yes.

LS: . . .and you stop. . .

[redacted] I stop at the stop sign.

LS: You stop at the stop sign, do you leave your car there facing basically eastbound?

[redacted] Eastbound, yeah, headed towards, headed, facing towards. . .

SM: Wendy's.

[redacted] Wendy's, heading towards Wendy's.

LS: Towards Wendy's, and what did you see when you come up to the stop sign here, because you said you saw this other police car. . .

[redacted] This other police car was already there.

LS: It was already there.

[redacted] It was, it was right when I got to this, right when I crossed the intersection of, of Burger King and I don't know what this street is right here, once I crossed that street, that's when the police car was coming.

LS: Okay, and are the officers that are to your west, are they. . .

[redacted] They're already out of the car.

LS: They're already out of the car, and what are they doing? Did they have their guns out or. . .

[redacted] . . .They just jumped out of their car and ran.

LS: They ran, okay, and which way did they run?

[redacted] They ran, they ran towards. . .

LS: . . .those other police cars?

[redacted] Yeah, they ran towards that police cars, they ran towards, like all I seen was this, this, I'm right here and I see him jump out, boom. . .

LS: Was that officer by himself?

[redacted] I'm not for sure, all I seen, all I seen was, I seen him come around and, and run, you know what I mean, they were, like they were, or he was chasing after somebody.

LS: Okay, are your windows rolled down on your car here?

[redacted] Yes.

LS: Okay, and you said that your sister's in the car with you?

[redacted] Yes.

LS: Okay, so does she stay in the car when you get out? Or do you both get out of the car after you pull up to the stop sign, because you're going to go back and basically render medical aid to this lady back behind you, correct?

[redacted] Yes sir, yes sir.

LS: Did. . .

[redacted] I got out first, I got our first. . .

LS: Okay.

[redacted] . . .because I hear, I hear, Get out the car, you know, you know, you're in, um, you're in...

LS: You mean like officers challenging somebody?

[redacted] No, no, no, telling me like you're, you know, move away, move away, you know what I mean, so my number one reaction was get out of the car, I'm in their way. . .

LS: Okay, right.

[redacted] . . .see I'm at the corner, let's say this is the corner and I see police officers like this, you know at the car, and I'm right here at the corner, so I'm thinking, okay they got a car pulled over, this is what I'm thinking in my head, they got a car pulled over, they're trying to get him out, or trying to get her out, whoever they're

trying to get out, and I'm in their way, so I'm, my number one reaction is this, get out of the way, but I need to go and make sure this woman is okay, you know. . .

LS: Right.

[redacted] ...and that was my reaction.

LS: Do you see the officers, are they, does it look like they're directing their weapons towards somebody in the car?

[redacted] It, all I seen, they were directed towards the car.

LS: The car.

[redacted] The car, towards, like it was, you know, this car was here and it was this car, you know...

LS: I mean they basically had him boxed in right?

[redacted] Yeah, yeah.

LS: You see a bunch of police cars, their lights are on, right. . .

[redacted] Yes. Yes.

LS: And they're focused on the car?

[redacted] Yeah.

LS: And can you see what's going on, can you see the person inside the car?

[redacted] No.

LS: Okay.

[redacted] And this is, this is, this car right here, this is an undercover police car, you know, it...

LS: It has a slick top or. . .

[redacted] I don't know, it had, it doesn't say 'Police' on the side, it's like, it's like, if you think about it, unmarked police car.

LS: Okay.

[redacted] Now these, this one, the one they were behind was a, it was a marked, it was a police car, it was a regular police car. . .

LS: Right.

[redacted] . . .and they're behind there and it's a lot of 'em, you know, three, you know, they're like behind the car like. . .

LS: And they're focused on the car right?

[redacted] At the car, yes.

LS: At the car, but they're yelling at you to get out of the line of fire because they're looking out for your safety. . .

[redacted] Yes, yes.

LS: . . .they don't want you to be harmed in case the altercation, if there is an altercation. . .

[redacted] Yeah if something happened, yeah, true, true, true.

LS: . . .and so you get out of the car, you hear that going on, they're telling you to get out of the way of the line of fire. . .

[redacted] Yeah, yeah.

LS: . . .and what does your sister do, do you both get out of the car?

[redacted] No I got out of the car first and I went to the back, I went to the, you know, went to check that woman. . .

LS: Okay, so your sister stays in the car, and you walk, they're yelling, they're yelling you need to get out of the line of fire. . .

[redacted] Yes sir.

LS: . . .and you walk back to the. . .

[redacted] This woman.

LS: . . .in the red vehicle. . .

[redacted] The red vehicle.

LS: Okay, have you heard any kind of shots or anything fired. . .

[redacted] Yes.

LS: . . . at that point?

[redacted] No, no I heard the shots fired when, if I'm not mistaken when the other police officer, the police officer came up, two police officers came, and I hear pop-pop...

LS: Two police officers came up from where?

[redacted] Coming from Lloyd Center, coming from the Lloyd Center distance, coming from here.

LS: Okay, so they came from behind you, so they drove from behind you?

[redacted] Behind me and they, and they, what they did was the police officers came, they, like and I thought they were about to, you know, say something to 'em, they pulled up here and then they pulled back. . .

LS: Okay.

[redacted] . . .pulled back.

LS: So they're behind you then?

[redacted] No, yeah, so when they. . .

LS: So let me ask you this, you're out of the car right, when the police car comes up, is the other police car that came in from the east, or are they also up there by the stop sign when they're yelling to everybody to get out of the line of fire, I mean are they yelling at the other officers there too?

[redacted] No, no, no, they came, like after they told me to get out of the line of fire, or what I'm thinking they were telling me to get out of the line of fire, the police came after that, the police came after I got out.

LS: Okay, another police car?

[redacted] Another police car and it was, and it was the one that was sitting next to me out here, he was sitting next to me and there's this bald headed dude, they both came,

and then they pulled up and then they, and then they pulled back, I don't know, I don't know what. . .

LS: Okay, you saw them pull forward and then they get up to the. . .

[redacted] Intersection by my car. . .

LS: . . .and then they back up, okay.

[redacted] They back up.

LS: And you're back by the red car?

[redacted] I'm by the red car.

LS: Okay, and what's the lady in the red car doing?

[redacted] Um, she's freaking out, and then they got out the car and she's like, and then, and then. . .

LS: Okay, when you say 'freaking out' what do you mean. . .

[redacted] Aaaaaah.

LS: Is she crying?

[redacted] She's crying, freaking, like she's hyperventilating like she can hardly breathe, and then the uh, the police officers, first, the bald headed one he ran up this way, right, he ran up to the intersection, and then he backed back, and then the other one he was like, he went up to her, M'am are you okay? She was like, No get away from me, so he stepped away from the car and was like, M'am are you okay, you know, like making sure she's okay, you know. . .

LS: Right.

[redacted] . . .and then by that time I was on the other side of the car, I'm like you know she's going to be okay, you know, she's going to be okay, you know, and then from that point um. . .

LS: Your sister is still in the car, you're still back by the red car?

[redacted] No, no, no, at the, I don't remember when my sister got out the car. . .

LS: Okay.

[redacted] . . .but I remember at the time of the police, when the police got there she was out of the car, she was out the car on the other, when the police came I got to this side of the car. . .

LS: Okay, and why are you on that side of the car?

[redacted] Because the police came. . .

LS: Okay.

[redacted] ...I mean I want to get out that way.

SM: The police car's comin . . .

LS: Right, you don't want to be in the street or anything. . .

[redacted] I don't want to be in the street so I'm getting on this side, and her window's down, M'am it's going to be okay, it's going to be okay, you know, and then the police, then the other police officer sitting next to me, um, I have his card, he told me he was, he was telling her, you know, it's going to be okay M'am, he said it's going to be okay M'am, it's going to be okay, and then I'm like, you know, It's going to be okay M'am, you know, listen to him, it's going to be okay, and he was like, can you step out of the car, you know, step out of the car, she's like No I'm not getting out, and I was just like, M'am just listen to him, you know, because he wanted to make sure, he wanted to back her up a little bit and make sure she was okay, so we sat down.

LS: Okay, have you heard any shots when you were back by the car, has anything happened other than the officers telling you to get out of the line of fire?

[redacted] When, okay, when we got, when we got right, when we're sitting down, or at the point of sitting or basically when she got out of the car you hear, pop-pop, you hear, you hear gunshots, you hear gunshots when. . .

LS: When she's getting out of the car, when you're already back here?

[redacted] Yes. Yeah, when we're back here you hear gunshots, when she was out of the car.

LS: Well let me ask you this, why, do you know why she was, why she's as upset already, do you think something had already happened before that, do you know?

[redacted] Okay, what, okay, from what she told me, what she told me. . .

LS: Okay.

[redacted] . . .that doesn't, but she said that she was at the thing and she seen it and she backed up because she was scared. . .

LS: Okay, so something happened before you got to the intersection. . .

[redacted] Yeah.

LS: . . .that made her upset . . .

[redacted] . . .that she backed up.

LS: . . .that you didn't observe.

[redacted] I didn't observe. . .

LS: . . .you didn't observe that part of it?

[redacted] I didn't observe that part, all I observed was she was screaming Aaaaah, freaking out like something, like something was happening to her, you know.

LS: Okay, okay, and that caused her basically to back up, and that was when you came by. . .

[redacted] Yeah, yeah.

LS: Okay, that makes sense. And so you're back by the car. . .

[redacted] Yes sir.

LS: . . .and you said you heard some other shots?

[redacted] I hear other shots.

LS: Okay, and what do you hear, I mean you're up on the north side of the car, are you on the sidewalk or. . .

[redacted] No, I'm right here, I'm right here, I'm right here and I hear gunshots, boom-boom.

LS: Okay.

[redacted] You know what I mean, so like you hear silence and you know, Get out of the line of fire, you know, when I came up here it was, no shots fired, nothing, I, I, all I knew she was, she was, you know, they had somebody gunpoint, well I didn't, gunpoint basically, and this woman's freaking out, that's all I know.

LS: Okay.

[redacted] Then when I got over here, I hear boom-boom. . .

SM: And then two officers that were there, what were they doing at that time?

[redacted] At that time, I'm not, I'm not, I really don't remember, I really, I'm sorry, I really don't remember, but I just remember hearing two gunshots.

SM: They were able to talk her out of the car to go around. . .

[redacted] Yeah, yeah, they talked her out, and then I helped them out, and then she was sitting there and I was like, It's going to be okay, and then, you know, I was holding her. . .

SM: Did you hear the two shots at that time or was it after she got out of the car or before?

[redacted] Um, I'm not, I, if it's from, like if I'm not mistaken, I don't want to be mistaken, it was when after, wait a minute, after she got out of the car I heard the two gunshots. I heard the gunshots when she got out the car.

SM: Okay.

[redacted] You know and then. . .

SM: So at that point your sister is there. . .

[redacted] Yeah.

SM: And so did the officers kind of escort you over and just kind of have you guys have a seat at that point, is that what they do or. . .

[redacted] Yeah, they, they, you know, because it was like, you know, we need to get you out of the car, we need to get you out of the car, and telling her, you know, We need to get you out of the car and she was like, you know, she was like, Get away from me; I'm like M'am it's going to be okay, so I helped her and I, and then they, you know, the one that was sitting next to me, he was like, you know, Let's get you, you know, let's get you, and she was like, you know, I helped her down, sat down, and

he asked her, he was like, Are you okay, you know, do you have any medical conditions or anything, she's like, Yeah I'm a diabetic, you know, and she just, so she just kept on repeating what she was saying, and I was like, I was like, M'am, and he was like just wait for the detectives, the detectives will take a report, and I was like, M'am just wait for the detectives, it's going to be okay, it's going to be okay, you know, God is going to take care of it, it's going to be okay, she just kept on crying and screaming.

SM: Is there anything that you can think of that we didn't ask you?

[redacted] Nah, I mean the, that's all I can, that's all I can think of.

LS: Did you hear the officers yelling any commands. . .

[redacted] No.

LS: I mean I understand they were yelling commands at you to get out of the line of fire, did you hear them making commands towards the vehicle that they were focused on. . .

[redacted] No I didn't hear, I didn't hear none of that.

LS: Could there have been something said that you didn't hear since you were moving back to help her?

[redacted] Um . . .

LS: Or do you think you would have heard it?

[redacted] I would think I heard it, if it was something said but I'm not, I'm like you know, sometimes when you're focused on something, you know, you're not, but I definitely heard, me in the mind of knowing that she's freaking out, but I still heard them, You're in the line of fire, you know, get out of the way, get out of the way.

LS: Okay, so you didn't hear any commands over by that car right?

[redacted] No, I didn't hear no commands, but I did hear Get out of the way, get out of the way, you're in the line of fire, you know, and I seen the gun, and I'm seeing guns, I was at the corner, like you know what I mean, because I pulled, you know to the corner to make sure that, you know, you're supposed to pull to the corner and stop.

LS: And you heard just two shots. . .

[redacted] I heard two shots.

LS: So were in they in rapid succession or were they, seemed like they were separated?

[redacted] Pop-pop.

LS: Just two.

[redacted] Two, I heard two.

LS: Okay.

[redacted] Yeah, I mean that's about all I can remember.

SM: Can you do me a favor, and just print your name somewhere at the top or something, and then just sign it, that way we can just include that...

[redacted] Do you need. . .

SM: It's an excellent drawing by the way.

[redacted] Do you need any clarifications on this?

SM: Um, I think I'll be able to. . .

[redacted] This is Burger King. . .

SM: Yeah, you want to label something that's. . .

[redacted] . . .that's Burger King.

SM: That's McDonalds.

[redacted] And that's McDonalds, that's the light. . .

SM: That's the light station.

[redacted] This is a parking, you know, and then. . .

SM: Red car.

[redacted] This is the police, this is a police car, that's a car, you know, that car. . .

SM: A silver or [redacted] car.

[redacted] Yeah, that's that car. . .

SM: You never saw anybody in there did you?

[redacted] No.

SM: Okay.

[redacted] Silver, and then this is the police car, police car.

SM: Okay.

[redacted] This is a police car.

LS: Let me ask one more question: Did you ever see the individual that was in the silver car?

[redacted] No.

LS: Okay.

[redacted] I didn't, I seen the police, I seen the police, I seen the car, and then I see the police.

LS: Okay, after the gunshots and all that stuff, did you see anything occur that we need to know about? After you heard the shooting did you go around to . .

[redacted] No, no, no, they told me um, the police officer told us to sit down, you know, and my memory is, truthfully I wasn't worried about what happened, I was worried about the woman, she was, she was freaking out, and then. . .

LS: You were trying to help her.

[redacted] Trying to help her out, but then the police officers like at first they put up the yellow tape and then they put up the red tape, and then they put up the red tape and then um, that was it, like. . .

SM: So did the fire trucks come or did they. . .

[redacted] Yeah, the fire trucks came and then I did see the ambulance, I seen two ambulance come, and I don't know, I mean they came, and it was like, it was a group of 'em, one ambulance then came and then another one showed up and then they came, they took the bed over there, brung it back and one was carrying

this, like this tape, like, you know like, basically I know it because I, you know, I did want to be an MT, it's kind of like the heart thing, you know, check to see if, you know, what the heart rate is and the tape that comes out. . .

LS: An EKG or something. . .

[redacted] An EKG, it was like a red paper, a red thing, he was carrying that, and then that's when I knew that he wasn't alive, or whoever it was, wasn't alive, I knew that because they didn't come back with no body, and then I was like Oh, and then she was like, she was like, they didn't bring no body back, they didn't bring no body back, he's dead, and then she started freaking out again, started crying again, and started, you know, I'm like M'am it's going to be okay, It's going to be okay, and then they moved us across the street, and then we, you know, we sat there until we came, and they was like uh, the Sergeant, the one that came, Sergeant Michaelson I think that's his name, he took us and I sat outside while she came in and stuff and. . .

LS: Is there anything that we haven't asked you that you think we need to know about?

[redacted] No, I think that's, that's it, um, I just seen, you know, I seen the police officers, I just, I mean after, you know, after we were sitting there, I seen more police officers come, of course, I seen more police officers come and they were coming around, and then that was it, like it was, I was, didn't see nothing else.

LS: Okay.

SM: All right, it is Wednesday, May 12th at 2238 and I am concluding the interview.

(end of taped interview)

CASE NO. 038353

MULTNOMAH COUNTY SHERIFF'S OFFICE — **SPECIAL REPORT** — ☐ INFORMATION ☐ CONTINUATION ☐ CLEARANCE ☐ SUPPLEMENTAL — PAGE/OF 1 of 3

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-038353	10-038359	Officer Involved Shooting (OIS)

☐ 1. UNFOUNDED ☐ 2. PENDING ☐ 3. SUSPENDED ☐ 4. CLR BY ARREST ☐ 5. EXCEPTIONAL ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
5-12-2010/1823	5-14-2010/0930

LOCATION OF OCCURRENCE: NE 6th/NE Clackamas (Portland, Oregon)

PERSON — CO-Complainant — SB-Subject — SI-Sick/Injured/Cared For — PE-Park Exclusion

CODE	NAME: LAST, FIRST MIDDLE	SEX	RACE	DOB
SB	[redacted]	F	W	[redacted]

ADDRESS	ZIP	PHONE
AMR: 1 SE 2nd Avenue, Portland, Oregon 97214		503-[redacted]

SUBJECT OF THIS REPORT	PROPERTY RECEIPT NO.
Interview of AMR Paramedic [redacted]	N/A

NARRATIVE/PROPERTY — S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

(ITEM) CODE ITEM BRAND MODEL/STYLE SERIAL NO. COLOR ENGRAVINGS/PECULIARITIES SIZE VALUE

COPIES
☐ DET
☐ Roll Call
☐ Gresham
☐ Fairview
☐ Troutdale
☐ TRF
☐ DA
☐ MDT
☐ PPB
☐ Crime Prev
☐ Intell
☐
☐
☐
☐
☐
☐
☐

SUMMARY:

Interview of AMR Paramedic [redacted] related to OIS scene.

MENTIONED:

Gosson, Lee Detective/MCT/DPSST #30282
Multnomah County Sheriff's Office 503-255-3600

Michaelson, David Det. Sgt./DPSST #23060
Portland Police Bureau 503-823-0460

Mallory,Sean Detective/MCT/DPSST #31088
Multnomah County Sheriff's Office 503-255-3600

ACTION TAKEN:

On Wednesday May 12, 2010, at 1912 hours, I was contacted (via Nextel) by Multnomah County Sheriff's Office Acting Detective Sergeant Lee Gosson at my residence. A/Det. Sgt. Gosson advised that the Portland Police Bureau (PPB) had an Officer Involved Shooting (OIS) in the area of NE 6th/NE Clackamas and requested that I respond to the scene as a member of the East County Major Crimes Team to provided assistance with the pending investigation.

At 2000 hours I arrived at the scene. Detective Sean Mallory and I contacted PPB detective personnel at a PPB command post near the area NE 6th/NE Clackamas (Portland, Oregon). A short time later, PPB Detective Sergeant David Michaelson directed Detective Mallory and I to interview American Medical Response (AMR) ambulance personnel. Detective Sergeant Michealson then led us around the OIS scene to the area of NE 7th/NE Halsey where AMR ambulance personnel where waiting to be interviewed. Detective Mallory and I then contacted the AMR ambulance personnel. Detective Mallory and I introduced ourselves to the group and then led them to the Temple Baptist Church at [redacted] Clackamas (Portland, Oregon).

Detective Mallory and I then interviewed each of the AMR ambulance personnel regarding their response, observations, and actions at the OIS scene at NE 6th/NE Halsey.

COMPUTER ENTRY
☐ Person
OPR
☐ Vehicle
OPR
☐ Crime/ Prop
OPR
☐
OPR

Officer(s) Involved	BPST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
Detective LARS SNITKER/23519		ENF	M		

Between 2025 to 2038 hours, Detective Sean Mallory and I conducted a digitally recorded interviewed with AMR Paramedic [redacted] at the Temple Baptist Church located at [redacted] Clackamas (Portland, Oregon). The interview was conducted in a basement resource room within the church.

STATEMENTS:

[redacted] (statement overview):
On the evening of May 12, 2010, AMR Paramedic [redacted] (Medic 308/Passenger) and AMR Paramedic [redacted] (Medic 308/Driver) were operating a two-person AMR ambulance with the BOEC dispatch call sign of "Medic 308" in Portland, Oregon. Paramedic [redacted] had been employed by AMR as a Paramedic for past 2 ½ years.

Paramedic [redacted] indicated that on May 12, 2010, at 1825 hours, that Medic 308 was dispatched to an AS1 (Assault 1) medical call involving a shot officer at NE 6th/NE Clackamas (Portland, Oregon). Paramedic [redacted] stated that Medic 308 was in the downtown Portland area when they received the dispatched AS1 call. Paramedic [redacted] indicated that Medic 308 then responded Code 3 (lights and [redacted]) to the scene of the AS1. Paramedic [redacted] indicated that en-route to the scene that Medic 308 received updated call information from EMS dispatch. Paramedic [redacted] indicated that the updated information advised Medic 308 that the AS1 was an Officer Involved Shooting, with possible multiple patients, and that the scene of the OIS had yet been not secured.

Paramedic [redacted] indicated that because the scene had not been secured, that responders had been directed to "stage" in near the scene. Paramedic [redacted] indicated that once they arrived near the scene of NE 6/NE Clackamas, that Medic 308 staged at NE Grand/NE Multnomah. Paramedic [redacted] indicated that no other first responders were present at that staging location, but indicated that Medic 311 (Paramedic [redacted] Paramedic [redacted] was also responding to the scene. Paramedic [redacted] indicated that Medic 308 remained that the staging location for "a couple of minutes". Paramedic [redacted] indicated that Medic 308 was then cleared to enter scene. Paramedic [redacted] indicated that Medic 308 entered the scene from east off of NE 6th. Paramedic [redacted] indicated that Medic 308 was the first ambulance on the scene. Paramedic [redacted] indicated that the Engine 13 with Portland Fire Bureau was already on-scene.

Once on-scene, Paramedic [redacted] indicated that she exited Medic 308. Paramedic [redacted] went to the patient, while Paramedic [redacted] retrieved the gurney from their ARM ambulance. Paramedic [redacted] indicated that Portland Fire Bureau personnel retrieved medical equipment from their PFB fire engine and also went to the patient.
Paramedic [redacted] indicated that the patient was in a "left lateral recumbent position" (laying on his left side) facing to the south. Paramedic [redacted] did not initially see any bullet wounds on the patient due to

the patient's body positioning. Paramedic [redacted] observed that the patient's feet were in the street, with his torso on the curb, and had his hands cuffed behind his back. Paramedic [redacted] indicated that Portland Fire Bureau personnel then began putting on "limb leads" on to the patient and attaching the leads to the cardiac monitor for medical evaluation. Paramedic [redacted] indicated that Portland Fire Bureau personnel were putting on the limb leads in order to determine if the patient had a heartbeat. Paramedic [redacted] indicated that an officer removed handcuffs from the patient. Paramedic [redacted] indicated that patient was then rolled on to his back (for medical evaluation and treatment).

Paramedic [redacted] indicated that while they were in the process of putting on the limb leads on to the patient, that they exposed the patient's chest area. Paramedic [redacted] observed 5 bullet wounds to the patient's chest area. Paramedic [redacted] indicated that there were no signs of life at that time for the patient. Paramedic [redacted] indicated that there were "no chest drives", "no movement", "no yelling or anything." Paramedic [redacted] indicated that once the limb leads were connected to the patient that cardiac monitor revealed that patient had "an idioventricular beat" or "an agonal rhythm." Paramedic [redacted] indicated that "there was no pulse."

F [redacted]medic [redacted] indicated that the patient was attired in jeans, white boxers, white t-shirt, and [redacted] shoes.

Paramedic [redacted] also reported observing, "some type of skin tears" around the patient's wrists.
Paramedic [redacted] also reported observing a small laceration on the back of patient's neck area.

Paramedic [redacted] indicated that she did not see a weapon near the patient.

Paramedic [redacted] indicated that AMR Paramedic [redacted] then began a "MRH" or medical consult call with a physician. Paramedic [redacted] indicated that they were requested to "ausulate for heart sounds" (listen for heart sounds) to make sure that they were not missing anything. Paramedic [redacted] indicated that Portland Fire Bureau personnel did the auscultation and no heart sounds were heard.

EVIDENCE:

Refer to attached transcription for details regarding Paramedic [redacted] statement.
Refer to attached BOEC dispatch reports for additional details.

ACTION RECOMMENDED:

Report forwarded to PPB Detective Kammerer.

LS: DETECTIVE LARS SNITKER, Multnomah County Sheriff's Office
SM: DETECTIVE SEAN MALLORY, Multnomah County Sheriff's Office
[redacted] American Medical Response Medic 308

LS: This is Detective Lars Snitker with the Multnomah County Sheriff's Office. Today's date is Wednesday May 12th, 2010. The time is 8:25. Uh, I am at the Temple Bap-, Temple Baptist Church located at [redacted] Clackamas. This is in reference to an officer involved shooting, Portland case number of 10-038353. Also present within the room is, umm, Detective Sean Mallory with the Multnomah County Sheriff's Office, and [redacted] with AMR. And do you understand that I'm recording this conversation?

[redacted] I do.

LS: Okay. I'm just gonna put this down here next to you so we can record properly. Umm, is it okay if I call you [redacted]

[redacted] Yeah.

LS: [redacted] can you tell me how you're employed?

[redacted] Uh, I'm employed through AMR.

LS: Okay.

[redacted] That's American Medical Response.

LS: And what do you do for AMR?

[redacted] I'm a paramedic.

LS: Paramedic. And how long have you been a paramedic for AMR?

[redacted] Uh, for AMR about two and a half years.

LS: Okay. And have you worked, uh, longer than that as a paramedic or?

[redacted] Yeah. I've worked a total of approximately three years as a paramedic.

LS: Okay. So you have three years experience as a paramedic. And, umm, tell me, umm, you're assigned to AMR what, are you assigned to a specific unit number or?

[redacted] Yeah. Umm, I'm assigned to Medic 308.

LS: Okay. And what, uh, what do you do as a, as a AMR paramedic, what type of calls do you normally take?

[redacted] Umm, all 911 dispatched, uh, medical calls. So, umm, anything from I'm feeling sick and need to go to the hospital to trauma, uh, traffic accidents.

LS: Okay. Umm, earlier this evening did you respond, umm, to, uh, some type of a call in the area of NE 6th and NE Halsey?

[redacted] I did.

LS: Okay. And can you, can you tell me about what time you got the call?

[redacted] Uh, we got the call at, uh, 6:25.

LS: P.m.?

[redacted] Yes, p.m.

LS: And what type of a call was it?

[redacted] It was an AS1, which is an assault 1, uh, it's the higher end of the assaults.

LS: Okay. And that came, uh, to you through dispatch?

[redacted] Yeah.

LS: Okay. And who was with you, when you say we, was there somebody else with you?

[redacted] Uh, yeah, my partner, umm, [redacted]

LS: Okay. Who was driving?

[redacted] [redacted]

LS: Okay. And you were in the passenger seat?

[redacted] Yes.

LS: Okay. And when you got the call for the, uh, AS1, umm, wh-, where were you initially at?

[redacted] Umm, we were in downtown Portland, umm, I believe SW 4th and I'm not quite sure the cross.

LS: Okay. And, umm, how did you respond to the call; uh, Code 1, 2, 3?

[redacted] It was Code 3.

LS: Code 3. And that's normal for an AS1 is Code 3 call?

[redacted] Yes.

LS: Okay. And, umm, what, uh, did you have, did you get any type, any type of updates while you were en route to the call?

[redacted] Umm, we got an update that this was an officer involved shooting. Umm, initially the information was that it was an officer shot, or officer shot that we were going on, and, uh, that there were possible, umm, multiple patients. And we also got information that the scene had not been, uh, umm, secured yet and that all responders were to be staging.

LS: Okay. And where were they telling you to stage at?

[redacted] Umm, I don't remember specifics on getting to stage. We were told to enter, umm, from the east off of 6th. We wound up staging on Grand and I believe Multnomah.

LS: Okay. Did you actually stage or did they call –

[redacted] Yeah, we staged.

LS: Grand and Multnomah is where you staged?

[redacted] I believe so.

LS: Okay. And do you know what time you, uh, that you arrived there at the staging point, do you recall or?

[redacted] No, I don't know what time.

LS: Okay. Umm, so you get to the staging location, were there other, umm, EMS, I assume, AMR; where there other AMR units there or?

[redacted] Uh, we were the only one staged at that location.

LS: Okay.

[redacted] There were other AMR units dispatched.

LS: To the call?

[redacted] Yeah.

LS: Okay. Do you know who else was called?

[redacted] It was Medic 311.

LS: Okay. And who's in Medic 311?

[redacted] It's, uh, [redacted] and [redacted]

LS: Okay. And, umm, how long were you at the staging l-, location?

[redacted] Umm, not very long. Tops a couple minutes I would think.

LS: Okay. And then what happened?

[redacted] Uh, we were cleared to go in. We were instructed to go in, uh, from the east off of 6th Street. And, uh, so we, we pulled in, we were the first ambulance unit, umm, on the scene. The fire unit was already there.

LS: Okay. Portland Fire?

[redacted] Yes, Portland Fire.

LS: Do you know which, uh, which fire unit it was?

[redacted] Uh, Engine 13.

LS: Okay. And they were already on scene?

[redacted] Yeah, they were already there.

LS: And what did you see when you, uh, so you're driving in off, umm, in off 6th –

[redacted] Uh-huh.

LS: -- and what are you seeing when you come in?

[redacted] Uh, we saw the fire truck and then, umm, cop cars.

LS: Okay. Umm, are the, I assume the firemen, are they out treating patients or?

[redacted] They were getting their kits out.

LS: Okay.

[redacted] Umm, they were already walking towards the, uh, where the patient was, who was out of our line of view at the time.

LS: Okay.

[redacted] So they were walking in that direction.

LS: And what were you seeing police car wise; were you seeing the lights were on?

[redacted] Yeah, lights were on. Umm –

LS: What, did you see what the officers were doing that were around the scene; were they treating anybody or –

[redacted] Uh –

LS: -- could you see from your vantage point what they were doing?

[redacted] No.

LS: Okay.

[redacted] No, I just saw the cop cars.

LS: Okay.

[redacted] And, uh, initially walking up there was a group of I believe three, uh, what I would assume were bystanders, umm, sitting on the curb. Umm, I believe there was an officer in that area. I don't know if they were talking or not –

LS: Okay.

[redacted] -- to those people. So we wound up just, uh, pulling the gurney out of the back of the rig, or I'm sorry, umm, my partner [redacted] got the gurney and I just, it was my patient so, umm, I just went directly over to the scene to see what was going on.

LS: Okay. And which patient were you trying to tr-, uh, were you going to treat?

[redacted] Umm, the guy that had been shot.

LS: Okay. And what did you see when you, when you were approaching him?

[redacted] Uh, approaching him, he was, uh, left lateral recumbent position, umm, facing towards the south.

LS: Okay. So if somebody had to understand that, if I had to explain that to a jury how would, how would he be laying down?

[redacted] Umm, he was laying on his left side.

LS: Laying on his left side, okay.

[redacted] Yeah. Uh, feet were in the street, uh, torso, umm, was on the curb, uh, hands were cuffed behind his back. Umm, I believe there was one officer in the slew right there, uh, there was two pretty quick after that. Uh, they weren't, they were just standing there. Portland Fire was already there, they were getting the equipment out, umm, also getting the cardiac monitor out to put the limb leads on.

LS: Okay.

[redacted] So.

LS: And what did you do at that point? Uh, [redacted] getting the gurney out of, uh, out of, uh, your, uh, your vehicle.

[redacted] Yeah.

LS: And do you have, uh, a trauma kit with you or you just immediately go to the patient?

[redacted] Uh, I immediately went to the patient 'cuz Portland Fire already had all of their kits.

LS: Okay.

[redacted] So, uh, all the equipment was already there. Umm, so when I approached, uh, it was kind of just to, to get an idea of what was going on. Umm, Portland Fire basically, umm, said that they were confirming death. There were no signs of life at that time for the patient, uh, no signs just like no chest drives, no movement, no, no yelling or anything.

LS: Okay. Did they put any equipment on him or were they just making the decision by, uh, looking at him or?

[redacted] Umm, they were pulling out the limb leads for the cardiac monitor.

LS: The limb leads, okay, so –

[redacted] And the reason they were doing that was to confirm, uh, death.

LS: Okay. So they're putting basically lines onto him –

[redacted] Yes.

LS: -- to see if he has a heartbeat?

[redacted] Yes.

LS: Okay. Umm, and what, what do you see; do you see any bullet wounds to him or, uh?

[redacted] Umm, at that time I didn't see any bullet wounds. I did see some skin tears, uh, around both wrists. Umm, the officer when we were in the process of getting the limb leads placed on him, uh, took the handcuffs off so that we could roll him over a little easier onto his back.

LS: Okay.

[redacted] Exposed his chest, put the leads on and at that time we saw, uh, a total of five wounds to the chest.

LS: And are you the one bringing up his shirt so you can see his chest or was it hard to –

[redacted] No, I believe Portland Fire did that.

LS: Portland Fire, okay. But you're just present when that's occurring?

[redacted] Yeah.

LS: Okay. And you said you saw five bullet wounds to his chest?

[redacted] Yes.

LS: Do you remember how, uh, how the, uh, individual was attired?

[redacted] Uh, clothing, he had white boxers on, uh, jeans, I believe [redacted] shoes, uh, white T-shirt.

LS: I'm sorry, I'm trying to write here. Uh, white, white boxers.

[redacted] White boxers, uh, jeans, [redacted]

LS: Uh, blue, blue jeans?

[redacted] Umm –

LS: Or just jeans?

[redacted] Just jeans.

LS: Okay. Uh, shirt-wise?

[redacted] Shirt-wise; there was a white T-shirt and I can't recall if there was like an over shirt or not.

LS: Okay. Did you see any weapons laying close to him or?

[redacted] I did not.

LS: Okay. Okay. And what happened then?

[redacted] Umm, we placed the limb leads on, uh, the cardiac monitor revealed an idioventricular beat, which is, basically it's an agonal rhythm for the heart, umm, that there's no pulse, nothing going with it, so.

LS: Okay. Umm, did you see anything else of significance that you recall that you think we should know about or?

[redacted] Umm, no, umm, not, not observation-wise. Uh, there was a, uh, a small laceration I believe to the back of his neck, uh, and we did wind up, uh, we called MRH, which is our medical consult, umm, just to run it through them to confirm, uh, calling this and not, not trying to work or transport the patient.

LS: Okay.

[redacted] So, umm, [redacted] actually was the person that made the phone call and that they requested that we ausulate heart sounds just to make sure that there was nothing that we were missing.

LS: Okay.

[redacted] Umm, they were, uh, Portland Fire, uh, did the auscultation.

LS: Okay.

[redacted] Umm, didn't hear anything so time of death was called. Umm, let's see –

LS: Do you know what time they called that?

[redacted] It was 1836.

LS: Okay. Okay, what did you do after that, umm, after the scene had, you really couldn't help the patient any more, umm, did, did the police kind of separate you or did you, uh, the vehicles have, have they been moved since, uh, since you arrived here on scene?

[redacted] Uh, no.

LS: Okay. So they're, they're still –

[redacted] The fire truck left, but.

LS: The fire truck left but your vehicles out on the street are still in the original positions –

[redacted] Yeah, they had not been moved, yeah.

LS: -- as when you arrived on the scene?

[redacted] Yeah.

LS: Okay. I think that's it.

[redacted] All right.

LS: Umm, the time is 8:38 and I'm gonna stop the recorder.

INTERVIEW CONCLUDED

LS/ps/LS-[redacted]05-12-10

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Incident #RP1005121780  E13    Ent/1824  Dsp/1824  Enr/1824  Ons/1829  Clr/2211
   Xref #PP1005121772

Type: AS1 (2) (ASSAULT/1ST RESP)  Src: C  Init: 2/AS1
Loc:  NE 6 AV/NE CLACKAMAS ST ,POR  <600,1400>  (V)

   01  Dist: 690  Box: 1348    TMap: 596G4  FMap: 5395A  FDispo: Z1  EDispo:

1:24:26  (DP12  )  COPY    #18367  ,C/3 , 6TH/CLACKAMAS....OFCR SHOT
1:24:26             CPYTXT          ,NO MORE INFORMATION
                                    T/TRASTP
1:24:26           $LINKED           #PP1005121772
1:24:30           $FIRSUG              E13"
1:24:30           $NXTENG              E24"       E3"
1:24:30           $EMSSUG              M308"   M311"   M306"  *M322
1:24:36  (DP7   )  $TALKGP          OPS 1
1:24:36            DISP    E13
1:24:36           $ASNCAS  E13     $FP10023025
1:24:36            ASST    M308
1:24:36           $ASNCAS  M308    $MD10023793
1:24:44  (M308  )  *ENROUT  M308
1:25:01  (DP7   )  CONTRL           GRP: R1 --> O1
1:25:07  (DP12  )  SUPP    #18367  TXT: NEED CUPLE MORE AMBS HERE, POSS MULT
                                    VICT
1:25:09  (E13   )  *ENROUT  E13
1:25:26  (DP7   )  ADDREQ           ADD 1E** RQST from: O1 ,CODE
1:25:27           $FIRSUG              E24"
1:25:33            ASST    E24
1:25:33  (DP12  )  $CBLINK  3950    ,LET EM KNOW OFCR BEING XPORT BY PPB CAR,

1:    3  (DP7   )  ASST    M311
1:25:41  (M311  )  *ENROUT  M311
1:26:03  (DP6   )  MISC     E13     ,WILL STAGE CLACK/9
1:26:10  (DP12  )  SUPP    #18367  TXT: EMS STAGE....
1:26:15  (E24   )  *ENROUT  E24
1:26:22  (DP12  )  $CBLINK  3950    ,ACTIVATING SERT
1:26:31  (DP6   )  STAGED   E13     [8/HALSEY]
1:26:52  (DP12  )  SUPP    #18367  TXT: APPROACH FROM SOUTH ON 6TH...
1:26:57  (DP7   )  ASSTER   T13     [NE 6 AV/NE CLACKAMAS ST ,POR]
1:27:08            PREMPT   T13
1:27:11            ASST     T13
1:27:32  (DP12  )  $CBLINK  3950    ,SERT STAGE 1 BLK W 6TH/CLACKAMAS IN KAISER
                                    LOT
1:28:02  (DP17  )  SUPP    #27926  EM NOTIFIED THAT POLICE OFFICER ER IN POLICE
                                    CAR
1:28:12  (T13   )  *ENROUT  T13
1:28:17  (DP6   )  ASST     C2
1:29:11            TALKGP           OPS 1 ==> OPS 3
1:29:17  (M311  )  *STAGED  M311    [3ND AND WASCO]
1:29:18  (M308  )  *STAGED  M308    [MULTNOMAH AND GRAND]
1:29:19  (T13   )  *ONSCNE  T13
1:29:47  (DP12  )  $CBLINK  3950    ,CANCEL SERT, 61
1:29:49  (DP2   )  STAGED   M311    [3/WASCO]
1:30:02  (DP12  )  SUPP    #18367  TXT: SEND MEDICAL, 6TH/HALSEY FROM THE EAST
1:30:04  (DP2   )  STAGED   T13     [8/HALSEY]
1:3   0  (DP12  )  SUPP    #18367  TXT: JUST SOUTH OF THE INTERSECTION
1:30:45  (DP6   )  ENROUT   C2
1:30:53  (E13   )  *ONSCNE  E13
1:31:10  (M308  )  *ONSCNE  M308
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3:31:28	(DP2)	NEWLOC	T13	[6/HALSEY]
3:31:32		ONSCNE	M311	
3:31:35	(DP12)	$CBLINK		,MAKE NOTIFICATION FOR OFCR INVLD SHOOTG
3:31:46	(M398)	*ASSTER	M398	[NE 6 AV/NE CLACKAMAS ST ,POR]
3:32:09	(E24)	*ONSCNE	E24	
3:32:39	(DP2)	MISC	E13	,OFFICER BEING XPORTED TO HOSPITAL BY POLICE
3: 13	(C2)	*ONSCNE	C2	
3:3 :56	(M398)	*ONSCNE	M398	
3:37:02	(DP2)	RECALL	C2	,RETURN ALL CO'S EXCEPT E13 AND C2.. GOING BACK TO OPS1
3:37:18	(DP11)	SUPP	#24229	TXT: MEDIA SHOWING UP AT GRAND/WASCO, WHERE DO THEY WANT THEM
3:37:32	(DP2)	TALKGP		OPS 3 ==> OPS 1
3:38:18	(DP11)	SUPP	#24229	WITNESS OFFICER INVOLVED IS AT EMANUEL FOR WHOMEVER IS DOING INTERVIEWS PER 3809.
3:40:14	(DP12)	SUPP	#18367	TXT: HAVE AMR STNDBY FOR A MIN, NEED TO TALK TO THEM
3:40:50		SUPP	#18367	TXT: NEED AMR TO STAY OS TIL INVESTIGATORS CAN TALK TO THEM
3:41:22	(T13)	*CLEAR	T13	DSP: Z1
3:41:45	(DP6)	SUPP	#48056	NEITHER M308/M311 ANSWERING, THEY WERE PAGED WITH INFO
3:44:59	(E13)	*CLEAR	E13	DSP: Z1
3:51:50	(SV1)	SUPP	#10229	** NEED 1 OF THE ONSCENE DETS TO CALL SGT HOGAN AT EMAN, 971 253 9147
:56:24	(DP12)	$CBLINK	3613AP	,PLEASE CONFIRM FED WAS NOTIFIED AND IS RESPONDING
:57:20		$CBLINK	3613AP	,NOW SAYING TO PLEASE CALL THEM TO HAVE CALL SET UP, 4861 WAS JUST MONITORING
:59:03	(DP6)	CONTCT		Contact in 20 Minutes
:59:47	(C2)	*AOR	C2	
: 1	(E24)	*AOR	E24	
:1 .29	(DP8)	SUPP	#35183	PER 5S92 MAJOR CRIME SCENE DETECTIVES NOTIFIED
:17:37	(DP12)	$CBLINK	657AP	,NEED PIO TO 7TH/WASCO IF RESPONDING
:32:40	(DP6)	CONTCT		Contact in 20 Minutes
:32:49	(SV2)	SUPP	#14966	PER SGT BERRY SEND A FREE CAR TO EMAN PARK BY THE EMERGENCY ROOM AND FIND SGT BERRY
:56:09	(DP6)	CONTCT		Contact in 20 Minutes
:16:31		OK	M308	
:16:31		OK	M311	
:16:31		OK	M398	
:01:49	(M311)	*CLEAR	M311	DSP: S1
:09:33	(M398)	*CLEAR	M398	
:11:28	(AMR1)	CLEAR	M308	DSP: S1 --> E6
:11:28		CLOSE	E13	

MULTNOMAH COUNTY SHERIFF'S OFFICE

SPECIAL REPORT

☐INFORMATION ☐CONTINUATION ☐ CLEARANCE ☐ SUPPLEMENTAL

PAGE/OF: of

CASE NO.	REFER CASE NO.	CLASSIFICATION
PPB-10-038353	PPB-10-038359	Officer involved shooting

☐ 1. UNFOUNDED ☐ 2. PENDING ☐ 3. SUSPENDED ☐ 4. CLR BY ARREST ☐ 5. EXCEPTIONAL ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME:

THIS REPORT DATE/TIME: 5/14/2010-1200

CASE NO.

LOCATION OF OCCURRENCE: Ne 6th avenue/Ne Clackamas street, Portland Oregon

PERSON CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion

CODE	NAME: LAST, FIRST MIDDLE	SEX	RACE	DOB
WI	[redacted]	M	W	

ADDRESS: 1 SE 2nd Avenue, Portland Oregon 97214 ZIP:

PHONE: 503-[redacted]

SUBJECT OF THIS REPORT: I assisted in an investigation with Portland police and interviewed a witness.

PROPERTY RECEIPT NO.:

NARRATIVE/PROPERTY S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

(ITEM) CODE ITEM BRAND MODEL/STYLE SERIAL NO. COLOR ENGRAVINGS/PECULIARITIES SIZE VALUE

SUMMARY:

This report reflects my interview of an AMR employee.

MENTIONED:

MCSO A/SGT Gosson DPSST# 30282
MCSO DET SNITKER DPSST# 23519
PPB DET SGT Michaelson DPSST# 23060
AMR 308
AMR 311

ACTION TAKEN:

On 4/12/2010 I was contacted by A/SGT Gosson and asked to assist Detective SNITKER. We had been tasked to help with interviews at NE 6th avenue and NE Clackamas street.

Upon arriving we contacted PPB SGT Michaelson who asked us to interview potential witnesses.

The following is a brief summary of my interview with [redacted] who is an employee of AMR. The interview was recorded and acknowledged by [redacted] A transcript of the interview will be included with my report.

COMPUTER ENTRY

☐ Person

OPR

☐ Vehicle

On 4/12/2010 at about 2052 hrs I and detective SNITKER sat down with [redacted] and asked him how long he has worked as a paramedic. [redacted] said he has been a paramedic for five years and an EMT intermediate for two years. [redacted] was the driver that day and was the lead paramedic.

OPR

☐ Crime/ Prop

[redacted] said they were parked at 4th and Alder downtown. At about 1825 hrs an "AS1" call came out. [redacted] explained its one of the most critical type calls they can get. While enroute they were told to stage and that an officer had been shot. They staged at Multnomah and Grand and were there maybe two to three minutes. They were then advised to go in to 6th and Halsey and to access the scene from the east on Halsey.

OPR

☐ P

OPR

Officer(s) Involved	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
DETECTIVE Sean Mallory	31088				

[redacted] said they were the first ambulance there and pulled in behind Portland Fire engine 13 and truck 13. He could see that Portland Fire was getting their equipment and heading around the corner. He grabbed the gurney to move any potential patients. When [redacted] came around the corner he was advised by his partner, [redacted] that the patient was most likely a "DOA".

[redacted] said that as he came around the corner he saw a male lying on the ground. He had handcuffs on and saw what appeared to be taser barbs and gunshot wounds. The patient seemed to be unresponsive and [redacted] stated that fire confirmed that he was pulse less and they were going to [redacted] up an EKG for confirmation.

I asked [redacted] what position the patient was in when he approached. He said that he was face down and that he was handcuffed. He could see taser wires but did not see the barbs. [redacted] said the patient was rolled over so that he was on his back. I asked him if the handcuffs were taken off at that point and [redacted] said he didn't believe so.

[redacted] said that prior to the patient being rolled over he saw what appeared to be an abrasion across the back of the neck that looked like burn marks. Fire stated that he was pulse less and so they rolled him over to [redacted] up the EKG. [redacted] saw multiple gunshot wounds to the chest. It was d[redacted]rmined that after calling the medical advisor they were calling it a DOA. [redacted] said the m[redacted]ical advisor was Doctor Horowitz at OHSU.

[redacted] said they returned to their ambulance and then was asked by police to standby till investigators had a chance to talk to them. [redacted] had no more observations and so the interview was concluded at 2050 hrs.

STATEMENTS:

Refer to Action Taken.

EVIDENCE:

Refer to case envelope.

ACTION RECOMMENDED:

Refer to PPB Detective Kammerer

Reporting Officer(s)	I.D. No.	Date/Time	Approved by:
DETECTIVE Sean Mallory	31088		

SM: DETECTIVE SEAN MALLORY, Multnomah County Sheriff's Office
LS: DETECTIVE LARS SNITKER, Multnomah County Sheriff's Office
RH [redacted]

SM: Uh, this is Detective Mallory with the Multnomah County Sheriff's Office, DPSST 31088. Uh, it's Wednesday, May 12th at 8:36. I'm here with Detective, uh, Detective Lars Snitker and, uh, AMR, uh, employee [redacted] that's [redacted] Umm, I've asked [redacted] if it's okay if I record this conversation. Is it okay?

[redacted] Yes.

SM: And you see the recorder in front of you?

[redacted] Yes.

SM: Okay. Umm, [redacted] work address is 1 SE 2nd Avenue, Portland, Oregon 97214, uh, work number is [redacted] and a cell number is [redacted]. Umm, so, [redacted] umm, how long have you worked for AMR?

[redacted] Seven years.

SM: And during that seven years, umm, have you been a paramedic or?

[redacted] I was an EMT intermediate for two years. I've been a paramedic for five years.

SM: Okay. And so, uh, during your course of, uh, of duties during the day, I mean what kind of calls do you normally take or?

[redacted] All types of calls. We are primarily a 911 unit for Multnomah County. We do run inter-facility transfers. Umm, in terms of 911 I'd say anywhere from I don't feel good to cardiac arrest and anything in between.

SM: Okay. So you handle all kinds of calls then?

[redacted] Yes.

SM: Okay. Okay. And, umm, what were you guys doing when you received this particular call?

[redacted] We were pulled over at 4th and Alder downtown.

SM: Okay. And, umm, do you remember when the call came out?

[redacted] Uh, it was about 6:25 or 1825.

SM: Do you remember what, what kind of, I mean did, did it come over the radio or were you guys paged?

[redacted] It did. We, we got an MVT message and our radio's telling, uh, as per typical 911 dispatch.

SM: Okay. And do you remember what kind of call it was?

[redacted] It as an AS1.

SM: Okay. And that is a?

[redacted] Assault, and it's priority one.

SM: Okay. So it, do y-, have you gotten one of those in the past?

[redacted] Yes.

SM: Okay. So in, in the AMR world that's kind of a big deal?

[redacted] Yeah, it's one of the, you know, more critical calls that we would run.

SM: Okay. So, umm, you responded from 4th and Alder. Umm, do you remember where you were supposed to respond to?

[redacted] Our dispatched address was, uh, what was it, 6th and I can't remember what the other cross was, 'cuz I know it was changed to Halsey when we were cleared in.

SM: So they had you stage then?

[redacted] They did.

SM: Okay.

[redacted] Initially on dispatch they said advised to stage.

SM: Okay. Did they say why?

[redacted] Uh, the call notes, uh, that we get basically stated that the call was an AS1 and all it said was officer shot.

SM: Okay. So you were aware there was an officer shot in the call?

[redacted] Yes.

SM: Okay. So you were advised to stage.

[redacted] Uh-huh.

SM: Umm, do you remember how long you were staged for?

[redacted] Oh, it wasn't very long. Umm, I mean I think we had a, probably about a four minute response time to our staging area. We staged at, uh, uh, Multnomah and Grand and we were probably staged for maybe two or three minutes.

SM: Okay. Umm, I forgot to ask you, you're the, you're the driver; correct?

[redacted] I'm actually the lead paramedic. I was the driver. We switch off.

SM: Okay.

[redacted] And so, umm, it was my turn to drive.

SM: Oh, okay.

[redacted] But –

SM: So you were driving in this incident?

[redacted] For this, for this incident –

SM: Okay.

[redacted] -- I was driving.

SM: But you are the lead paramedic in the, in the bus?

[redacted] Yes.

SM: Okay. Uh, so you're staged at Grand and Multnomah, uh, for about three minutes.

[redacted] Uh-huh.

SM: Uh, and then you're told?

[redacted] We were advised by Ops 1 that medical was asked to come right in, to access from the east and to come into 6th and Halsey. Uh, we had been advised that the officer who was shot had been transported from the scene prior to our arrival at the staging location, but they said there was still a possibility of multiple patients. And so, uh, our unit and Medic 311 both continued in, like off at 9th and down Halsey.

SM: Okay. So, umm, do you arrive fir-, before Medic 311 or?

[redacted] Yeah, we were the first ambulance in. We were behind Engine and Truck 13.

SM: Okay. First AMR in and behind, umm, is that Portland Fire?

[redacted] Portland Fire, yeah.

SM: Okay. And what was their truck number?

[redacted] Uh, 13, it was Engine, Engine 13 and Truck 13.

SM: And Truck 13. Okay. Umm, so paint the, paint the scene for me. You, you pull in, there's, the fire truck pulls in ahead of you.

[redacted] Yeah, so, umm, as we were approaching the engine had pulled up, uh, basically on the left side of the road. The truck was on the right side. And we pulled up so we'd be able to actually leave the scene, we'd have an egress, we pulled up so we were basically nosed in between the truck and the engine so we'd be able to go around the engine. Umm, the crew off the engine went over to make patient contact with their gear, because they were first on scene, so we went ahead and grabbed the gurney so we'd be able to move the patient. Typically don't hang on scene any longer than we absolutely have to with trauma, uh, so we figured we would take the gurney over, do a quick evaluation and move to the ambulance. Uh, when I came around the corner I was advised by my partner, who had made contact with the patient, that it was likely to be a DOA.

SM: Okay. So, umm, 'cuz you had said that we, we'd got the gurney. It was just you getting the gurney and your partner –

[redacted] Yeah, I told my, I told my partner to go over with fire to assist them and that I would bring the gurney behind her.

SM: Okay. Okay. So you're, you got the gurney, you come around the corner and your partner tells you that most likely than not that the patient's DOA.

[redacted] Yes.

SM: Okay. Umm, what do you see at that point when you come around the corner?

[redacted] I saw the male laying prone on the ground, handcuffs, uh, and, of course I saw what appeared to be taser barbs, uh, and gunshot wounds. The patient appeared to be unresponsive and my partner had stated that, uh, fire confirmed he was pulseless and we were just gonna [redacted] up the EKG to, uh, just for a confirmation.

SM: Okay. So fire said he was pulseless?

[redacted] Uh-huh.

SM: Okay. And they had already [redacted] something up to him at that time?

[redacted] No, it was just a manual pulse check. And then they were working on [redacted] up their EKG.

SM: Okay. Umm, all right, so, now you say he was prone, uh –

[redacted] Yeah, he was face down.

SM: -- was he face down?

[redacted] Yeah.

SM: Okay. And he was handcuffed?

[redacted] Uh-huh.

SM: Umm, and you saw taser barbs. Do you remember how many you saw?

[redacted] I don't know. I just saw basically the, the wires. I didn't actually see the barb position at that point.

SM: Okay.

[redacted] 'Cuz we pretty much rolled him over, I mean pretty quickly. We prefer patients to be in a supine position face up.

SM: Right.

[redacted] So.

SM: So was he, was he still handcuffed when he was rolled over?

[redacted] He was.

SM: Okay. Umm, at what point, umm, were the handcuffs taken off?

[redacted] Actually what we did, because he was pulseless, our protocol for Multnomah County is someone has a traumatic injury and no pulse we don't resuscitate.

SM: Okay. So as far as you know the handcuffs didn't come off?

[redacted] I don't believe so.

SM: Okay.

[redacted] We didn't ask them to be.

SM: Okay. Umm, and you said you saw the gunshot wounds. Do you remember what, do you remember what he was wearing?

[redacted] Uh, I think he had jeans and, uh, a white T-shirt.

SM: So jeans, a white T-shirt.

[redacted] Yeah. I think he had like maybe another shirt on over neath, or, over top, uh, it looked like a button-up I think he had on.

SM: Okay. At what point did you see the gunshot wounds? Did you see 'em right off the bat or during –

[redacted] Uh, once we rolled him over. Uh, I saw, I mean when he was laying face down I saw what appeared to be just an abrasion across the back of his neck that looked like it had burn marks like, you know, it had been grazed. Uh, and then, you know, fire had stated that, uh, he was pulseless and acknic and so they rolled him over, uh, to [redacted] up the EKG. Saw I do believe it was five entry wounds in his chest. And so we went ahead and just [redacted] up the EKG for confirmation. He was in a rhythm that was, is not consistent with life.

SM: Okay. Umm, and then what happened?

[redacted] Uh, then we actually called our physician advisor to let him know that, because what he, his rhythm he was is called pulseless electrical activity, so something's happening with the heart, it's just not beating or circulating blood, umm, and, uh, so we got on the line with our medical advisor and let him know that multiple gunshot wounds to the chest, you know, no palpable pulse, not breathing and that our preference was to not work a resuscitation because it's a trauma death.

SM: Right.

[redacted] And he only asked us to listen for heart tones, which weren't heard. And so then he agreed with us that we were just calling it a DOA.

SM: Do you remember who that medical advisor was?

[redacted] Uh, Dr. Horowitz.

SM: Okay. And what hospital is Dr. Horowitz at?

[redacted] OHSU.

SM: OHSU, okay. Do you remember what time the, when you guys called it?

[redacted] I don't remember the time that we called it. Umm, I know that that will be in our documentation.

SM: Sure. Umm, so you call it. Do you remember what happens after that?

[redacted] Umm, we basically just find out, you know, what police want us to do, you know, cover him. Typically in a crime scene we try to leave it as most intact as possible, umm, 'til, I actually asked the officer that was there with us if he wanted us to cover him. He said, no, but just to leave the sheet with him so he could take care of it once it was cleared by a supervisor to do anything with the body. Umm, we proceeded back to the ambulance. And then we were asked to stay on scene just for, uh, investigators to do questioning. So we did that.

SM: Okay. Did fire leave at that point or?

[redacted] Fire did clear.

SM: Okay. Umm, is there anything that you'd like to add that maybe I didn't ask or any observations that, uh, you can think of now?

[redacted] I don't think so.

SM: Okay. All right, umm, do you have anything Detective Snitker?

LS: No.

SM: No. Okay. All right, it is, umm, Wednesday May 12 at 8:50. I am concluding the interview.

INTERVIEW CONCLUDED

SM/ps/SM-[redacted] 05-12-10

MULTNOMAH COUNTY SHERIFF'S OFFICE

SPECIAL REPORT

☐INFORMATION ☐CONTINUATION ☐ CLEARANCE ☐ SUPPLEMENTAL

PAGE/OF of

CASE NO.	REFER CASE NO.	CLASSIFICATION
PPB-10-038353	PPB-10-038359	Officer involved shooting

☐ 1. UNFOUNDED ☐ 3. SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME:

THIS REPORT DATE/TIME: 5/14/2010

CASE NO.

LOCATION OF OCCURRENCE: Ne 6th avenue/Ne Clackamas street, Portland Oregon

PERSON CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion

CODE	NAME: LAST, FIRST MIDDLE		SEX	RACE	DOB
WI	[redacted]		M	W	

ADDRESS: 1 SE 2nd Avenue, Portland Oregon 97214 ZIP: [redacted]

PHONE: 5[redacted]

SUBJECT OF THIS REPORT: I assisted in an investigation with Portland police and interviewed a witness.

PROPERTY RECEIPT NO.

NARRATIVE/PROPERTY S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

(ITEM) CODE ITEM BRAND MODEL/STYLE SERIAL NO. COLOR ENGRAVINGS/PECULIARITIES SIZE VALUE

SUMMARY:

This report reflects my interview of an AMR employee.

MENTIONED:

MCSO A/SGT Gosson DPSST# 30282
MCSO DET SNITKER DPSST# 23519
PPB DET SGT Michaelson DPSST# 23060
AMR 308
AMR 311

ACTION TAKEN:

On 4/12/2010 I was contacted by A/SGT Gosson and asked to assist Detective SNITKER. We had been tasked to help with interviews at NE 6th avenue and NE Clackamas street.

Upon arriving we contacted SGT Michaelson who asked us to interview potential witnesses.

The following is a brief summary of my interview with [redacted] who is an employee of AMR. The interview was recorded and acknowledged by [redacted] A transcript of the interview will be included with my report.

COMPUTER ENTRY ☐ Person OPR ☐ Vehicle OPR ☐ Crime/Prop OPR OPR

On 4/12/2010 at about 2112 hrs I and detective SNITKER sat down with [redacted] and asked him how long he had worked for AMR. [redacted] said he has worked for AMR for about a year and nine months. I asked him what his role was that evening during the incident. [redacted] said that he was the passenger in the ambulance and that usually he and his partner switch off after calls. [redacted] said he was assigned to Medic 311 that evening. I asked [redacted] where he was when he heard the call. He said that he was near Interstate and Albina when the call came out. He said that it was an "AS1". I asked him what "AS1" stood for. [redacted] said that "AS" stands for assault and that the number "1" stood for the worse kind of call.

Officer(s) Involved	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
DETECTIVE Sean Mallory	31088				

[redacted] said they were the second unit dispatched to the scene. They staged when they got there and were there for only a few minutes when they were told to enter the area from the east on Halsey. When [redacted] pulled onto NE Halsey he saw that Medic 308 was there and was nosed in. In front of Medic 308 were a fire engine and a fire truck. [redacted] said that protocol for them was if there was multiple patients that the second arriving ambulance would transport and the first ambulance would do triage. So they nosed in and turned around so they were facing east on NE Halsey.

As they arrived he saw Paramedic [redacted] from AMR 308 was getting out equipment and was walking around the corner. [redacted] said that he and his partner got out and grabbed the cot and put some equipment on it and started toward the scene. As they started to walk in that direction paramedic [redacted] came walking back and said that the injured officer had already been transported and the other patient was dead. [redacted] said they left their gear there at the ambulance and walked toward the scene to see if anyone needed a hand.

As he approached he could see that the fire personnel from Engine 13 had been working on the patient. [redacted] said the lieutenant from Engine 13 told him that the patient did not have a pulse and was a traumatic arrest. [redacted] called the attending physician while Fire personnel ran a cardiac "strip". [redacted] said that the doctor told him to listen for "heart tones". The LT did that and he listened for breath tones and d' 't find any so the doctor called the time of death at 6:36pm. [redacted] thought the doctors' name was Z..e Horowitz from OHSU.

I asked [redacted] if there was anything about the patient that stood out as he approached. [redacted] described the patient as being in a left lateral recumbent position with his hands behind his back. [redacted] noticed a lot of wires around him, taser wires. There was an abrasion on the back of the patients' neck and abrasions on his wrists. [redacted] said that he was connected to a cardiac monitor.

I asked if there was anything else that stood out and [redacted] said that he saw a "crown royal" bag lying in the street. He said it was kind of hard to miss because it was purple. [redacted] said he did not notice if it was empty or if it contained anything. [redacted] had nothing further to add and the interview was complete at 2124 hrs.

STATEMENTS:

Refer to Action Taken.

EVIDENCE:

Refer to case envelope.

ACTION RECOMMENDED:

Reporting Officer(s)	I.D. No.	Date/Time	Approved by:
DETECTIVE Sean Mallory	31088		

MULTNOMAH COUNTY SHERIFF'S OFFICE
Continuation Report

Page of

INCIDENT: Investigation
Case No.: PPB-10-038353

Refer to PPB Detective Kammerer

Reporting Officer(s)	I.D. No.	Date/Time	Approved by:
DETECTIVE Sean Mallory	31088		

SM: DETECTIVE SEAN MALLORY, Multnomah County Sheriff's Office
LS: DETECTIVE LARS SNITKER, Multnomah County Sheriff's Office
[redacted]

SM: This is Detective Mallory with the Multnomah County Sheriff's Office. It's Wednesday May 12th, it's 9:12. I'm here with Detective Snitker. Umm, also here present is AMR employee –

[redacted] Common spelling for [redacted] First name is [redacted]

SM: [redacted] And you're a paramedic with AMR.

[redacted] Yep.

SM: Okay. And how long have you been employed by AMR?

[redacted] Uh, hire on date was a year ago October, so year and nine months, something like that.

SM: Okay. And you are employed as a paramedic.

[redacted] Uh-huh.

SM: And, uh, tonight you were, uh, a driver or a passenger?

[redacted] Uh, when the call came in I was, uh, the passenger, although we switch off roles, so I've been both today.

LS: Which paramedic unit were you assigned to?

[redacted] Medic 311.

SM: Okay.

[redacted] Umm, sorry, I should have said B shift, Medic 311.

SM: Okay. And do you remember where you were at when the call came out?

[redacted] Uh, we were at, uh, Interstate and Albina, northbound.

SM: Okay. And do you remember what type of call it was?

[redacted] It came in as a AS1. Umm, AS stands for assault. 1 is the worse grade of, uh, call available, so.

SM: Okay. And, umm, were you dispatched at that time?

[redacted] Actually, uh, we were the second unit dispatched, so the first unit dispatched was 308. We heard the call go down and looked up their call on the MVT and saw we were the second in unit, uh, to that, to that particular call. Switched to Ops 1 to listen to the radio traffic 'cuz we heard it was an officer down and heard Ops 1 tell Medic 308 there was multiple patients down and that they were gonna be requesting a second ambulance. So we knew we were going to be tapped on the call before we actually got tapped. But, uh, when we heard the, heard the dispatch go out, like I said, we were northbound on, uh, on Interstate, uh, flipped around and started heading that direction.

SM: Okay. Umm, Code 3?

[redacted] Yep, Code 3.

SM: Okay. So lights and siren?

[redacted] Uh-huh.

SM: All right. And, umm, did you guys stage somewhere?

[redacted] We did. We staged at, umm, 3rd, I'm sorry, NE 3rd and Wasco.

SM: Okay. And do you remember why you staged?

[redacted] We were advised to stage because this was an, I think it's standard procedure to stage on any AS calls until we've been cleared in by police officers. But, uh, since this was a, uh, shots fired call we, uh, we automatically staged out of the area until cleared in by the police.

SM: Okay. Umm, do you remember how long you guys were staged for?

[redacted] Uh, I might have it on my pager actually. Let me see. No, that's the dispatch page. No, I never got that times.

SM: Did, did it seem like a long time or pretty short time?

[redacted] It seemed pretty short. I mean, uh, in the scale of things, we actually went on a call earlier today where we staged for 12 minutes and that seemed abnormally long. But this, this one was pretty, pretty short actually.

SM: So, umm, after you were staged, umm, what, what happens then?

[redacted] Uh, we staged out of the area. We reported to dispatch, uh, that we were staged in our staging location, umm, and waited until we were cleared in by, uh, by the cops. When

we were cleared in we were advised to come in from the east, which was awkward 'cuz we were actually west of the incident at the time, and to go south of the intersection. So we had to, umm, Wasco's one bl-, one block south of the, of the intersection so we had to go down, umm, Wasco, we were eastbound on Wasco when we got cleared in. Made the right at M-, at, umm, Martin Luther King, made a left on Multnomah, went all the way down to 7th, made a left and then made another left on, umm, Clackamas. So that way we actually approached from, from the east as we were advised.

SM: Okay. Umm, so as you pull into Clackamas, uh, paint the picture for me.

[redacted] We actually, umm, let me see, uh, you know we might have actually been one block north of Clackamas. At any rate, umm, we pulled up and went to make the left and there was an officer blocking the, uh, the street in that direction and he waved us on up the street to the next left. Uh, we came up, made the next left and saw that 308 had gone in nose first and that they were as close as they could get, uh, 'cuz there was a fire truck in front of them and I believe there was an engine to the right of them as well. Umm, so we came in and, uh, standard procedure for any, umm, for any multiple patients scenario is the first in, uh, medic unit helps with packaging and with, uh, triage of patients. The second in medic unit, umm, goes in and grabs the worse hurt patient, throws them in and they go. So we went in nose first and turned the ambulance around so we would be ready to immediately drive out. Umm, as I, as I pulled in I saw, umm, a paramedic [redacted], [redacted] getting out with the equipment from the back of 308, walking around the corner. Uh, we jumped out and grabbed our cot and threw our equipment on the cot. Uh, my partner grabbed the C-spine equipment and started to load it onto the cart. And as we started to walk that direction, umm, [redacted] came walking back and said, uh, the cop is already gone and this guy's dead. Umm, so we left our equipment at the, at the scene and walked up to see if 308 needed a hand with anything. As we, uh, walked down the street, uh, you know obviously gloves on but that it's, we didn't have any equipment with us, uh, made the corner and, uh, I saw that, umm, 13's crew was already working on the patient on the ground. Uh, 308's crew was standing in close attendance, but weren't actually hands on the patient at that time, I believe, I'm not really sure. Umm, the lieutenant off of 13 said, uh, he hasn't got a pulse, it's a traumatic arrest, all I need to do is call the doc to call it. So I grabbed my cell phone started calling MRH, which is standard procedure. Umm, anytime we have a death in the field we don't want to attempt resuscitation, we need to get a doc's say-so from, umm, from our medical call-in line. So I started dialing the phone while the, uh, the crew off of 13 ran a cardiac strip on the guy. Uh, I got the doc on the phone, told him what we had, umm, I think that's recorded so if you really want you can listen to my report. Umm, the doc asked if, uh, we had any heart tones. I told him I didn't know. Uh, the doc said, okay, check for heart tones and for breathing tones. Then I asked the lieutenant off of 13 to do that. He checked for heart and breathing tones and didn't find any and we called it at that point. I think time of death was 38, 36 after, after the hour. And that was –

SM: 6:36?

[redacted] Yeah, yeah, exactly. I can't remember what hour it was.

SM: Okay. And doctor's name attending?

[redacted] Uh, it'll be in the report but I believe it's Zane, uh, I, I'm not sure.

SM: Okay.

[redacted] Umm, I can find out for you if you want though.

SM: I think it's Zane Horowitz is –

[redacted] Horowitz, okay, yeah.

SM: -- I think what we're hearing. Okay. Umm, anything about the patient that stands out?

[redacted] Umm, well, let me see, as I approached the scene he was laying left lateral recumbent, both hands behind his back. I kind of noticed a lot of, uh, wires around him, taser wires around him. Umm, that's kind of it. I noticed there was a bit of an abrasion on the back of his neck, uh, some kind of abrasion on his wrists as well. Umm, I saw that he was already on the cardiac monitor. Umm, do you want me to give a physical description of the guy or what?

SM: Umm, let me see, both hands were behind his back.

[redacted] Uh-huh.

SM: He's lying on his left side.

[redacted] Yep.

SM: Umm, so is he, is, is, is the head toward the street and his feet are toward the building or –

[redacted] No, other way around. His head's towards the building, his feet are towards the street.

SM: Okay. So he's on his left side. So as you walk around the corner of the building his back is to you?

[redacted] Yep, exactly, his back is, is to me.

SM: Okay. Uh, and from that vantage point you see his hands are behind him.

[redacted] Uh-huh.

SM: Right. Handcuffed?

[redacted] I don't recall him being handcuffed at that time.

SM: Okay. Umm, so did you walk around to his front at that time or did you stay –

[redacted] I stayed behind him. I never walked around to the front, to the front of the patient. Uh, at one point, umm, I asked the, I was about to give the report to the doctor and I asked the lieutenant off of 13 what he, uh, what he had or if he wanted to give the report and he said let's just roll him over. So at that point he was, went from left lateral recumbent to supine and, umm, they pulled up his shirt and exposed the wounds and I described the wounds to the doctor.

SM: Okay. Okay.

LS: And your recollection is when you walked up to him they didn't, he was not handcuffed when you, when you walked up to him initially?

[redacted] Uh –

LS: Or you just saw his hands –

[redacted] His hands were behind his back as though he had been handcuffed but –

LS: Okay.

[redacted] -- I don't recall handcuffs being on him at that time.

LS: Okay.

SM: Okay. Umm, do you remember what, uh, what, uh, what kind of clothes he was wearing?

[redacted] Uh, he was, yeah, umm, uh, I think a white shirt, uh, black pants, a belt, white boxers, I remember 'cuz they were baggie pants that had kind of fallen down around his hips, umm, don't recall what kind of shoes.

SM: Okay.

[redacted] I don't think he was wearing a hat.

SM: Okay. Anything that, uh, anything else that, uh, that you can think of that I didn't ask?

[redacted] Umm, not really. I, I never had any contact with the body. Umm, I don't think any of the AMR crew did, but I couldn't be sure about that. I think mostly the contact was done by Truck 13. Umm, it was 13's equipment, they, they brought their own stuff from their engine to the call. Umm, let's see, he was pretty close to the car, I remember

that. It seemed, oh, he had a Crown Royal bag right next to him. The only reason I remember is 'cuz, you know, it's the only purple thing around.

LS: Did you see if it was empty or it looked like it contained anything?

[redacted] Uh, I didn't, I didn't take a close look at it, it was laying next to the body. I noticed it, I mean there was one purple thing in the middle of the street, you know, it was kind of hard not to notice it. Umm, and I also, you know, noticed, like I said, there was a lot of, uh, wire, taser wires.

SM: Do you remember how many taser probes or taser wires?

[redacted] I just saw that it seemed like an abnormal (can't understand) taser wire on the ground.

SM: Okay. You didn't see where the taser barbs were or where they were deployed?

[redacted] No, I didn't.

SM: Just a lot of wire.

[redacted] Just a lot of wire.

LS: No additional questions.

SM: Nothing else?

[redacted] Nothing else.

SM: Okay. Umm, it is, umm, 9:24, uh, Wednesday May 12th, I'm concluding the interview.

INTERVIEW CONCLUDED

SM/ps/SM-[redacted] 05-12-10

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Incident #RP1005121780  E13    Ent/1824  Dsp/1824  Enr/1824  Ons/1829  Clr/2211
   Xref #PP1005121772

Type: AS1 (2) (ASSAULT/1ST RESP)  Src: C  Init: 2/AS1
Loc:  NE 6 AV/NE CLACKAMAS ST ,POR  <600,1400>  (V)

3    O1  Dist: 690  Box: 1348     [redacted] 596G4  [redacted] 5395A  FDispo: Z1  EDispo:
6

8:24:26  (DP12  )  COPY    #18367  ,C/3 , 6TH/CLACKAMAS....OFCR SHOT
8:24:26             CPYTXT          ,NO MORE INFORMATION
                                    T/TRASTP
8:24:26             $LINKED         #PP1005121772
8:24:30             $FIRSUG            E13"
8:24:30             $NXTENG            E24"       E3"
8:24:30             $EMSSUG            M308"   M311"   M306"  *M322
8:24:36  (DP7   )   $TALKGP         OPS 1
8:24:36              DISP    E13
8:24:36             $ASNCAS  E13    $FP10023025
8:24:36              ASST    M308
8:24:36             $ASNCAS  M308   $MD10023793
8:24:44  (M308  )  *ENROUT   M308
8:25:01  (DP7   )   CONTRL          GRP: R1 --> O1
8:25:07  (DP12  )   SUPP    #18367  TXT: NEED CUPLE MORE AMBS HERE, POSS MULT
                                    VICT
8:25:09  (E13   )  *ENROUT   E13
8:25:26  (DP7   )   ADDREQ          ADD 1E** RQST from: O1 ,CODE
8:25:27             $FIRSUG            E24"
8:25:33              ASST    E24
8:25:33  (DP12  )  $CBLINK   3950    ,LET EM KNOW OFCR BEING XPORT BY PPB CAR,
                                    [redacted]
8    33  (DP7   )   ASST    M311
8:25:41  (M311  )  *ENROUT   M311
8:26:03  (DP6   )   MISC    E13     ,WILL STAGE CLACK/9
8:26:10  (DP12  )   SUPP    #18367  TXT: EMS STAGE....
8:26:15  (E24   )  *ENROUT   E24
8:26:22  (DP12  )  $CBLINK   3950    ,ACTIVATING SERT
8:26:31  (DP6   )   STAGED   E13     [8/HALSEY]
8:26:52  (DP12  )   SUPP    #18367  TXT: APPROACH FROM SOUTH ON 6TH...
8:26:57  (DP7   )   ASSTER   T13     [NE 6 AV/NE CLACKAMAS ST ,POR]
8:27:08             PREMPT   T13
8:27:11             ASST     T13
8:27:32  (DP12  )  $CBLINK   3950    ,SERT STAGE 1 BLK W 6TH/CLACKAMAS IN KAISER
                                    LOT
8:28:02  (DP17  )   SUPP    #27926  EM NOTIFIED THAT POLICE OFFICER ER IN POLICE
                                    CAR
8:28:12  (T13   )  *ENROUT   T13
8:28:17  (DP6   )   ASST     C2
8:29:11             TALKGP          OPS 1 ==> OPS 3
8:29:17  (M311  )  *STAGED   M311    [3ND AND WASCO]
8:29:18  (M308  )  *STAGED   M308    [MULTNOMAH AND GRAND]
8:29:19  (T13   )  *ONSCNE   T13
8:29:47  (DP12  )  $CBLINK   3950    ,CANCEL SERT, 61
8:29:49  (DP2   )   STAGED   M311    [3/WASCO]
8:30:02  (DP12  )   SUPP    #18367  TXT: SEND MEDICAL, 6TH/HALSEY FROM THE EAST
8:30:04  (DP2   )   STAGED   T13     [8/HALSEY]
8:30.10  (DP12  )   SUPP    #18367  TXT: JUST SOUTH OF THE INTERSECTION
8:30:45  (DP6   )   ENROUT   C2
8:30:53  (E13   )  *ONSCNE   E13
8:31:10  (M308  )  *ONSCNE   M308
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8:31:28	(DP2)	NEWLOC	T13	[6/HALSEY]
8:31:32		ONSCNE	M311	
8:31:35	(DP12)	$CBLINK		,MAKE NOTIFICATION FOR OFCR INVLD SHOOTG
8:31:46	(M398)	*ASSTER	M398	[NE 6 AV/NE CLACKAMAS ST ,POR]
8:32:09	(E24)	*ONSCNE	E24	
8:3?:39	(DP2)	MISC	E13	,OFFICER BEING XPORTED TO HOSPITAL BY POLICE
8: 43	(C2)	*ONSCNE	C2	
8:35:56	(M398)	*ONSCNE	M398	
8:37:02	(DP2)	RECALL	C2	,RETURN ALL CO'S EXCEPT E13 AND C2.. GOING BACK TO OPS1
8:37:18	(DP11)	SUPP	#24229	TXT: MEDIA SHOWING UP AT GRAND/WASCO, WHERE DO THEY WANT THEM
8:37:32	(DP2)	TALKGP		OPS 3 ==> OPS 1
8:38:18	(DP11)	SUPP	#24229	WITNESS OFFICER INVOLVED IS AT EMANUEL FOR WHOMEVER IS DOING INTERVIEWS PER 3809.
8:40:14	(DP12)	SUPP	#18367	TXT: HAVE AMR STNDBY FOR A MIN, NEED TO TALK TO THEM
8:40:50		SUPP	#18367	TXT: NEED AMR TO STAY OS TIL INVESTIGATORS CAN TALK TO THEM
8:41:22	(T13)	*CLEAR	T13	DSP: Z1
8:41:45	(DP6)	SUPP	#48056	NEITHER M308/M311 ANSWERING, THEY WERE PAGED WITH INFO
8:44:59	(E13)	*CLEAR	E13	DSP: Z1
8:51:50	(SV1)	SUPP	#10229	** NEED 1 OF THE ONSCENE DETS TO CALL SGT HOGAN AT EMAN, 971 253 9147
8:56:24	(DP12)	$CBLINK	3613AP	,PLEASE CONFIRM FED WAS NOTIFIED AND IS RESPONDING
8:57:20		$CBLINK	3613AP	,NOW SAYING TO PLEASE CALL THEM TO HAVE CALL SET UP, 4861 WAS JUST MONITORING
8:59:03	(DP6)	CONTCT		Contact in 20 Minutes
8:59:47	(C2)	*AOR	C2	
9: 51	(E24)	*AOR	E24	
9:15:29	(DP8)	SUPP	#35183	PER 5S92 MAJOR CRIME SCENE DETECTIVES NOTIFIED
9:17:37	(DP12)	$CBLINK	657AP	,NEED PIO TO 7TH/WASCO IF RESPONDING
9:32:40	(DP6)	CONTCT		Contact in 20 Minutes
9:32:49	(SV2)	SUPP	#14966	PER SGT BERRY SEND A FREE CAR TO EMAN PARK BY THE EMERGENCY ROOM AND FIND SGT BERRY
9:56:09	(DP6)	CONTCT		Contact in 20 Minutes
0:16:31		OK	M308	
0:16:31		OK	M311	
0:16:31		OK	M398	
2:01:49	(M311)	*CLEAR	M311	DSP: S1
2:09:33	(M398)	*CLEAR	M398	
2:11:28	(AMR1)	CLEAR	M308	DSP: S1 --> E6
2:11:28		CLOSE	E13	

MULTNOMAH COUNTY SHERIFF'S OFFICE

SPECIAL REPORT

☐ INFORMATION ☐ CONTINUATION ☐ CLEARANCE ☐ SUPPLEMENTAL

PAGE/OF: of

CASE NO.	REFER CASE NO.	CLASSIFICATION
PPB-10-038353	PPB-10-038359	Officer involved shooting

☐ 1. UNFOUNDED ☐ 2. PENDING ☐ 3. SUSPENDED ☐ 4. CLR BY ARREST ☐ 5. EXCEPTIONAL ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME:

THIS REPORT DATE/TIME: 5/14/2010-1013

CASE NO.

LOCATION OF OCCURRENCE: Ne 6th avenue/Ne Clackamas street, Portland Oregon

PERSON CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion

CODE	NAME: LAST, FIRST MIDDLE	SEX	RACE	DOB
WI	[redacted]	M	A	

ADDRESS: 1 SE 2nd Avenue, Portland Oregon 97214 ZIP: [redacted] PHONE: [redacted]

SUBJECT OF THIS REPORT: I assisted in an investigation with Portland police and interviewed a witness.

PROPERTY RECEIPT NO.:

NARRATIVE/PROPERTY S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

(ITEM) CODE ITEM BRAND MODEL/STYLE SERIAL NO. COLOR ENGRAVINGS/PECULIARITIES SIZE VALUE

SUMMARY:

This report reflects my interview of an AMR employee.

MENTIONED:

MCSO A/SGT Gosson DPSST# 30282
MCSO DET SNITKER DPSST# 23519
PPB DET SGT Michaelson DPSST# 23060
AMR 308
AMR 311

ACTION TAKEN:

On 4/12/2010 I was contacted by A/SGT Gosson and asked to assist Detective SNITKER. We had been tasked to help with interviews at NE 6th avenue and NE Clackamas street.

Upon arriving we contacted PPB SGT Michaelson who asked us to interview potential witnesses.

The following is a brief summary of my interview with [redacted] who is an employee of AMR. The interview was recorded and acknowledged by [redacted] A transcript of the interview will be included with my report.

COMPUTER ENTRY ☐ Person

On 4/12/2010 at about 2052 hrs I and detective SNITKER sat down with [redacted] and asked him how long he had worked for AMR. [redacted] said he has worked for AMR for about 4 years. I asked him what his role was that evening during the incident. [redacted] said that he was the lead paramedic and was driving. He and his partner [redacted] were assigned to Medic 311. [redacted] said they were in the area of Interstate and Going when they got "tapped" out. They responded code "3" and staged at second and Wasco. He said they were staged for only a few minutes. It was asked why the procedure for staging? [redacted] said they usually stage when police did not have control of the scene. [redacted] said that once they were told to enter, they entered the scene driving westbound on Halsey.

OPR ☐ Vehicle

OPR ☐ Crime/Prop

OPR ☐

OPR

Officer(s) Involved	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
DETECTIVE Sean Mallory	31088				

I asked [redacted] to paint me a picture of the scene as he entered. [redacted] said that Engine 13 was on Halsey and they were the first in. AMR 308 was behind them and off to the right of AMR 308 was Truck 13.

[redacted] said he pulled in and then turned around so the nose of his vehicle was pointed east on Halsey. [redacted] said in the case of multiple patients the second vehicle transports patients and the first on scene does triage.

[redacted] said they started to gather their equipment when paramedic [redacted] comes up and says "The guys' dead". So [redacted] left their equipment at their ambulance and walked toward the scene. As he approached the scene he saw that there were fire crews next to the building. He could see the cot that medic 308 had brought next to the building. He could see a silver Toyota with bullet holes in the windshield. The back window was also shot out. He could see taser wire leading to the deceased. I asked if anyone was working on him and he said that there were leads attached to him checking for electrical activity. I asked him to describe the patient.

[redacted] said he remembered a white t-shirt that was down to his mid section, one shoe was off and he was lying on his left side. Someone rolled him over so he was on his back and exposed his chest. S eone wanted to know how many gunshot wounds to the chest there were. [redacted] said he could see th. e shots grouped in the right chest area and one shot where his heart would be. [redacted] said his t-shirt was pulled up to expose his chest. [redacted] said his partner was on the phone to the medical resource hospital to get the blessing of the doctor to not work the code. [redacted] said the doctors' name was Zane Horowitz and he was a doctor at OHSU. [redacted] said he could hear his partner, [redacted] telling the doctor that the patient was in arrhythmia called PEA (pulse less electrical activity) and that the patient had no respirations and wanted to call the code. The doctor wanted to do one more examination before calling it. The doctor wanted them to listen for heart tones. The medical procedure for listening for heart tones is to take a stethoscope and place it where the heart is and listen for a heartbeat.

I asked if there was anything else that he wanted to add. [redacted] said that when the patient was rolled over he saw a bullet casing that might have fallen out of his shirt. Detective SNITKER asked if he could see what part of the body the probes from the taser led to. [redacted] said he did not, he only saw the wires. [redacted] said no one removed the probes that he knew of. [redacted] said the patient was not handcuffed when he walked up. [redacted] had nothing further to add and the interview was completed at 2108 hrs.

STATEMENTS:

Refer to Action Taken.

EVIDENCE:

Refer to case envelope.

ACTION RECOMMENDED:

Refer to PPB Detective Kammerer

SM: Detective Sean Mallory, MCSO, DPSST 31088
LS: Detective Lars Snitker, MCSO, DPSST 23519
[redacted] AMR Paramedic

SM: This is Detective Mallory with the Multnomah County Sheriff's Office; it is May 12, Wednesday, at 8:52. I'm here with Detective Lars Snitker and I'm talking to AMR B Paramedic. . .

[redacted] B paramedic.

SM: . . .for medical. . .

[redacted] Medic 311.

SM: And you're, is it okay if I record this conversation?

[redacted] Yes.

SM: Okay, and you see the recorder in front of you?

[redacted] Yes.

SM: Okay, and what's your last name sir?

[redacted].

SM: And your first name?

[redacted].

SM: And [redacted] what's your work address?

[redacted] It's underneath the Burnside Bridge, I don't know the. . .

SM: Okay. And do you have a work phone number?

[redacted] No.

SM: Okay, and do you have a personal cell phone number in case we have any more questions?

[redacted] Yes, 503. . .

SM: Okay, 503. . .

[redacted]: [redacted].

SM: [redacted] Okay, and you are the lead paramedic for medic 311.

[redacted]: Yes.

SM: Just a little background, how long have you been working for AMR?

[redacted]: Four years with AMR.

SM: Okay, and did you have any medical experience before that, a paramedic anywhere else?

[redacted]: I was an EMT basic for 15 years and with Portland Fire.

SM: Okay. And you've been with AMR for four years, have you been, is it advanced, EMT advanced, EMT intermediate or. . .

[redacted]: No, I just went from EMT basic to Paramedic.

SM: Oh paramedic, I'm sorry. And you've been a paramedic for four years with AMR?

[redacted]: Yes.

SM: Okay, and so are you familiar with different types of calls. . .

[redacted]: Yes.

SM: . . .you've seen it all, done it all?

[redacted]: No, but I've seen a lot of calls, yes.

SM: Okay, stabbings?

[redacted]: Stabbings, yes.

SM: Gunshot wounds?

[redacted]: Uh, a few gunshots, yeah.

SM: Okay, do you remember where you were at when you got tonight's call?

[redacted] Um, we were on Interstate, um, I think pretty close to, yeah Interstate and Going, because my partner wanted me to turn on Going, it's like, but it's on 26th so I was going to go up another, went onto Alberta, and then turn down and got on the freeway.

SM: Okay, so you remember what the call was?

[redacted] AS1. And then he read 'officer down'.

LS: When you're saying 'he', who is . . .

[redacted] My partner.

LS: Who's your partner?

[redacted]

SM: Okay, and [redacted] you were driving, correct?

[redacted] I was.

SM: Okay. And your partner, [redacted] read off to you. . .

[redacted] Yeah, just information about the call, we heard it tapped out first and I asked him, So who's the next in on it, if it's multiple patients and over the radio we heard, 'multiple patients', um, he said well we are, I said, Okay, and then all of a sudden we got tapped on it.

SM: Okay. So initially, initially what was the other medical?

[redacted] 308, with [redacted]

SM: Okay, so 308 got tapped out. . .

[redacted] Right.

SM: Did you just start kind of heading that way before you got tapped out or. . .

[redacted] No, we were heading towards our post 520, which is, we usually sit by the Interstate Fred Meyer's.

SM: Okay, so do you remember where you were at when you actually got dispatched?

[redacted] Interstate and Going.

SM: Okay, so did you respond Code 3 or. . .

[redacted] Yes.

SM: Okay, do you remember where you were supposed to go or. . .

[redacted] Um, we staged at Second and Wasco, uh, they said to approach on Sixth, Sixth Avenue, um, so then they, the dispatchers told us that we had to approach from the east and we were west of the call so we went down um, to Grand, or MLK, Grand to, and just drove up to 7th and Halsey. . .

SM: Okay, do you remember how long, do you remember how long you guys were staged for?

[redacted] Um, about maybe two or three minutes.

SM: Okay.

LS: What's the reason, why the staging?

[redacted] Um, the police didn't have control of the scene yet.

LS: Okay, so there's a reason why they're not letting you come on Sixth. . .

[redacted] Right, yeah. . .

LS: Okay.

SM: Were you the only one in the staging area?

[redacted] Where we were, yes. Other units were staged, you know, other places because they have, from what I understand 308 was coming from downtown so they had access to the south, and we were coming from the north, and so we were staged right by, as close as possible, and then police told us which way to enter, so.

SM: Okay, so they told you to enter from the east on. . .

[redacted] On Halsey.
SM: On Halsey.

[redacted] Right.

SM: Okay, so paint the picture for me, as you drive up, what do you see as you enter the scene?

[redacted] As I entered the scene, Engine 13's on Halsey and they're first in, um, 308 is right behind them, I think truck 13 was to the right of them, right next to Burger King, um. . .

LS: To the right of engine 13 or to the right of. . .

[redacted] Um, 308 and engine 13 would make up truck 13.

LS: I got ya, so they were both in close in proximity to each other.

[redacted] Yeah, um, and what I did was I got into the scene and I turned the medic unit around so I would be pointed outward, um, because our policy is if, whoever the first medic unit is in, they're like a multi-patient scene, um, they are patient triage so I would be the first medic out, the first medic in is triage, the second medic in is first medic that they use with patients.

LS: Okay, to transport patients.

[redacted] Yeah, the most critical patient.

SM: So you turn around, so you're facing the other way. . .

[redacted] Right.

SM: . . .and then what happened?

[redacted] Um, we start gathering our equipment, um, life pack, med kit, airway, um, I was getting, um, "C" collars and um, the backboard and straps to go and get the patient, um, and then Paramedic [redacted] comes up and says, 'The guy's dead', so we stop getting stuff out and we just. . .

SM: Okay, so patient was dead. Okay, so you guys put your gear away at that point?

[redacted] Um, we left the cot out that had the life pack and the airway bag, and the med kit out on the street next to the driveway, and the backboard was in the back of the ambulance so we didn't, we didn't take anything to the scene.

SM: Okay, so then, so then you proceeded to the scene with [redacted]

SC: Right.

SM: Okay, so from where you're at, you walk toward the scene, what do you see?

SC: Uh, we saw the fire crews there next to the building, the cot that 308 brought up next to the building, and I think it was a Toyota, a silver Toyota that the person was driving with a police car nose to nose with it, um, then I noticed there was three bullet holes in the windshield of the car, the back window was shot out or it was broken out or something, uh, then I saw taser wire um, leading to the deceased.

SM: Were there people working on him at that point or. . .

SC: Um, they had the leads on him which were to check if he has electrical activity in his heart, and I think they were putting that stuff away, um. . .

SM: How was he dressed at that point?

SC: I remember a white t-shirt that was down pretty close to his mid-section, um, one shoe was off I think it was the left shoe, he was laying on the left lateral, we call it left lateral recumbent so he was laying on his left side, um, and then someone rolled him over to expose his chest to see exactly how many gunshot wounds he had to his torso, and [redacted] said he thinks that he got shot, or he had a burn mark going across his neck, so he might have been grazed there.

SM: Okay. And did you see that yourself?

SC: I did not see the graze mark, but I did see three shots pretty much grouped into the right chest area and one approximately right where the heart would be.

SM: Okay, so his t-shirt wasn't cut off or anything like that. . .

SC: No.

SM: Was it pulled up?

SC: It was pulled up just to expose his chest, um, and then at that time my partner was on the phone with our medical resource hospital to get the blessings of our doctors up there to not work the code, you know, it's a trauma code in essence.

SM: Okay, and do you know who he was on the phone with?

[redacted] Zane Horowitz.

SM: Okay, and he's a doctor?

[redacted] Yeah, he is the attending doctor at OHSU.

SM: Okay, and your partner is. . .

[redacted]

SM: [redacted] and he was on the phone with him?

[redacted] Right.

SM: Okay. Do you remember the conversation or. . .

[redacted] Just, um, giving him the (paper rustling) guy was shot in the chest (paper rustling) that he was in arrhythm called PEA, Pulse Electrical Activity, and that he had no respirations and wanted to call the code.

SM: Okay, and the doctor concurred?

[redacted] The doctor wanted us to do one other examination which would be to listen for heart tones, and [redacted] said that to the general group of medics that we had and one of the fire medics had a funny look on his face, but did what the doctor asked and he did not have any heart tones.

SM: And what's the medical procedure to check heart tones?

[redacted] You get a stethoscope and you just place it where the heart would be and you listen for a heartbeat.

SM: All right, is there anything else that you can think of at this time that I forgot to ask. . .

[redacted] Well I think when they rolled the person over, I did see a bullet casing that might have fell out of his shirt but I, I don't know if it was exactly. . .

LS: Did you see where the leads of the probes went for the taser after you rolled him over?

[redacted] No, I only saw the wires.

LS: The wires going to the body?

[redacted] Yes.

LS: Okay.

[redacted] I can tell you that they put um, the EKG patches on his ankles but I don't know where they put it on his upper body. . .

LS: Okay.

[redacted] . . .I saw that.

SM: Okay and no one attempted to remove the probes or. . .

[redacted] No.

SM: Okay. Do you remember if he was handcuffed or not?

[redacted] I do believe he wasn't handcuffed.

SM: Was not?

[redacted] Was not handcuffed when we walked up there.

SM: Okay. Anything else, any other personal observations?

[redacted] No.

SM: Okay, I'm concluding the interview, it is Wednesday, May 12th, at 2108.

(end of taped interview)

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — ☐ INFORMATION ☐ CONTINUATION ☐ CLEARANCE ☐ SUPPLEMENTAL — Page/Of 1/2

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38359	10-38353	HOMICIDE

☐1. UNFOUNDED ☐2. PENDING ☐3. SUSPENDED ☐4. CLR BY ARREST ☐5. EXCEPTIONAL ☐6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
051210 1840	052010 1600

LOCATION OF OCCURRENCE: NE 6TH AVENUE/ NE HALSEY

PERSONS CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
WI	[redacted]		M	W	[redacted]

ADDRESS	ZIP	PHONE
W: [redacted] NE 6TH AVENUE		503- [redacted]

SUBJECT OF THIS REPORT: WITNESS INTERVIEW REGARDING A DOWN RANGE ROUND

PROPERTY RECEIPT NO.

NARRATIVE/PROPERTY ITEM CODE — S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ Intell
☐
☐
☐

COMPUTER ENTRY
☐ Person

OPR ☐ Vehicle

OPR ☐ Crime/ Prop

OPR ☐ Book

OPR

As part of the crime scene investigation, I contacted [redacted] regarding the information that a round possibly fired at the scene had been located down range on the floor of the Radio Shack located about two blocks north of the scene.

I contacted [redacted] who told me he had talked to some other officer but he was willing to talk to me again. [redacted] told me he was at the counter talking with a customer when he heard a noise and saw a bullet on the floor of the store. [redacted] was working the counter located on the south side of the store and the bullet fell to the floor north of his position after hitting what [redacted] believed was the kick board of a display case.

[redacted] said he walked over to the round and picked it up. He commented that it was still warm to the touch.

[redacted] said the customer he had been talking to at the counter came over to see the bullet. [redacted] said the customer kept the bullet and exited the store.

[redacted] said the customer was difficult and was trying to exchange a cell phone he had purchased at the Radio Shack but [redacted] was not authorized to give the customer the refund he demanded.

[redacted] did not know the customer's name but described him as a male black, 5'6" tall weighing 185 pounds. He was wearing a black hoodie, black baseball cap and blue jeans. He also had tight, short braids.

[redacted] gave the cell phone number of the phone the customer was trying to exchange- [redacted]

Since the Radio Shack was almost at closing time, I told [redacted] he might be contacted the next day by criminalists the next day for photography of the kickboard where I observed a mark that could possibly be from a round.

INVESTIGATOR

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective A. Madden	23577	DET	M	WCC	

APPROVAL ROUTE: Homicide

038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
2. Pending	05/12/10	1821	05/12/10	2200

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
Emanuel Hospital	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Officer involved shooting	

CASE NUMBER

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ [illegible]S
- ☐ VCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

ADDITIONAL OFFICERS

Officer Foote #43493
Officer Burley #45975
Detective Weinstein #24579

NARRATIVE

On May 12, 2010 at approximately 1822 hours I heard via the radio that shots had been fired and that an Officer had been hit. I was enrout to the location of the original traffic stop when I heard Officer Foote say that they were going to take the injured Officer to the hospital via their police car. I was arriving just as they were leaving the area. Officer Foote asked if I would help lead them through traffic to the hospital. Once we arrived at Emanuel Emergency room I helped lift the injured Officer (Officer Burley) out of the Police car and onto a gurney. I then took Officer Burley's backup handgun (Glock model 26, ser # [redacted] from inside his ballistic vest, I then unloaded and made the handgun safe and secured the handgun in the trunk of my Police car, as well as his folding knife from his left front pants pocket. I turned over all the items to Detective Weinstein, who provided me a property evidence receipt #1213007 which listed the items.

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY
- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
- ☐ [illegible]tribution

DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Daniel Chastain	36610	TOD	A	GET	

PPB-SSD-TH

05-20-10 1631

423 (08/07)

APPROVAL ROUTE: Homicide

038353

CASE NUMBER

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 1. INFORMATION — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1821	05/12/10	2000

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th/ Clackamas	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Response to officer involved shooting	#PP1772

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ [illegible]S
- ☐ [illegible]VCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

COMPUTER ENTRY
- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
- ☐ [illegible]tribution

DPSST

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6. Ofc. Chastain #36610 escorted wounded/ involved officers to Emanuel hospital
   Ofc. Burley #45975 wounded officer
   Ofc. Murphy #44162 involved officer- witness
   Ofc. Foote #43493 involved officer- witness
   Ofc. Stradley #16129 assist on scene at Emanuel
   Ofc. Shearer #27242 assist on scene at Emanuel
   Ofc. Corno #26712 assist on scene at Emanuel
   Sgt. Michaelson #23060 advised

8. I responded to an officer involved shooting scene at NE 6th/ Clackamas. Upon arrival it appeared there was plenty of assistance on scene and I heard that an injured officer had been transported to Emanuel Hospital. I went to the hospital to lend assistance.

Upon arrival I saw Ofc. Chastain, Foote and Murphy standing at the back of a police car that was parked at the entrance to the ER. I asked if any of the three were involved as witnesses or shooters from the 6/ Clackamas scene. Ofc. Foote said he and Ofc. Murphy were witnesses who drove the injured officer, Burley, to the hospital from the scene. I separated the two and posted up with Ofc. Foote. At this time, additional officers arrived including Ofc. Stradley, Shearer and Corno. Ofc. Murphy and Foote were escorted to separate rooms to sit down. Ofc. Stradley and Shearer posted up with Ofc. Foote and Ofc. Corno posted up with Ofc. Murphy.

Ofc. Chastain told me he was not involved but arrived at the scene as Ofc. Foote and Murphy were preparing to drive wounded Ofc. Burley to Emanuel. He said he escorted them to the hospital as a lead car to expedite the trip.

I contacted Sgt. Michaelson to inform him of the fact there were two witness officers at Emanuel and an involved transport car. The transport car was blocking the entrance to the ER. Hospital staff asked if it could be moved. I asked Sgt. Michaelson and was told I could park it off to the side and secure it. I drove the car off to the side of the entrance, locked it, and placed "Police" tape on it.

I cleared the scene after I brief Sgt. Berry and Lt. Westbrook.

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Kevin Hogan	33878	CE	A	3809	

PPB-SSD-TH

05-20-10 1636

423 (08/07)

APPROVAL ROUTE: Detective Division

CASE NUMBER 10 038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 1 / 2

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/13/10	2200	05/13/10	2200

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6/Halsey (south of)	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Canvass and witness interviews	

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ CS
- ☐ OVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
KN			M	B	

ADDRESS	CITY	STATE	ZIP
1425 NE 7 #	Portland	Oregon	

☒ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE
503-		

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
SB			F	W	

ADDRESS	CITY	STATE	ZIP
1425 NE 7th #	Portland	Oregon	

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
SB			M	W	

ADDRESS	CITY	STATE	ZIP
1425 NE 7th #	Portland	Oregon	

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE
	503-	

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6- Det. Harris #27566/Partner

8- On 051310 at approximately 1830, Det. Harris and I went to the apartment complex located at 1425 NE 7th. NE 6th Avenue runs north/south along the west side of the complex and located just south of NE Halsey on NE 6th an officer involved shooting occurred on 051210 at about 1820.

Det. Harris and I were tasked to locate and identify any further witnesses to the shooting. We were able to locate the listed three subjects inside their apartments and spoke to them about what they knew of the shooting. See Det. Harris' report for KN statement and further canvass information.

I interviewed SB and she told me she saw the police and heard the sirens but did not see anything related to the shooting. Her apartment faces north onto NE Halsey and she is unable to view the NE 6/ Halsey intersection, specifically just south of the intersection where the shooting took place. She said she stayed in her apartment.

I also interviewed SB . He told me he heard some yelling but could not make out specific words. He said he heard the shots and sirens but did not see anything related to the shooting. His apartment faces north onto NE Halsey but he is unable to see the NE 6/Halsey intersection, specifically just south of the intersection where the shooting took place. He told me he also heard a lady across NE Halsey Street screaming hysterically. He told me he stayed in his apartment.

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
David Michaelson	23060	DET	A	3534	

PPB-SSD-TH

05-14-10 0021

423 (08/07)

APPROVAL ROUTE: Detective Division

CASE NUMBER: 16-38353

PORTLAND POLICE BUREAU

SPECIAL REPORT

TYPE:

I also left business cards but was unable to contact the following apartments:

212
210
208
220
222
224
228

EXTERNAL DISTRIBUTION LIST

COPIES

- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ CS
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

COMPUTER ENTRY

- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
- ☐ Distribution

DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
David Michaelson	23060	DET	A	3534	

*** CONFIDENTIAL ***

APPROVAL ROUTE: Homicide

CASE NUMBER: 038353

PORTLAND POLICE BUREAU — INVESTIGATION REPORT

PAGE/OF: 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION	CLR
10-038353			

DATE / TIME REPORTED	DATE /TIME OCCURRED (START)	DATE / TIME OCCURRED (END)	
05/12/10 1821	05/12/10 1821	05/12/10 1821	☐ RADIO (R) ☒ S/I (S) ☐ PHONE-IN (P)

LOCATION OF OCCURRENCE: NE 6TH AVENUE / NE HALSEY STREET

PREMISE TYPE: 600 - Thoroughfare, Street/Hwy/Sidewalk

PRECINCT OF OCCURRENCE: North Precinct

ONE SENTENCE SUMMARY OF INCIDENT: OFFICER INVOLVED SHOOTING INVESTIGATION, SUSPSECT DECEASED

PERSONS BU - Business Complainant KN - Person w/Knowledge OW - Owner PF - Property Finder SB - Subject RP - Reporting Person VI - Victim WI - Witness

X1,X2, - X9 - SUSPECTS MI - Missing RW - Runaway DK - Drunk DE - Deceased AS - Attempt Suicide ME - Mental SB - Subject

CODE	NAME (Last, First Middle)	CRN	SEX	RACE	DOB
DE	OTIS, KEATON DUPREE		M	B	01/04/85

HOME ADDRESS	CITY	STATE	ZIP	HEIGHT	WEIGHT	HAIR	EYES	CUSTODY?
3541 N. HOUGHTON STREET	PORTLAND	OR						☐ YES ☐ NO

AKA/MONIKER	☐ WRK PHN ☐ MSG PHONE	MOBILE PHONE	HOME PHONE

OTHER DESCRIPTION:

VEHICLE S - Stolen R - Recovered - L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Informational M - Missing

IDENTIFICATION DIVISION NOTIFIED? ☐ YES ☐ NO

OUTSIDE AGENCY NOTIFIED/REFERRED TO?

PROPERTY RECEIPT NUMBER(S)

PROPERTY S - STOLEN L - LOST F - FOUND D - DAMAGED K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE-The order of appearance for additional information will be:

ITEM 1: N/A
ITEM 2: N/A
ITEM 3: N/A
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS - Record multiple worthless documents on a fraud supplemental form. Record in the narrative the total number of worthless documents written.
ITEM 5: N/A
ITEM 6: ADDITIONAL OFFICERS - List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY - A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE - List in chronological order, all of the relevant details of the incident and/ or elements of the crime or violation.

COPIES
☐ DET
☐ CENTRAL
☐ EAST
☐ NORTH
☐ NE
☐ SE
☐ CAT
☐ DHS/CHS
☐ DVD
☐ DVRU
☐ ECRT
H
☐ JUV
☐ CS
☐ DVCS
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____

COMPUTER ENTRY
☐ Desk
DPSST
☐ Person
DPSST
☐ Entry / Vehicle
DPSST
☐ Distribution
DPSST

NARRATIVE

(6) DETECTIVE SERGEANT K. MCGLATHERY, DPSST #26847
DETECTIVE DIVISION HOMICIDE DETAIL, SUPERVISOR ON-SCENE

DETECTIVE E. KAMMERER, DPSST #29988
DETECTIVE DIVISION HOMICIDE DETAIL, PRIMARY INVESTIGATOR

(8) SEE INVESTIGATIVE SPECIAL REPORTS FOR DETAILS

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mark E Slater	27192	DET/HOM	M	HOM	

PPB-C-1-10/84

05-20-10 1638

767 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER 1 038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 4. SUPPLEMENTAL — PAGE/OF 1 / 6

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353	10-38359	

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
2. Pending	05/12/10	1821	05/14/10	1430

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th AND NE CLACKAMAS STREET	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
INITIAL RESPONSE AND WITNESS INTERVIEWS	PP1005121772

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PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
VI	OTIS, KEATON DUPREE		M	B	010485

ADDRESS	CITY	STATE	ZIP
3541 N. HOUGHTON STREET	Portland	Oregon	97217

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.
LISTED

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

NO CONNECT INFORMATION

NONCONNECT INFORMATION

Witnesses Interviewed:

[redacted]
F/W, DOB [redacted]
PPDS: [redacted]
[redacted] NE Halsey Street
Portland, OR
C) [redacted]

[redacted]
M/W, DOB [redacted]
PPDS: # [redacted]
[redacted] NE Halsey Street
Portland, OR
No Phone

Officer DALE, DPSST #23726
(Tactical Operations Division)

Persons Mentioned:

[redacted]
M/W

COMPUTER ENTRY: ☐ Desk — DPSST — ☐ Person — DPSST — ☐ Entry / Vehicle — DPSST — Distribution — DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mark Sponhauer	16089	DET	M	HOM	

PPB-SSD-TH

05-20-10 1635

423 (08/07)

APPROVAL ROUTE Homicide

CASE NUMBER 1 338353

PORTLAND POLICE BUREAU **SPECIAL REPORT** TYPE: 4. SUPPLEMENTAL PAGE/OF 2 / 6

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COMPUTER ENTRY
☐ Desk
DPSST
☐ Person
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☐ Entry / Vehicle
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stribution
DPSST

Persons Mentioned Continued:

[redacted] San-Ramon Dr.
Las Vegas, NV 89147
C) [redacted]
H) [redacted]

Police Personnel Mentioned:

Officer FOOTE, DPSST #43493
(Unit 1950)

Officer DEFRAIN, DPSST #44436
(Unite 1950)

Officer BERNE, DPSST #45662
(Unit 1955)

Officer EUGENIO, DPSST #39877
(Unit 1657A)

Officer DAUCHY, DPSST #30873
(Unit 1763A)

Officer DELENIKOS, DPSST #21331
(Unit 2820A)

Officer SHAW, DPSST #28923
(Unit 2820A)

Officer GRYPHON, DPSST #50500
(Unit 694AP)

Officer ROBERTSON, DPSST #31290
(PPA Representative)

Sergeant LIVINGSTON, DPSST #32588
(Unit 3950)

Detective KAMMERER, DPSST #29988
(Detective Division/Lead Investigator)

Detective SLATER, DPSST #27192
(Detective Division/Lead Investigator)

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mark Sponhauer	16089	DET	M	HOM	

COPIES
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COMPUTE ENTRY
☐ Desk
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☐ Person
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☐ Entry / Vehicle
DPSST
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DPSST

Police Personnel Mentioned Continued:

Sergeant McGLATHERY, DPSST #26847
(Detective Division/On-scene investigative supervisor)

Sergeant MICHAELSON, DPSST #23061
(Detective Division/Present during Ofc. Dale's interview)

Criminalist DURHAM, DPSST #33027
(Forensic Evidence Division/Wrote Special Report)

Criminalist SCHLEICH, DPSST #36817
(Forensic Evidence Division/Wrote Special Report)

EXHIBITS

1. Portland Police Property Receipt #1199684:
   Item 1: Apple iPhone belonging to [redacted])

2. Portland Police Property Receipt #1199685:
   Item 1: 2 GB SD memory card from [redacted]
   Item 2: One Sony CD-R disc containing unedited video from [redacted]

3. Written Consent Form signed by [redacted]

4. Written Consent Form signed by [redacted]

5. Portland Police Property Receipt #1203637:
   Item 1: One CD containing recorded interviews with [redacted] and Ofc. DALE.

SUMMARY

This report documents my initial response to the scene, collection of evidence, and interviews with [redacted] who video recorded part of the incident, and [redacted], who recorded part of the incident, and Officer DALE, who arrived on scene after the shooting and who assumed the role of lethal cover for the custody team.

NARRATIVE

On Wednesday, May 12, 2010, at 1840 hours, I was paged by Sgt. McGlathery to assist in the investigation of an officer involved shooting at NE 6th and Clackamas Street in Portland, Oregon. I arrived on scene at 1915 hours.

Shortly after arriving on scene, I made contact with [redacted], who stood with Officer Gryphon in front of her residence at [redacted] NE Halsey Street. [redacted] told me she recorded this police incident on her Apple iPhone from her front porch, which I saw had a couch on it and faced south and looked onto the intersection

of the shooting. [redacted] voluntarily gave me her phone with the agreement that the police could search it for calls and download video. I issued her a receipt and took possession of the phone and charger (Exhibit 1). A short time later, I returned and obtained her written consent (Exhibit 3). At this point [redacted] told me her boyfriend, [redacted] who she lived with, recorded the last part of the incident with his camera from the second floor of their residence. She also said [redacted] had downloaded the video, from her iPhone and his camera, onto their laptop computer.

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[redacted] did not want to give me his camera to download video from, but gave me the camera's 2 GB SD memory card (Exhibit 2, Item 1). I asked if it was possible for me to use their laptop to download the video. However, [redacted] stated she needed it for school and did not want to release it to me. Instead [redacted] downloaded the video from the computer onto a disc (Exhibit 2, Item 2) and stated it was the "raw video." He also stated that he ran the raw video through his Macintosh computer's video software to "Stabilize" the motion in the video and said he would download the edited video onto a disc and give it to the police, which Officer Gryphon told me he received, after not being to locate me, and gave the disc to Detective Kammerer.

[redacted] and [redacted] both provided me with a recorded interview, which I conducted alone with each of them, while seated in a Detective Division vehicle at NE 6th and Weidler. Please refer below to a summary of those interviews and the forthcoming transcriptions.

I asked Detective Michaels to have the Traffic Division officers, who were operating the crime scene measuring equipment, measure the distance from [redacted] front porch to the deceased's car. Detective Michaels told me the distance was 102.2 feet. I measured the height [redacted] porch and found it to be approximately 5'6" above the north sidewalk in front of her residence. I asked Criminalists Durham and Schleich to document the viewpoint from the porch with video and photos.

At 0023 hours, I left the scene and joined Sgt. Michaelson at the Traffic Division where we recorded an interview with witness Officer Dale (Exhibit 5). Please refer below to an overview of that interview and the forthcoming transcript.

After interviewing Officer Dale, I returned to the scene and eventually left at approximately 0410 hours.

[redacted] INTERVIEW

This report is intended to provide an overview of the recorded interview with [redacted] and is not an exact reflection of the interview. Please refer to the recording and transcription for complete details.

COMPUTER ENTRY
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☐ Person
DPSST
☐ Entry / Vehicle
DPSST
tribution
DPSST

I interviewed [redacted] in a Detective Division vehicle while parked at NE 6th and Weidler Street. [redacted] stated she lived at [redacted] NE Halsey, a two story home (basement, 1st, 2nd floor) located on the [redacted] of NE 6th and Halsey Street. [redacted] said she was home alone with her boyfriend, [redacted] and their roommate, [redacted] was not home.

[redacted] said she was on her front porch talking to her father, [redacted] on her iPhone, when she heard a siren and saw the deceased's gray car drive slowly northbound on NE 6th Avenue and stop a short distance south of NE Halsey Street. [redacted] said a police car quickly drove up behind the deceased's car and one or two officers exited the police car and told the "dark skinned" driver, who was the sole occupant, to raise his hands and to possibly get out of the car. [redacted] said the driver did not obey commands and never raised his hands. [redacted] said more police cars responded and based upon the driver's lack of cooperation, she figured things were not going to go well with the traffic stop and told her father she was ending the phone call so she

could record the traffic stop with her iPhone, which she did from her front porch.

[redacted] said she heard what sounded like arguing between the deceased and officers who were around the deceased's car, but she could not make out what was being said. [redacted] said she saw several officers point "Tasers" at the driver and explained she knew they were Tasers because they had a yellow color device on the end of the gun. [redacted] said she heard the "crackling" sounds of Taser activations and then heard several gun shots.

[redacted] said when she heard the gunshots, she ran into her house and hid on the living room floor and placed her iPhone on the window so to be pointed toward the incident. [redacted] said while she was on the floor, [redacted] her and then left to get his camera. She said [redacted] went upstairs and later told her he recorded some of the incident with his camera from upstairs. [redacted] figured [redacted] video started at about the time her iPhone video ended.

[redacted] INTERVIEW

This report is intended to provide an overview of the recorded interview with [redacted] and is not an exact reflection of the interview. Please refer to the recording and transcription for complete details.

After interviewing [redacted] I interviewed [redacted] at approximately 2144 hours. [redacted] stated he and his girlfriend, [redacted] were home alone at the time of the shooting. [redacted] said prior to the shooting, he saw [redacted] on the front porch talking on her iPhone and noticed a traffic stop being conducted through the living room window at NE 6th at Halsey. [redacted] said he did not think much about the traffic stop because traffic stops are often made near their residence. [redacted] said he went to the bathroom and from inside the bathroom he heard gun shots. He stated he did not hear any voices before the gunshots because the bathroom was on the opposite of the house from the traffic stop. [redacted] said the gun shots sounded like they were right in front of the house so he rushed downstairs to check on [redacted] and found her hiding on the living room floor.

[redacted] said he left [redacted] in the living room and retrieved his camera from the basement and went to the second floor where he recorded the police action with his camera. [redacted] told me he downloaded the video, from [redacted] iPhone and his camera's memory card, onto his Apple laptop computer. He said he then downloaded the "raw video" from his computer onto a CD-R disc which he said I received from [redacted] [redacted] also said he ran the raw video through his laptop's video software for the police in order to smooth out the jittery motion and cut the last few "couple minutes" from the iPhone's video because it was the same as what he recorded on his camera and the camera had better quality. He then burned a copy of the edited video onto a second disc and gave it to an police (Officer Gryphon) to give to me. [redacted] told me the memory card he gave to [redacted] who he said in-turn gave to me, and for which he signed the search by consent form, was the original card he used in his camera to record the police action and was raw video.

OFFICER DALE INTERVIEW

Sgt. Michaelson and I conducted a recorded interview with Officer Dale at the Traffic Division (SE 47th and Burnside) at approximately 0040 hours, on Thursday, May 13, 2010. Officer Robertson was present as union representation.

Officer Dale stated he started his shift with his partner, Officer Eugenio, at 1600 hours, on Wednesday, May 12, 2010, with a roll call at North Precinct. He said Officer Eugenio drove and he was passenger.

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COMPUTER ENTRY
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DPSST
☐ Person

DPSST
☐ Entry / Vehicle

DPSST
istribution

DPSST

APPROVAL ROUTE Homicide

CASE NUMBER 1038353

PORTLAND POLICE BUREAU **SPECIAL REPORT** TYPE: 4. SUPPLEMENTAL PAGE/OF 6 / 6

Officer Dale said when they were in the area of N. Williams and Alberta he heard the first request for cover cars to NE 6th and Clackamas and they started to head in that direction. Officer Dale said a short time later he heard a request for another car to do a "Box-in" and said it sounded like things were getting "A little uncontrollable." When near NE 3rd and Weidler he heard the announcement, "shots fired" over the radio and then, when they were near NE Halsey and MLK he heard "code zero" over the radio.

Officer Dale said they drove East on NE Halsey from Grand and pointed their car in the direction of the traffic stop. Officer Dale said he deployed his AR15 and maneuvered to the passenger side of the suspect's car so to be on the right side of Officer Berne, who had his handgun pointed at the passenger side of the suspect's car while standing behind a small tree. Officer Dale said he saw windows broken out of the suspect's car and the suspect was leaning out the open passenger door so to be partially seated in the car and sidewalk. Officer Dale said he could not see the suspect's hands.

Officer Dale thought Officer Defrain and Sergeant Livingston were nearby and perhaps behind him. Officer Dale said Officer Dauchy positioned a marked patrol car in front of him in order to provide cover with the engine block. Officer Dale said someone pulled Officer Berne back and Officer Dauchy joined him with a bean bag gun.

Officer Dale said he heard talk of activating SERT, deploying a shield, and forming a custody team. Officer Dale said Officers Shaw and Delenikos joined him and they formulated the plan for a custody team in the event the suspect did not respond to a bean bag.

Officer Dale said Officer Dauchy yelled several times for the suspect to "show his hands" before firing two bean bag rounds. Officer Dale said a short time later someone yelled for another bean bag round to be fired, which Officer Dauchy did. Officer Dale said the suspect never moved in reaction to the bean bag rounds so he assumed lethal cover with his AR15 and moved with Officers Shaw and Delenikos as an arrest team and handcuffed the suspect.

Officer Dale said he later saw a silver semi-auto handgun on the driver's seat of the suspect's car.

End of report.

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COMPUTER ENTRY
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tribution

DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mark Sponhauer	16089	DET	M	HOM	

PPB-SSD-TH

05-20-10 1635

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER: 338359

PORTLAND POLICE BUREAU — INVESTIGATION REPORT

PAGE/OF: 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION	CLR
10-038359	10-38353		

DATE / TIME REPORTED	DATE /TIME OCCURRED (START)	DATE / TIME OCCURRED (END)	
05/12/10 1821	05/12/10 1821	05/12/10 1821	☐ RADIO (R) ☒ S/I (S) ☐ PHONE-IN (P)

LOCATION OF OCCURRENCE: NE 6TH AVENUE / NE HALSEY STREET

PREMISE TYPE	PRECINCT OF OCCURRENCE
600 - Thoroughfare, Street/Hwy/Sidewalk	North Precinct

ONE SENTENCE SUMMARY OF INCIDENT: OFC. INVOLVED SHOOTING WHERE OFFICER GETS SHOT, SUSPECT SHOT AND DECEASED

PERSONS BU - Business Complainant KN - Person w/Knowledge OW - Owner PF - Property Finder SB - Subject RP - Reporting Person VI - Victim WI - Witness

CODE	NAME (Last, First Middle)	CRN	SEX	RACE	DOB
VI	BURLEY, CHRISTOPHER		M	W	[redacted]

HOME ADDRESS	CITY	STATE	ZIP	HOME PHONE
1111 SW 2ND AVENUE	PORTLAND	Oregon	97204	

BUSINESS/SCHOOL ADDRESS	☐WORK PHONE ☐MSG. PHONE	MOBILE PHONE

X1,X2, - X9 - SUSPECTS MI - Missing RW - Runaway DK - Drunk DE - Deceased AS - Attempt Suicide ME - Mental SB - Subject

CODE	NAME (Last, First Middle)	CRN	SEX	RACE	DOB
DE	OTIS, KEATON DUPREE		M	B	01/04/85

HOME ADDRESS	CITY	STATE	ZIP	HEIGHT	WEIGHT	HAIR	EYES	CUSTODY?
3541 N. HOUGHTON STREET	PORTLAND	OR						☐YES ☐NO

AKA/MONIKER	☐WRK PHN ☐MSG PHONE	MOBILE PHONE	HOME PHONE

OTHER DESCRIPTION:

VEHICLE S - Stolen R - Recovered L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Informational M - Missing

IDENTIFICATION DIVISION NOTIFIED? ☐YES ☐NO

OUTSIDE AGENCY NOTIFIED/REFERRED TO?

PROPERTY RECEIPT NUMBER(S):

PROPERTY S - STOLEN L - LOST F - FOUND D - DAMAGED K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE-The order of appearance for additional information will be:

ITEM 1: N/A
ITEM 2: N/A
ITEM 3: N/A
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS - Record multiple worthless documents on a fraud supplemental form. Record in the narrative the total number of worthless documents written.
ITEM 5: N/A
ITEM 6: ADDITIONAL OFFICERS - List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY - A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE - List in chronological order, all of the relevant details of the incident and/or elements of the crime or violation.

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COMPUTER ENTRY
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DPSST ☐ Person
DPSST ☐ Entry / Vehicle
DPSST ☐ Distribution
DPSST

NARRATIVE

(6) Detective Sergeant K. McGlathery, DPSST #26847
Detective Division Homicide Detail, Supervisor On-Scene

Detective E. Kammerer, DPSST #29988
Detective Division Homicide Detail, Primary Investigator

(8) SEE INVESTIGATIVE SPECIAL REPORTS FOR DETAILS

EXTERNAL DISTRIBUTION LIST

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Mark E Slater	27192	DET/HOM	M	HOM	

PPB-C-1-10/84

05-20-10 1638

767 (08/07)

PORTLAND POLICE BUREAU

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☒ SUPPLEMETNAL

PAGE/OF 1/2

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-38353		

☐ 1. UNFOUNDED ☐ 3.SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE / TIME	THIS REPORT DATE / TIME
5/12/10 1821	5/12/10 2300

LOCATION OF OCCURRENCE: NE 6TH AVE / NE CLACKAMAS ST.

PRECINCT OF OCCURRENCE: NORTH

ONE SENTENCE SUMMARY OF REPORT: RESPONSE TO OFFICER INVOLVED SHOOTING

PERSONS VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder SB - Subject

CODE	NAME (Last, First Middle)	CRN	SEX	RACE	DOB

HOME ADDRESS	CITY	STATE	ZIP	HOME PHONE

BUSINESS / SCHOOL ADDRESS	☐ WORK PHONE ☐ MSG PHONE	MOBILE PHONE

PROPERTY RECEIPT NUMBER(S):

NARRATIVE/PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R- RECOVERED E - EVIDENCE

(ITEM)	CODE	ITEM	BRAND	MODEL/STYLE	SERIAL NO.	COLOR	ENGRAVINGS/PECULIARITIES	SIZE	VALUE

8 WHILE IN EAST DELTA PARK ON UNRELATED CALL, I HEARD UNIT 1950 GO OUT ON TRAFFIC AT 6TH / CLACKAMAS. I HEARD UPDATES FOR REQUEST FOR MORE COVER CARS AND THAT SOMEONE WAS NON-COMPLIANT. I THEN HEARD A REQUEST TO BOX IN SUSPECT'S CAR. SHORTLY AFTER, I HEARD AN OFFICER HAD BEEN SHOT AND SHOTS HAD BEEN FIRED.

I RESPONDED TO THE SCENE TO ASSIST. I ARRIVED AT NE WEIDLER / NE 6TH AND BEGAN PLACING YELLOW CRIME SCENE TAPE AT THE DIRECTION OF SGT BERRY. I PUT TAPE FROM SE CORNER POLE, THROUGH THE BURGER KING LOT AND SOUTH TO HALSEY. AT HALSEY, I TOOK THE TAPE TO THE EAST TO 7TH AVE.

AS PPA VICE PRESIDENT, I THEN CONTACTED OFC DALE, WHO WAS IN THE INNER CRIME SCENE. I STAYED WEST OF IMMEDIATE SCENE ON NE 6TH, IN THE STREET BUT CAREFUL NOT TO STEP ON ANY OBVIOUS EVIDENCE. I THEN WENT TO THE SIDEWALK AND TO CLACKAMAS, WHERE OFC. DALE HAD INDICATED THE INVOLVED OFFICERS WERE WAITING. I BRIEFLY SPOKE

REPORTING OFFICER(S)	DPSST	PREC/DIV	RLF/SHIFT	ASSN/DIST	SUPERVISORS SIGNATURE
SNYDER	28162	N.U	A	545/690	

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COMPUTER ENTRY: ☐ Person OPR ☐ Vehicle OPR ☐ Crime/ Prop OPR

10-38353 V3

PPB-SSD-TH

423 (11/15/07) v1

PORTLAND POLICE BUREAU

CONTINUATION REPORT

PAGE/OF 2/2

CASE NO. 10-38353

CLASSIFICATION

TYPE OF CONTINUATION
☐ INCIDENT ☐ TRAFFIC ACCIDENT
☐ CUSTODY ☑ SPECIAL

SUBJECT'S NAME | CRN | SEX | RACE | DOB

LOCATION OF OCCURRENCE

CASE NO. 10-383

NARRATIVE–The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO–List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO–Report all suspect info on additional incident reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO–List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS–Record multiple worthless documents on a multiple worthless document form and attach as additional pages. Record in the narrative the number of worthless documents written.
ITEM 5: ADDITIONAL PROPERTY–Record no more than four additional items of property in the narrative–and/or use a special report and attach as additional pages.
ITEM 6: ADDITIONAL OFFICERS–List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY–A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE–List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM	CODE	
8		WITH OFFICERS C. BERNE, DEFRAIN, AND POLAS AND SGT. LIVINGSTON. ALL OF THEM WERE SEPERATED, WITH AN OFFICER STANDING BY WITH EACH. I ADVISED THEM EACH INDIVIDUALLY TO NOT DISCUSS THE INCIDENT AND THAT PPA HAD BEEN NOTIFIED AND WOULD BE RESPONDING. I BRIEFLY STOOD BY WITH A WITNESS, [redacted] FOR OFFICER OLLENBROOK BUT DID NOT DISCUSS THE INCIDENT WITH HIM. OFC. OLLENBROOK RETURNED TO THE SCENE AND REPLACED ME WITH WITNESS [redacted]. I ASSISTED/CHECKED ON OFFICERS AS NECESSARY FOR THE REMAINDER OF MY TIME ONSCENE. NONE OF THE INDIVIDUALS INVOLVED SPOKE TO ME ABOUT THE INCIDENT.

REPORTING OFFICER(S)	BPST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
Snyder	28162	N.U	A	545	

PPB–CR–9/84

267 (9/96)

PORTLAND POLICE BUREAU
CRIME SCENE SIGN-IN

ALL PERSONS ENTERING THE CRIME SCENE *MUST* SIGN IN ON THIS FORM. TURN IN COMPLETED FORM TO THE DETECTIVE IN CHARGE OF THE INVESTIGATION.

	NAME	DATE/TIME	AGENCY/ASSIGN.
1.	SHAW #28923	051210/1823	PPB/CE
2.	Delenikos #21331	051210/1823	PPB/CE
3.	Dale #23706	051210/1823	PPB/GET
4.	Dauchy #30873	051210/1823	PPB/TPD
5.	Gorgone	051210/1823	PPB/NO/U/Sgt.
6.	Berry	051210/1823	PPB/NO/U/Sgt
7.	Lovell	05/210/1823	PPB
8.	Foxworth	051210/1823	PPB/GET
9.	Gryphon	051210/1823	PPB/NO/U
10.	Guskenbush	051210/1823	PPB/NO/U
11.	Bran	051210/1823	PPB/NO/U
12.	Robert Zavodsky	051210/1831	PFB Bethelion chief
13.	Mark Hutton	051210/1831	PFB E24
14.	Tim Crowley	051210/1831	PFB E24
15.	John Robinson	051210/1831	PFB E24
16.	Tyson Hemrich	051210/1831	PFB E24

CASE NUMBER: 10-38353

LOCATION: NE 6th & Clackamas

OFFICER ASSIGNED: D. Shaw 28923
(SCENE ACCESS CONTROL OFFICER)

PORTLAND POLICE BUREAU
CRIME SCENE SIGN-IN

ALL PERSONS ENTERING THE CRIME SCENE *MUST* SIGN IN ON THIS FORM. TURN IN COMPLETED FORM TO THE DETECTIVE IN CHARGE OF THE INVESTIGATION.

	NAME	DATE/TIME	AGENCY/ASSIGN.
1.	Michaelson #23060	051210/1856	PPB/ Dets
2.	Blanchard #26848	051210/1905	PPB NO/4
3.	Will Aichison	051210/1910	PPB / Union Atty
4.	Crebbs #25926	051210/1910	PPB
5.	Eckhard #14495	051210/1910	PPB
6.	Stuart Chung E126287	051210/1831	AMR311
7.	Eric Smith E136254	051210/1831	AMR311
8.	Rian Heckathorn E128395	051210/1831	AMR308
9.	Tiffany Bais E132216	051210/1831	AMR308
10.	James Conant P4081	051210/1831	PFB E13
11.	Laurent Picard P4004	051210/1831	PFB E13
12.	Tyler Hohl P4526	051210/1831	PFB E13
13.	Thompson	051210/1938	PPB CE/4
14.	Kula	051210/1938	"
15.	Hertzler 39513	051210/1938	"
16.	Spoonhower 16089	051210/1946	PPB/Dets

CASE NUMBER: 10-38353

LOCATION: NE 6th / Clackamas

OFFICER ASSIGNED: Parry #49957
(SCENE ACCESS CONTROL OFFICER)

PORTLAND POLICE BUREAU
CRIME SCENE SIGN-IN

ALL PERSONS ENTERING THE CRIME SCENE *MUST* SIGN IN ON THIS FORM. TURN IN COMPLETED FORM TO THE DETECTIVE IN CHARGE OF THE INVESTIGATION.

	NAME	DATE/TIME	AGENCY/ASSIGN.
1.	Sharp #42660	051210/1938	PPB/TPD
2.	Dauchy #30873	051210/1823	PPB/U
3.	Dimatteo #50527	05/12/10/1955	PPB/U
4.	Parry #49957	051210/1955	PPB/NO/U
5.	Durham #33027	051210/1958	FED
6.	Schleich #36817	051210/1958	FED
7.	Madden #23577	051210/1958	~~FED~~ PPB/DETS
8.	Michaels #40400	051210/1958	~~FED~~ PPB/DETS
9.	Gustafson #23996	051210/2020	PPB/TF/U (Scene Diagram)
10.	McAllister #45405	051210/1823	PPB/NO/U
11.	Andersen #46055	051210/1823	PPB/NO/U
12.	Davis #18957	051210/2050	PPB/TF (Scene Diagram)
13.	Hull	051210/2050	PPB/TF (Scene Diagram)
14.	Slater #27192		PPB/DETS
15.	Kammerer #29988		/DETS
16.	Don Reese		DA'S office

OK over & ←

CASE NUMBER: 10-38353

LOCATION: NE 6th/Clackamas

OFFICER ASSIGNED: Parry #49957
(SCENE ACCESS CONTROL OFFICER)

PORTLAND POLICE BUREAU
CRIME SCENE SIGN-IN

*ALL PERSONS ENTERING THE CRIME SCENE MUST SIGN IN ON THIS FORM. TURN IN COMPLETED FORM TO THE DETECTIVE IN CHARGE OF THE INVESTIGATION.

	NAME	DATE/TIME	AGENCY/ASSIGN.
1.	Peter Bellant	051210 / 2315	ME
2.	Daniel Thompson	051210 / 2312	ME
3.	Greg Bauer	051210 / 2312	ME
4.	Hendricks #17431	051210 / 2132	PPB / TF
5.	Foote #43493	051210 / 2132	PPB / Heat
6.	McGlathery #26847	051210 / 2132	PPB / DETS
7.	Bocchino #41047	051210 / 2312	PPB / EDU
8.	Sothern #28796	051210 / 2312	PPB / EDU
9.	Musser #40710	051310 / 0118	PPB / Det
10.	T. Harris #27566	051310 / 0336	PPB / DET
11.			
12.			
13.			
14.			
15.			
16.			

CASE NUMBER: 10-38353

LOCATION: NE 6th / NE Clackamas

OFFICER ASSIGNED: Parry #49957
(SCENE ACCESS CONTROL OFFICER)

PORTLAND POLICE BUREAU

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ■ SUPPLEMENTAL

PAGE/OF 1/2

CASE NUMBER 10-038353 | REFER CASE NUMBER | CLASSIFICATION

☐ 1. UNFOUNDED ☐ 3.SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE / TIME: 05-12-10

THIS REPORT DATE / TIME: 05-12-10 2100 HRS

LOCATION OF OCCURRENCE: NE 6TH AVE. / NE. HALSEY ST.

PRECINCT OF OCCURRENCE: NORTH

ONE SENTENCE SUMMARY OF REPORT: WITNESS STATEMENT

CASE NUMBER 10-038353

COPIES
☐ DET
☐ CENTRAL
☐ EAST
☐ NORTH
☐ NE
☐ SE
☐ TRAFFIC
☐ CAT
☐ DHS/CHS
☐ DVD
☐ DVRU
☐ JDH
☐ JUV
☐ CS
☐ DVCS

COMPUTER ENTRY
☐ Person
OPR
☐ Vehicle
OPR
☐ Crime/ Prop
OPR
☐ Book
OPR

PERSONS VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder SB - Subject

CODE	NAME (Last, First Middle)	CRN	SEX	RACE	DOB

HOME ADDRESS	CITY	STATE	ZIP	HOME PHONE

BUSINESS / SCHOOL ADDRESS	☐ WORK PHONE ☐ MSG PHONE	MOBILE PHONE

PROPERTY RECEIPT NUMBER(S)

NARRATIVE/PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R- RECOVERED E - EVIDENCE

(ITEM)	CODE	ITEM	BRAND	MODEL/STYLE	SERIAL NO.	COLOR	ENGRAVINGS/PECULIARITIES	SIZE	VALUE

WI.- [redacted], m/w, [redacted] NE. 40th ave. Portland, Or. 97212 H.- [redacted]

8- I responded to a code-0 call at the above location and upon arrival I blocked traffic on NE 6th Ave. at NE Weidler.

While at that location, I was contacted by the above witness, [redacted] who told me that he had been standing on the NE corner of 6th / Halsey when he witnessed the above incident.

He said that he was standing on the corner when he saw a police car pull a car over. He said that the two officers contacted the driver of the car and started talking to him. After a couple of minutes the officers told the driver to put his hands on his head which he did. The two officers then backed away and started talking among themselves and the driver of the car dropped his hands. The officers told the driver to put his hands on the back of his head and the driver complied.

After a short time the officers approached the car and asked the driver to get out. The witness couldn't tell what the driver was saying but he could tell that the driver was getting belligerent. The officers then opened the drivers door and tried to take the driver out but the driver was resisting.

At that time a third officer that had arrived used his taser on the driver through the driver's window. He said that the driver slumped over onto the passenger seat then raised back up at which time the officers drew their guns and started shooting.

The witness drew a diagram of the scene in my notebook and a copy of that diagram is attached to this report.

REPORTING OFFICER(S)	DPSST	PREC/DIV	RLF/SHIFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
D. NORLIN	3359	TRA	A	1923A	

PPB-SSD-TH

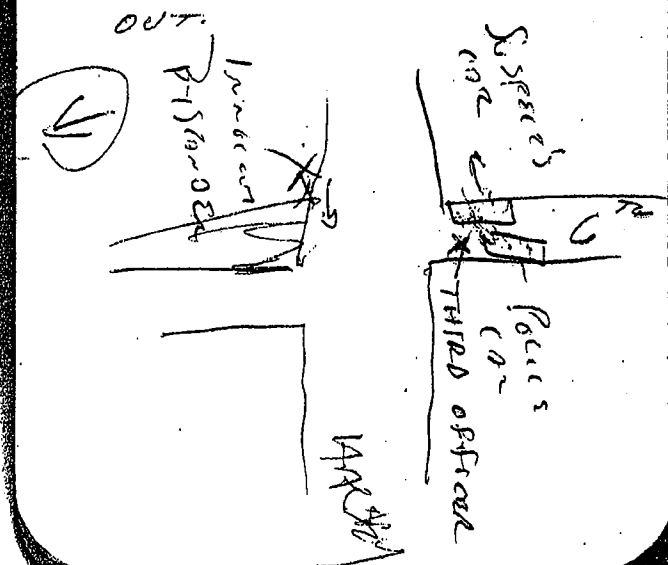
423 (11/15/07) v1

38359 cont

TALKING W/ SUSP.
"PUT HANDS ON
HEAD." W/IN 1 OR 2 MINS

X GETTING BELIEVEMENT

TRIED TO GET X OUT OF
THE CAR. - REACHED IN.
THEN OFC TAZZED. X
X LEANED OVER, CAME
BACK UP + SHOTS RANG
OUT.



10-038353

PORTLAND POLICE BUREAU

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☑ SUPPLEMETNAL

PAGE 1 OF 1

CASE NUMBER: 10-38353

REFER CASE NUMBER:

CLASSIFICATION:

☐ 1. UNFOUNDED ☐ 3.SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE / TIME: 5-12-10 / 1821

THIS REPORT DATE / TIME: 5-12-10 / 1821

LOCATION OF OCCURRENCE: NE 6TH / NE CLACKAMAS

PRECINCT OF OCCURRENCE: NG

ONE SENTENCE SUMMARY OF REPORT: ASSIST W/ OFFICER-INVOLVED SHOOTING

CASE NUMBER

COPIES
☐ DET
☐ CENTRAL
☐ EAST
☐ NORTH
☐ NE
☐ SE
☐ TRAFFIC
☐ CAT
☐ DHS/CHS
☐ DVD
☐ DVRU
☐ T
☐ JDH
☐ JUV
☐ CS
☐ DVCS
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR
☐ Vehicle
OPR
☐ Crime/ Prop
OPR
☐ Book
OPR

PERSONS VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder SB - Subject

CODE	NAME (Last, First Middle)	SEX	RACE	DOB

HOME ADDRESS	CITY	STATE	ZIP	HOME PHONE

BUSINESS / SCHOOL ADDRESS	☐ WORK PHONE ☐ MSG PHONE	MOBILE PHONE

PROPERTY RECEIPT NUMBER(S):

NARRATIVE/PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R- RECOVERED E - EVIDENCE

(ITEM)	CODE	ITEM	BRAND	MODEL/STYLE	SERIAL NO.	COLOR	ENGRAVINGS/PECULIARITIES	SIZE	VALUE

8 I RESPONDED TO THE "CODE 0" CALL REGARDING THE OFFICER-INVOLVED SHOOTING. UPON ARRIVAL, I BLOCKED TRAFFIC AT NE GRAND AV / NE WASCO, DIRECTING TRAFFIC FROM NORTHBOUND NE GRAND TO WESTBOUND NE WASCO. I ALSO MAINTAINED CRIME SCENE BOUNDARY AT GRAND / WASCO TO THE EAST, NOT ALLOWING ANYONE EASTBOUND. I NEVER ENTERED THE CRIME SCENE.

REPORTING OFFICER(S)	DPSST	PREC/DIV	RLF/SHIFT	ASSIGNMENT	SUPERVISOR'S SIGNATURE
JONES	57606	NO/J	M	695	

PPB-SSD-TH

423 (11/15/07)

APPROVAL ROUTE: Detective Division

CASE NUMBER 1 38353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 1 / 2

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1821		

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6 AV/NE CLACKAMAS ST	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Officer involved shooting	

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI	[redacted]		F	W	[redacted]

ADDRESS	CITY	STATE	ZIP
[redacted] NE Halsey st	Portland	Oregon	97232

☒ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE
[redacted]	[redacted]	

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6) OFC Quackenbush 36875 (Partner)
OFC Bren 45124
Det Sponhauer 16089

8) Responded to the listed location to assist with an officer involved shooting. Upon arrival we stopped our police vehicle facing west on NE Halsey east of 6th Ave in the east bound lane. From this position we were able to see a group of officers pointing weapons at a suspect in a vehicle. The officers and suspect vehicle were facing North on 6th Ave between NE Clackamas st and NE Halsey st.

At this point OFC Quackenbush and I identified two occupied vehicles stopped in the west bound lane. We asked the occupants to get out of the vehicles and move away from the crime scene. While escorting the citizens away from the crime scene I heard several gun shots that sounded like less lethal rounds being deployed. We moved the citizens about 25 meters east of the the crime scene on NE Halsey. I then heard on the Radio that the officers were "61" with the suspect (in custody). OFC Quackenbush gathered contact information from the potential witness while I aided with securing the crime scene. (See OFC Quackenbush's special report for details).

I noticed a woman standing on the porch of a house on the corner of NE 6th Ave and NE Halsey st. From the position on the porch where she was standing she had a clear and unobstructed view of the crime scene. I contacted the woman and she identified herself as (WI) [redacted] I asked [redacted] where she was when the incident started and what she witnessed.

[redacted] said she was sitting on a chair on her front porch talking to her dad on the phone when she heard police sirens. [redacted] said she looked up and saw the suspect vehicle driving north bound on 6th Ave followed by police vehicles. She said the suspect vehicle came to a stop between NE Halsey and NE Clackamas St (about 25 meters away from her home).

When the vehicles stopped [redacted] said she heard the officers call out to the suspect vehicle. [redacted] said she heard the officers telling the suspect to put his hands in the air. [redacted] told me, "The officers were yelling loud enough for me to hear them clearly. [redacted] said she did not see the suspect put his hands in the air. I asked [redacted]

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Christopher L. Gryphon	50500	NO/U	AP	694	

PPB-SSD-TH

05-13-10 0939

423 (08/07)

APPROVAL ROUTE Detective Division

CASE NUMBER 10 38353

PORTLAND POLICE BUREAU **SPECIAL REPORT** TYPE: PAGE/OF 2 / 2

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

if it looked like the suspect was refusing to comply and she said, "Yes".

[redacted] said she saw the officers approach the suspect in his vehicle. As the officers approached she said they were pointing tasers at him and continuously yelling for the suspect to put his hands in the air. [redacted] said she did not see the suspect put his hands up as the officers requested.

Next, [redacted] said she heard a loud "pop" and then saw the officers shoot and taser the suspect. [redacted] said when the shooting started she ducked down and went into her house. She then continued to watch through her front window. [redacted] said she watched the officers gather back at the police vehicle and point guns at the suspect who was laying halfway out of the passenger side door.

[redacted] said she was not able to see the suspect clearly at this point because he was mostly laying behind the open passenger door. [redacted] said, "from what I could see of the guy he looked lifeless, but they [officers] continued to yell at him". [redacted] said the officers then shot the suspect again.

After completing the interview, [redacted] went into her home and I took a perimeter position in front of her house. Shortly after enter her home [redacted] came out and recontacted me. [redacted] said she recorded the entire incident on her Iphone. [redacted] said she wanted to make a copy for herself before she told the police. I contacted OFC Bren and asked him to locate a Detective while I stayed with [redacted]

A short time later Det Sponhauer arrived and interviewed [redacted] (See Det Sponhauer's report for further). [redacted] also told Det Sponhaur her boyfriend had a video camera recording of what happened in the crime scene after the shooting took place. [redacted] said her boyfriends video picks up where here video ends. [redacted] gave Det Sponhauer the Iphone, the memory card for her boyfriends camera and a CD recording of both video's put together.

After Det Sponhauer left, [redacted] came out of her house and re contacted me again. [redacted] gave me a second CD recording of the shooting. [redacted] said the first CD was "shakey and this second one has better quality and is not as shakey.

I gave [redacted] a property/evidence receipt (#1199686) and handed the CD to OFC Bren to deliver to Det Sponhauer.

I then stayed at the loction and helped secure the crime scene.

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST tribution
- DPSST

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Christopher L. Gryphon	50500	NO/U	AP	694	

PPB-SSD-TH

APPROVAL ROUTE: Detective Division

CASE NUMBER 10 38353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 1 / 2

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
2. Pending	05/12/10	1821	05/12/10	1821

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
Northeast 6th Avenue/Northeast Halsey Street, Portland OR	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Actions taken at scene of officer involved shooting	PP1005121772

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			M	B	1

ADDRESS	CITY	STATE	ZIP
Northeast 12th Avenue	Portland	Oregon	97211

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE | HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			F	B	

ADDRESS	CITY	STATE	ZIP
Northeast 12th Avenue	Portland	Oregon	97211

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE | HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			F	B	

ADDRESS	CITY	STATE	ZIP
North Vancouver Avenue #	Portland	Oregon	97217

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE 503- | HOME PHONE 503-

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
SB			F	B	

ADDRESS	CITY	STATE	ZIP
North Vancouver Avenue #	Portland	Oregon	97217

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE | HOME PHONE 503-

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6 - Officer Gryphon #50500 - partner

8 - At listed date and time Officer Gryphon and I were assigned to work the Lloyd Center district (694) in a two-person partner car. We were at the Lloyd Center Security Office handling a juvenile in custody for trespassing when information was broadcast over the North Precinct dispatch net that shots had been fired and an officer was down. Officer Gryphon and I immediately disengaged from the contact and ran to our police vehicle. I drove the vehicle directly to 6th and Halsey, where the incident was taking place according to CAD.

When were approached the scene, initially I noticed a blue older-model Buick (likely 80's) stopped at the intersection of 6th and Halsey facing westbound. A red Dodge Intrepid was directly behind the Buick, facing the same direction. Two subjects were standing in the street near the Buick, whom I later identified as (WI) _____ _____ and (WI) _____ _____ They appeared to be looking to the south.

I pulled into the oncoming lane and began to clear the intersection. However, I immediately noticed to my left (the south) that several officers were on the east sidewalk of 6th Avenue with firearms pointed toward the north. A subject appeared to be lying on the east sidewalk in between our positions. I

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
James P. Quackenbush	36875	N/U	AP	694/690	

APPROVAL ROUTE Detective Division

CASE NUMBER 1[illegible]38353

PORTLAND POLICE BUREAU **SPECIAL REPORT** TYPE: PAGE/OF 2 / 2

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

COMPUTER ENTRY
- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
- ☐ tribution

DPSST

immediately reversed our patrol vehicle.

I contacted [redacted] and [redacted] who identified themselves as witnesses to the shooting. I asked if they would stay and they agreed. I then contacted the front occupant of the Dodge, later identified as [redacted] There was also a young girl in the rear passenger side of the Dodge identified as [redacted] granddaughter. [redacted] was hysterical. She was screaming and crying inconsolably.

At approximately this point in our contact I heard several rounds discharged that I suspected from my training and experience to be less-than lethal shotgun rounds. This appeared to further distress [redacted] and she screamed and cried further. [redacted] appeared to become upset and began crying as well. I asked [redacted] to exit the vehicle and come to the south sidewalk with myself, [redacted] and the [redacted] in a better position of safety. She agreed. All of us positioned ourselves approximately mid-block between 6th and 7th Avenues on the south side of Halsey.

At this point I asked the [redacted] and [redacted] for their contact and identifying information. [redacted] also provided her granddaughter's information ([redacted] told me that she was [redacted] I asked if she would like medical personnel to check on her, as there were numerous medical personnel standing nearby (several ambulances and fire apparatus had arrived just behind us). She declined. I offered her water and she also declined.

I explained to the [redacted] and [redacted] that they had all witnessed a significant event and that it was very important to obtain statements from them if at all possible. I told them that detectives would be responding to the scene to investigate the incident and they could have important information that would need to be shared. I asked if they would be willing to stand by until their arrival. All agreed to do so. I also requested that they try not to talk amongst themselves about the specifics of the incident, so as not to 'muddle' or 'dilute' their respective observations. I know from my training and experience that witnesses can sometimes share their experiences with one another. The net result may be that some in the group may feel pressured to either not share information they otherwise would have (fearing it may be wrong, and not wanting to look foolish), or they may mistakenly believe that something they actually did observe was imagined and/or inaccurate (essentially the reverse).

Keeping the above in mind, I encouraged the [redacted] and [redacted] to contact clergy, family, or other support resources they were comfortable with. I offered my Bureau telephone for them to utilize if necessary. Officer Jackson of the Crisis Response Team arrived with outreach workers to help facilitate this as well.

Once the scene was relatively static, Officer Gryphon contacted Lloyd Center Security and instructed them to release the juvenile from the previous trespassing report (a parent was standing by and he had been identified to our satisfaction).

Until they were interviewed by detectives, I remained with the [redacted] and [redacted] to facilitate both their physical comfort (utilizing the rest room, getting water, etc.) as well as insuring that the specifics of what they observed was not discussed. After they were interviewed and their vehicles were released from the crime scene, Officer Gryphon and I remained as crime scene perimeter security until the scene was broken down.

See associated reports for further details. No further information at this time.

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
James P. Quackenbush	36875	N/U	AP	694/690	

PPB-SSD-TH

05-13-10 0940

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER 10 038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 4. SUPPLEMENTAL — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1824	05/12/10	2200

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
6th Ave/Clackamas	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Assist at shooting scene.	1005121772

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

COMPUTER ENTRY
- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
- ☐ ribution

DPSST

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE		CRN	SEX	RACE	DOB
WI			M	W	

ADDRESS	CITY	STATE	ZIP

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			F	W	

ADDRESS	CITY	STATE	ZIP
NE 7th Ave	Portland	Oregon	97232

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

Item 6: Officer Klundt #32398

Item 8: At listed date and time, I responded to a call of a shooting at listed location. Upon arrival I stopped traffic with my patrol car at NE Grand/ NE Weilder. I interviewed two people who witnessed the shooting.

Mr. [redacted] is the [redacted] at [redacted] that is located on NE Grand/Weilder. He was working when he heard about 10 shots that sounded like gunfire and then two more shots. He looked east, where he heard the shots and saw two police officer running and kneeling behind their police car on 6th Ave. He said he heard them around 1830.

Ms. [redacted] said she was in the parking garage at the Cornerstone Ats on 7th and Halsey when she heard many gunshots around 1830.

I maintained the perimeter at NE Weilder/NE Grand until relieved.

See Officer Klundt's report for more witness interviews.

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Sarah Payton	50738	North/U	A	646	

PPB-SSD-TH

05-13-10 0942

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER 10-038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 4. SUPPLEMENTAL — PAGE/OF 1 / 2

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
2. Pending	05/12/10	1821	05/12/10	1821

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
Ne 6th Ave/ Ne Clackamas St	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Crime scene perimeter and interviews with witnesses	

COPIES: ☐ DET ☐ CENTRAL ☐ EAST ☐ NORTH ☐ NE ☐ SE ☐ CAT ☐ DHS/CHS ☐ DVD ☐ DVRU ☐ ECRT ☐ JDH ☐ JUV ☐ DVCS

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			M	H	

ADDRESS	CITY	STATE	ZIP
Ne 11th Ave	Portland	Oregon	97211

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			F	H	

ADDRESS	CITY	STATE	ZIP
Se Morrison St	Portland	Oregon	97233

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6- Ofc Foote #43493, Ofc Defrain #44436- Primary

8- Self dispatched to the area of Ne 6th Ave/ Ne Clackamas St to assist officers with a traffic stop where shots had been fired. While enroute additional information was broadcasted that an officer had been hit and was down.

Upon arrival into the area, I blocked the intersection of Ne Grand Ave/ Ne Halsey St preventing vehicular and pedestrian from travelling eastbound on Ne Halsy St. While at this location I was contacted by several employees who were wanting to leave their parking lot (inside crime scene) and go home. I asked and if they heard or saw any of the incident. told me that had observed the shooting from window and commented that he would be able to translate (speaks Spanish) for her.

commented that she was working when she saw a police car conducting a traffic stop at Ne 6th Ave/ Ne Halsey St. She told me that the vehicle was facing north bound and described it as a golden colored car (unknown make) that was occupied by two individuals in the front seats. She stated that shortly after the stop, additional officers arrived and they approached the car from each side. then commented that two grey colored police cars arrived to this location and parked in front of the stopped car. She told me that the officers approached the car and she could hear them yelling something but could not understand what they were saying. She stated that she heard one "low" sounding bang which she thought had come from the stopped vehicle. told me that she left the store and stood near the restaurants garbage area to get a closer look at the stop. She stated that she could see officers standing in front and on both sides of the stopped car with there guns out and pointing at it. commented that she heard 7-8 higher pitched sounding shots and then ran back inside .

COMPUTER ENTRY ☐ Desk ☐ DPSST Person ☐ DPSST Entry / Vehicle ☐ DPSST tribution ☐ DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mike Chapin	37638	No/U	A	635/690	

APPROVAL ROUTE: Homicide

CASE NUMBER: 1 38353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 4. SUPPLEMENTAL — PAGE/OF 2 / 2

I then asked [redacted] if he had heard or seen anything regarding the shooting. He told me that he was wearing [redacted] when [redacted] told him that she had just heard a loud bang outside. [redacted] stated that he ran to look out [redacted] window as [redacted] was leaving the store to stand near the dumpsters. [redacted] commented that he saw multiple police cars behind and in front of the stopped vehicle as if they were trying to prevent it from leaving. He told me that several officers were surrounding the car with their guns drawn and could hear them yelling something at the driver. He stated that shortly after that he heard "a lot more" shots (could not remember the number). [redacted] then commented that he saw an officer pull out a "long gun" gun from his trunk but he could not remember if it was used. He told me that he could hear a lot of police sirens and then started seeing more police cars arriving.

I notified Sgt Gorgone about having several witnesses to the shooting and I walked them over to the area of Ne 6th Ave/ Ne Clackamas St to be interviewed by Detectives. I stood by with [redacted] and [redacted] as I waited for a Detective to begin the questioning. I returned to my perimeter position at Ne Grand Ave/ Ne Halsey St and continued keeping vehicular and pedestrian traffic from travelling eastbound on Ne Halsey St.

EXTERNAL DISTRIBUTION LIST

COPIES
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- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
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- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

COMPUTER ENTRY
- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
ribution

DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mike Chapin	37638	No/U	A	635/690	

PPB-SSD-TH

APPROVAL ROUTE: Homicide

CASE NUMBER 10 38353

PORTLAND POLICE BUREAU

SPECIAL REPORT

TYPE: 4. SUPPLEMENTAL

PAGE/OF 1 / 2

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE / TIME	THIS REPORT DATE / TIME
	05/12/10 1821	

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6 Av / Halsey St	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Officer involved shooting / witness statements and contact information	

COPIES

☐ DET
☐ CENTRAL
☐ EAST
☐ NORTH
☐ NE
☐ SE
☐ CAT
☐ DHS/CHS
☐ DVD
☐ DVRU
☐ ECRT
☐ JDH
☐ JUV
☐ DVCS
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____

COMPUTER ENTRY

☐ Desk
DPSST
☐ Person
DPSST
☐ Entry / Vehicle
DPSST
stribution
DPSST

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
KN			M	W	

ADDRESS	CITY	STATE	ZIP
1425 NE 7 Av #	Portland	Oregon	97232

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE
	8	

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
KN			M	W	

ADDRESS	CITY	STATE	ZIP
1425 NE 7 Av #	Portland	Oregon	97232

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			M	W	

ADDRESS	CITY	STATE	ZIP
1425 NE 7 Av #	Portland	Oregon	97232

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			M	W	

ADDRESS	CITY	STATE	ZIP
1425 NE 7 Av #	Portland	Oregon	97232

☒ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
KN	Smith, Andrea		F	B	21 years

ADDRESS	CITY	STATE	ZIP
1425 NE 7 Av #	Portland	Oregon	97232

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
KN			F	B	24 years

ADDRESS	CITY	STATE	ZIP
1425 NE 7 Av #	Portland	Oregon	97232

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
KN			F	B	24 years

ADDRESS	CITY	STATE	ZIP
1425 NE 7 Av #	Portland	Oregon	97232

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
KN			F	B	20 years

ADDRESS	CITY	STATE	ZIP
1425 NE 7 Av #	Portland	Oregon	97232

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Ryan Bren	45124	NO / U	A	690	

PPB-SSD-TH

05-13-10 0944

423 (08/07)

APPROVAL ROUTE Homicide

CASE NUMBER 1 38353

PORTLAND POLICE BUREAU **SPECIAL REPORT** TYPE: 4. SUPPLEMENTAL PAGE/OF 2 / 2

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6 Ofc Gryphon #50500
Det Sponhauer #16089
Det Kammerer #29988

8 I responded to the area of NE 6 Av / Halsey St to assist with an officer involved shooting incident. I arrived on scene and reported first to NE 7 Av / Halsey St at about 1827 hours. While on scene I searched for witness to the shooting, and collected contact information and statements from the above listed people. Everyone I contacted either saw or heard the shooting from the apartment building located at 1425 NE 7 Av. Most of those people were located on either the first, second, or third story units positioned on the northwest corner of the building. The northwest corner of the apartment building overlooks the spot of the incident on 6 Av just south of Halsey St.

The four ladies who were inside unit # [ ] KN [ ] KN [ ] KN [ ] and KN [ ] each reported hearing between six to ten "popping" sounds. None of them reported seeing any part of the shooting or the initial contact between police and the traffic stop. They told me they figured out the sound they heard was shots fired when they looked outside and saw the body of the deceased subject on the sidewalk. They remarked to me how quickly the police arrived on scene, and did not seem to know about the traffic stop. Based on their statements it seemed they believed the shooting did not involve the police.

[ ] who was inside unit # [ ] at the time of the shooting said he heard the shooting, and saw part of the the incident. [ ] told me he heard at least one shot, then he said he went to the window and saw a police officer shoot at the subject who was later declared deceased. [ ] told me he didn't immediately realize the sound he initially heard was gunfire. He said it sounded like firecrackers. [ ] told me he saw the the officers retreating to a position of cover. He told me he saw them move behind a dumpster, but when I later checked I did not see a dumpster on the street. He may have been referring to a tractor that was positioned on the west side of 6 Av.

[ ] who was inside unit # [ ] at the time of the incident said he witnessed the shooting. Because of other activities taking place at the same time I had only a moment to collect his information, and I did not obtain any additional details regarding his account of the incident.

[ ] and [ ] approached me on the street while I was performing other tasks. They reported to me they heard the gunshots, but did not see anything. They both reported hearing about eight to ten gunshots. They did not have any other details about the event.

Also while on scene, I assisted Ofc Gryphon on a perimeter position at the northeast corner of 6 Av / Halsey St. Ofc Gryphon and Det Sponhauer made contact with a witness / resident on that corner. That witness allegedly produced a video document capturing some part of the incident. Ofc Gryphon gave me a copy of a CD to deliver to detectives. I gave that CD to Det Kammerer. The CD was reported to contain a video file of the shooting. It was reportedly the second copy made with a title similar to "Stabilized Version."

I informed each of the persons I talked to that they would likely be contacted by police personnel at a later date and time.

EXTERNAL DISTRIBUTION LIST

COPIES
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- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

COMPUTER ENTRY
- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
stribution

DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Ryan Bren	45124	NO / U	A	690	

PPB-SSD-TH

05-13-10 0945

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER 1 038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1821	05/12/10	2350

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th / NE Halsey St	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Officer involved shooting	

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6) Ofc. Dauchy, 30873
Ofc. Delenikos, 21331
Ofc. Shaw, 28923
Sgt. Berry, 14402
Sgt. Livingston, 32588

8) On the listed date at the listed time I responded to a code 0 at NE 6th/NE Weidler. Upon arrival I joined a contact / custody team behind the engine compartment of a patrol car behind the suspect vehicle. Ofc. Dauchy fired 3 beanbag rounds at the suspect after an announcement was made, who was slumped down and partially outside the passengerside of the vehicle. The suspect was motionless and did not respond to any of the rounds. I observed taser probes sticking into the suspects whit tee-shirt. Sgt. Livingston assigned 2 custody officers and the group moved towards the suspect. The suspect did not move when he was contacted. The suspect was removed from the car by the 2 contact officers (Possibly Ofc. Shaw & Ofc. Delinikos). Medical was onscene to check the suspect.

I then assisted Sgt. Berry in stringing crime scene tape for the inner perimeter. Ofc Shaw was keeping the crime scene log so I checked in with him and informed him when I left the crime scene. I left the scene at approximately 1910hrs.

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY
- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
ribution

DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Charles Lovell	41706	NO/SRO	M	1680	

PPB-SSD-TH

05-13-10 0946

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER: 10 38353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 4. SUPPLEMENTAL — PAGE/OF 1 / 2

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1821	05/12/10	1821

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th Av	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Involvement at the scene of offer involved shooting, including contact with a witness.	

COPIES: ☐ DET ☐ CENTRAL ☐ EAST ☐ NORTH ☐ NE ☐ SE ☐ CAT ☐ DHS/CHS ☐ DVD ☐ DVRU ☐ ECRT ☐ JDH ☐ JUV ☐ DVCS ☐ ☐ ☐ ☐ ☐ ☐

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			M	W	

ADDRESS	CITY	STATE	ZIP
NE 6th Av	Portland	Oregon	97232

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE | HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
BU	RADIO SHACK				

ADDRESS	CITY	STATE	ZIP
1606 NE 6th Av	Portland	Oregon	97232

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE | HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI	Unk		M	B	

ADDRESS	CITY	STATE	ZIP

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE 0 | HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
KN	Unk		F	W	

ADDRESS	CITY	STATE	ZIP

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE | HOME PHONE

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

8) I responded to listed location to assist at the scene of an officer involved shooting. Upon arrival, I blocked traffic at NE 7th Av / NE Weidler St. Sometime after securing the scene with police tape, I was contacted by (WI) [redacted] an employee of (BU) RADIO SHACK. He said that he was assisting a customer when he heard what "sounded like fireworks." (WI) [redacted] explained that the double doors that make up the entrance front door of the business Another customer was walking into the store at the time as well. That's when (WI) [redacted] and the unknown customer heard a "ping" noise along a wall near the middle of the store. (WI) [redacted] observed something on the floor next to a metal base board. (WI) [redacted] and the customer then walked over to the object. According to (WI) [redacted] he then picked up the item, which he said was "still really warm." He then realized that it was a bullet. He said that it looked pretty "mangled," and had a flattened surface.

(WI) [redacted] said that the customer he had been helping then took possession of the bullet. The customer told him "I'm going to keep this." According to (WI) [redacted] someone who was associated with the customer then ran up to the entrance of the building saying that there had been a shooting. The customer then left the store and was last seen leaving the area SB NE 6th Av in an unknown BLK or BLU vehicle

COMPUTER ENTRY: ☐ Desk ☐ DPSST Person ☐ DPSST Entry / Vehicle ☐ DPSST tribution ☐ DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Justin L. Burns	47103	N / U	A	665 / 690	

PPB-SSD-TH

05-13-10 0947

423 (08/07)

APPROVAL ROUTE Homicide

PORTLAND POLICE BUREAU

SPECIAL REPORT

TYPE: 4. SUPPLEMENTAL

CASE NUMBER)-038353

with a sun roof. The customer was described as a M/B, 5-6, 185#, short tightly braided hair, wearing BLK b-ball cap, BLK hooded sweatshirt, and BLU jeans. The customer was in the store trying to return/exchange a phone associated with [redacted] (WI) [redacted] wasn't sure who the customer was, since the person wasn't the account holder ([redacted] (WI) [redacted] said that the customer left after police tape had been put up in the area. (WI) [redacted] said that he then waited about twenty (20) minutes before notifying police about the bullet. (WI) [redacted] didn't have an explanation as to why he had waited so long, except to say that he had been taking out the garbage. (WI) [redacted] wasn't sure who the female customer was either, who happened to be walking through the entrance at the time the bullet landed on the floor. The female customer made a payment on an account associated with [redacted]

I observed no damage to the store windows, and no associated damage to the doors. (BU) RADIO SHACK has about a 60 ft wide parking lot between the building and NE 6th Av. The entry way of the building is far enough East that it is not in line of sight of the location of the shooting. The bullet also landed about 20 ft inside the business. Therefore the bullet would have had to ricocheted off of another object. I was unable to determine what object had been hit by the bullet. I provided (WI) [redacted] with my card. A detective later came into the location and interviewed (WI) [redacted] regarding the bullet.

EXTERNAL DISTRIBUTION LIST

COPIES

- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ CS
- ☐ S
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

COMPUTER ENTRY

- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
- ☐ Distribution

☐ SST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Justin L. Burns	47103	N / U	A	665 / 690	

APPROVAL ROUTE: Homicide

CASE NUMBER: 10 38353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 1 / 2

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
2. Pending	05/12/10	1821	05/12/10	1821

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th & NE Halsey	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Officer Involved Shooting	1772

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

COMPUTER ENTRY
- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
- ☐ tribution

DPSST

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6) Lt. Modica #Officer Broughton #40218 Partner, Officer Foote #43493, Officer Eugenio #39877, Officer Dale #23726

8) On the listed date and time reported I was assigned to the afternoon shift of the Gang Enforcement Team (GET). I was working a partner car with Officer Broughton. Officer Broughton and I were at North Precinct speaking with Lt. Modica. While I was speaking with the Lt. I heard Officer Foote initiate a traffic stop and request the second car to box the vehicle in.

A few moments later I heard Officer Foote say shots fired shots fire Officer Hit. I ran to our patrol car and responded to the scene code three. I used my nextel to inform Officer Broughton that I was taking our patrol car and that he should get another car. As I was enroute to the scene I saw Officer Foote Driving an unmarked patrol car northbound on MLK passing Russell. I assumed he was enroute to the hospital.

I had heard over the radio that the incident was at NE 6th and Halsey but I did not hear the safe route in. When I arrived onscene I grabbed my AR-15 and took a position of cover with Officers Eugenio and Polas. Officers Eugenio and Polas were on the west sidewalk of NE 6th south of Halsey on the driver side of the suspect vehicle. Both Officers had there pistols drawn and I told them I had a long gun to assist with lethal cover. Officer Polas told me the suspect was partially inside the car and partially outside the car. I took a prone position so that I would have a better point of aim to engage the suspect if he started to fire on police again.

As I took a prone position I could see that the suspect was partially outside the car but I could not see his hands or where the gun was. Officer Polas told me the gun was underneath the suspect. There were several officers to the south of us on the passenger side car who were giving the suspect commands. Several times I heard them command the suspect to show us his hands and there was no movement. It was unclear at this time whether the suspect was dead, unable to respond or unwilling to respond. I heard one of the officers instruct the suspect to show his hands or he would be shot with a bean bag. There was no response and then the officer yelled bean bag and fired a bean bag round into the suspect. When the bean bag hit the suspect I did not detect any movement from my vantage point.

The custody team made the decision to move in and determine if the suspect was dead or in need of medical treatment. As they moved in and removed the suspect it was determined that he was in fact deceased. I put my rifle back into my patrol car and assisted with getting the inner perimeter tapped off. As I was taping off the scene I did locate one spent shell casing that was near the crime scene and placed a business card next to it. I also later placed a business card next to a bullet fragment that Lt. Modica and Commander Ferraris had

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Derrick L. Foxworth	43483	TOD/GET	A	1670	

APPROVAL ROUTE: Homicide

CASE NUMBER: 1(38353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 2 / 2

found near the south west corner of NE 6th and Halsey.

The crime scene was located next to an apartment building where many people were trying to come out and photograph the incident. I instructed them to go back into their homes and not to take photographs. Officer Delinikos and I covered up one residence's window that was directly next to the crime scene to prevent them from taking photos to preserve the crime scene and out of respect for the deceased.

The crime scene had been secured and I asked Lt. Modica if it was okay for me to leave and go to the hospital to see how my fellow officer was doing and he said that was fine.

COPIES

- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY

- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
- ☐ stribution

DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Derrick L. Foxworth	43483	TOD/GET	A	1670	

PPB-SSD-TH

05-13-10 0947

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER 10 38359

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 1. INFORMATION — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038359		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
5. Exceptional	05/12/10	1822	05/12/10	1822

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE Halsey @ NE 6th Ave.	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Witness statements	1005121772

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI	[redacted]		M	W	[redacted]

ADDRESS	CITY	STATE	ZIP
[redacted] SE Washington St. /Mailing address	Hillsboro	Oregon	97211

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE
	[redacted]	

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

CODE	LICENSE NO.	STATE	LIC YR	LICENSE TYPE	VIN NUMBER
I	[redacted]	OR	2012		

VEH YR	MAKE	MODEL	STYLE	COLOR(S)
1986	Dodge	Van		Blue/Grey

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

Officer Eugenio #39877 Partner/Driver

On 051210 at Approx. 1930hrs. I contacted Mr. [redacted] in the parking lot of McDonalds, NE 6th @ NE Halsey, NW corner, while at an Officer involved shooting scene. I observed Mr. [redacted] walk from the east side of the McDonalds, and get into the passenger side sliding door of a blueish grey colored Dodge van, parked facing southbound on the far easterly portion of the parking lot, bearing Oregon plate [redacted]. Mr. [redacted] voluntarily exited his van and provided his Oregon commercial drivers license, identifying him as [redacted] ODL # [redacted] Mr. [redacted] was dressed in a brownish grey sweatshirt, black jeans, and brown shoes. His head was shaved and he appeared to match the physical listed on his DL, 5'10", 195. Mr. [redacted] told me that he does not wear glasses or contact lenses. He told me that he was alone tonight. I took his statements.

Mr. [redacted] told me that tonight he arrived at McDonlads from NE Broadway and NE 6th, and parked. He told me that he heard cops yelling "get out of the car 3 or 4 times, then after "2 or 3 minutes" heard three(3) shots 15 seconds apart. He told me that the shots sounded like a "bean bag" and that he was familiar with gunshots and that the three shots did not sound like gun fire. Mr. [redacted] told me that he saw the police car in the intersection when he heard the shots. It should be noted that the patrol car he was making reference to was Officer Eugenio's and mine, which was on-scene after the gunshots, but during the deployment of bean bag rounds. Mr. [redacted] told me that he never saw anyone sitting in the car that was in front of the patrol cars. He told me that he sat in his van for Approx. 30 minutes after he heard the three shots. He did not have anything further. I left Mr. [redacted] in the parking lot, inside the red crime scene tape within the parking lot.

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- PSST .tribution
- DPSST

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Brian Dale	23726	TOD	A	GET	

PPB-SSD-TH

05-13-10 0949

423 (08/07)

APPROVAL ROUTE: Homicide

038359 (CASE NUMBER)

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 1. INFORMATION — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038359		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
5. Exceptional	05/12/10	1822	05/12/10	1822

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE Halsey @ NE 6th Ave.	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Interview with detectives/ Obtaining personal effects for Officer Burley	1005121772

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ CS
- ☐ CS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

On 051310 at Approx. 0040hrs. I was interviewed at SE precinct by Detective Sergeant Michaelson and Detective Sponhauer in the lunch room, reference an Officer involved shooting at NE Halsey @ NE 6th, CAD #1005121772.

It should be noted that while on scene at the shooting, I obtained Officer Burley's lunch box, with the assistance of Sergeant Gorgone, from the back of Officer Burley's patrol car. I provided Officer Chastain, via Nextel, with Officer Burley's mothers contact phone numbers, which I obtained from his cellular telephone. I observed, and was advised by Sergeant Gorgone, that Officer Manougian took custody of Officer Burley's yellow lunch box.

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY
- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
- ☐ Distribution

DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Brian Dale	23726	TOD	A	GET	

PPB-SSD-TH

05-13-10 0949

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER: 10 38353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1830	05/13/10	0104

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th / NE Clackamas	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Summary of Officer involvement	

COPIES

- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

8. I responded to a call of an officer involved shooting This officer was assigned to guard the inner perimeter.

At 0333 I requested a tow for the vehicle with the license plate ZET208. Speeds towing arrived and took the vehicle to the seizure lot.

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY

- ☐ Desk
- DPSST
- ☐ Person
- DPSST
- ☐ Entry / Vehicle
- DPSST
- stribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Daniel A. DiMatteo	50527	North	AftrN	574	

PPB-SSD-TH

05-13-10 0950

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER: 10 038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF: 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1830	05/12/10	1830

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th / NE Clackamas	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Summary of Officer duties on scene	1772

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

8) On the above date and time I assisted with an Officer involved shooting. Upon arrival I completed traffic control and blocked NE 6th at NE Weidler. At 1955 hrs I relieved Ofc. Shaw of his crime scene log duties. I completed that task along with guarding the inner perimeter of the crime scene located at NE 6th between NE Halsey and NE Clackamas.

I released the crime scene log to Det. McGlathery and cleared the scene at 0400hrs.

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY
- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
- ☐ ibution

DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Louis Parry	49957	NO/U	AP	524/691	

PPB-SSD-TH

05-13-10 0951

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER 038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 4. SUPPLEMENTAL — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE TIME	THIS REPORT DATE TIME
	05/12/10	05/12/10

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
Emanuel Hospital	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Officer Transport vehicle taken to North Precinct	

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ [illegible]S
- ☐ [illegible]/CS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

CODE	LICENSE NO.	STATE	LIC YR	LICENSE TYPE	VIN NUMBER
I	ZVN481	OR		PC	(Patrol Vehicle)

VEH YR	MAKE	MODEL	STYLE	COLOR(S)
	Ford	Crown Vic	4D	

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6) Sgt. Pool / 29520 /
Detective Weinstein / 24579 /
Officer Verbout / 44441 / Cover
Officer Burley / 45975 / Primary

8) Officer Verbout and I responded to The Emanuel ER entrance at Sgt. Pool's request to transport I) Patrol Vehicle back to North Precinct. Upon arrival I contacted Detective Weinstein who was watching the vehicle.

I drove I) Patrol Vehicle to North Precinct and Officer Verbout and I place Officer Burley's Primary, backup, and shotgun, that were secured in I) Patrol Vehicle, in Sgt. Pool's Locker, per Sgt. Pool's request.

Officer Verbout returned the duty gear to the Tactical Operation Division. I parked I) Patrol Vehicle in the secure area of North Precincts basement. I taped off the vehicle and created a Request for Vehicle Service Form.

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY
- ☐ Desk
- DPSST
- ☐ Person
- DPSST
- ☐ Entry / Vehicle
- DPSST
- [illegible]stribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
David McCarthy	49067	NO/U	N	649/599	

PPB-SSD-TH

05-13-10 1000

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER: 10 38353

PORTLAND POLICE BUREAU — SPECIAL REPORT

TYPE: 1. INFORMATION | PAGE/OF: 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1821	05/13/10	0400

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE Halsey St/NE 6th Ave	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Followed vehicle involved in shooting to Seizure World.	1005121772

COPIES
☐ DET
☐ CENTRAL
☐ EAST
☐ NORTH
☐ NE
☐ SE
☐ CAT
☐ DHS/CHS
☐ DVD
☐ DVRU
☐ ECRT
☐ JDH
☐ JUV
☐ DVCS
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
BU	Speed's Towing				

ADDRESS	CITY	STATE	ZIP
(Business Address) 125 SE Clay St,	Portland	Oregon	97214

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE
503-234-5555		

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
SB	[redacted]				

ADDRESS	CITY	STATE	ZIP
(Business Address) 125 SE Clay St,	Portland	Oregon	97214

☒ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE
503-234-5555	503-[redacted]	

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

CODE	LICENSE NO.	STATE	LIC YR	LICENSE TYPE	VIN NUMBER
X	ZET708	OR	2010	4D	

VEH YR	MAKE	MODEL	STYLE	COLOR(S)
2003	TOYOTA	CORROLLA	4D	SILVER

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

8 R/C to location to assist on the crime scene. I held a post at NE 7th Ave/NE Halsey St. Once the tow truck from BU Speeds Towing arrived, driven by SB [redacted] I waited for the suspect vehicle to be loaded onto the tow truck at NE 6th Ave/NE Halsey St. I then followed the tow truck as it was towed from the location to seizure world, never losing sight of the vehicle during this time. Once at seizure world the vehicle was parked in the secured area inside a warehouse. [redacted] only reached inside the vehicle to disengage and then reengage the handbrake while it was being removed from the flatbed wrecker. [redacted] was gloved up during this period and did not remove anything from the vehicle or add anything to it. I then left the scene after [redacted] drove out of the secured facility. NFI.

COMPUTER ENTRY
☐ Desk

DPSST ☐ Person

DPSST ☐ Entry / Vehicle

DPSST stribution

DPSST

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Christopher M. McDonald	47104	N/U	N	678/690	

PPB-SSD-TH

05-13-10 1040

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER 10 38353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 1. INFORMATION — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/10/10	1821	05/12/10	1908

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th AVE / CLACKAMAS	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
ASSISTING WITH CRIME SCENE AS SHOOTING	1772

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6. OFFICER SHARP 42660 (PARTNER CAR/DRIVER)

8. We responded to a report of a shooting in the area of NE 6th and Halsey St where an Officer had been shot. We arrived and assisted with blocking off NE 6th AVE and Clackamas St. We put up crime scene tape around the intersection. Per direction of the F.E.D I assisted in placing barriers on the North side of the inter crime scene at NE 6th and Halsey.

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY
- ☐ Desk
- DPSST
- ☐ Person
- DPSST
- ☐ Entry / Vehicle
- DPSST
- stribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Gabe Hertzler	39513	TPD	A	1750	

PPB-SSD-TH

05-13-10 1042

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER: 10 38353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1821	05/12/10	2028

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th/Clackamas	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Response to officer involved shooting, assisted in crime scene	

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

8 I was onscene at the officer involved shooting at NE 6th/Clackamas. I was asked to assist in setting up visual barricades around the crime scene by the incident commander.

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Bradley J. Kula	39879	CE	E	836	

PPB-SSD-TH

05-13-10 1043

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER 10-038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 4. SUPPLEMENTAL — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1821	05/12/10	2023

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th Av @ NE Clackamas St.	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Officer Involved Shooting	1772

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6.) Ollenbrook #29199 - Partner, Lt. Rodrigues #37149 - Supervisor

8.) We responded to an officer involved shooting incident at the above location. Upon arrival Officer Ollenbrook directed me to assist the onscene command staff, and he moved forward to assist the team of officers who appeared to be preparing to approach the suspect's vehicle.

I approached Lt. Rodrigues, who instructed me to follow him and act as his scribe on this incident. As I did so he requested I make three notebook entries, and then I was relieved from my duties as his scribe. The entries were as follows:

At 1830 Lt. Rodrigues directed dispatch to make the appropriate notifications for an officer involved shooting.

At 1841 Lt. Rodrigues directed Officer Defrain (an involved officer / shooter in the incident), to remain at my vehicle on the west side of NE 6th Av on NE Clackamas St., on the north side of the street. He also assigned Officer Andersen to remain with Officer Defrain, and requested that Sgt. Gorgone call in more vehicles and secure all involved / witness officers.

At 1849 dispatch confirmed to Lt. Rodrigues that all notifications had been made for an officer involved shooting.

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY
- ☐ Desk
- DPSST
- ☐ Person
- DPSST
- ☐ Entry / Vehicle
- PSST
- stribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Richard Budry	37043	NO / U	A	555 / 690	

PPB-SSD-TH

05-13-10 1044

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER: 10-038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 4. SUPPLEMENTAL — PAGE/OF: 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1821	05/12/10	1821

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th / NE Halsey	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Officer involved shooting.	

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO: N/A

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6) Mcallister #45405(Partner), Defrain #44436(Primary), Sgt Gorgone #27542, Hubbard #32024(TIC)

8) We Responded to the listed location to Officers asking for code zero cover with an Officer shot. Upon arrival I contacted Officer Defrain and Officer Defrain advised me he had shot the suspect. I asked him if he was OK and he told me he was fine. I separated Officer Defrain and stayed with him until Officer Hubbard from TIC relieved me at about 2005 hours. Nothing further.

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST Distribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Craig Andersen	46055	NO/U	AP	674/690	

PPB-SSD-TH

05-13-10 1045

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER: 10 38353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 1 / 2

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
2. Pending	05/12/10	1821	05/12/10	2037

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6/NE Halsey	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Witness interviews at officer involved shooting scene.	1005121772

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
SB			M	W	

ADDRESS	CITY	STATE	ZIP
1425 NE 7 #	Portland	Oregon	

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE | HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
SB			M	W	

ADDRESS	CITY	STATE	ZIP
1425 NE 7 #	Portland	Oregon	

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE | HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
SB			M	W	

ADDRESS	CITY	STATE	ZIP
1425 NE 7 #	Portland	Oregon	

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE | HOME PHONE

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

CODE	LICENSE NO.	STATE	LIC YR	LICENSE TYPE	VIN NUMBER
I					

VEH YR	MAKE	MODEL	STYLE	COLOR(S)

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

Non-Connect:

Partner: Ofc. Foxworth #43483
Infomation: Ofc. Schmerber #33711

Narrative:

On May 12, 2010 at 1827 I responded to a call of an officer involved shooting at NE 6/NE Halsey with the report of and officer and subject shot. When I arrived, I spoke with (SB) [redacted] and (SB) [redacted] They told me that they did not hear or see anything related to the shooting. They told me that a neighbor told them that the neighbor had just seem something suspicious. They said the neighbor told them that the neighbor drove into the garage on the north side of the building and a green Honda drove in immediately after him. [redacted] and [redacted] said you need a key card to get in the garage. [redacted] and [redacted] said the neighbor told him it seemed suspicious. They described the neighbor as a black male, 6'-6'2" tall weighing 300-350 pounds, approximately 40 years old wearing a baseball hat and blue shirt and tie. [redacted] and [redacted] said that the neighbor did not describe the occupants of the Honda. I asked [redacted] to call me

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST istribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Scott Broughton	40218	TOD/GET	A	GET	

PPB-SSD-TH

05-13-10 1147

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER: 10 38353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 2 / 2

with the apartment number of the neighbor. I went to the crime scene and checked with Sgt. Gorgone to see if he needed assistance with anything. When I was leaving Ofc. Schmerber said the neighbor in question came out and he interviewed him. [redacted] pointed the green Honda out to me. It is a green 1995 Honda 2 door Civic bearing Washington plate [redacted]

(SB) [redacted] flagged me down to speak with me. He said that he was moving into the building and saw the neighbor that [redacted] described in the elevator coming down from the second to the first floor. [redacted] said that the neighbor asked him how he was doing and [redacted] old him he was tired from moving all day. [redacted] thought the man was suspicious and wanted to tell me about it.

See other officers reports for further.

EXTERNAL DISTRIBUTION LIST

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

COMPUTER ENTRY
- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
- tribution

DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Scott Broughton	40218	TOD/GET	A	GET	

APPROVAL ROUTE: Homicide

CASE NUMBER: 10-038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF: 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1821	05/05/10	1821

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th AV / NE Halsey ST	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Officer involved shooting.	

COPIES

- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6- Ofc. Andersen #46055,Ofc. Defrain #44436,Ofc. Berne #45662,Sgt. Gorgone #27542,Sgt. Steinbronn #32940 (TIC)

8- Ofc. Andersen and I responded to cover units at the location that were calling for code zero cover. Officers on scene reported shots fired and at least one officer shot. When we arrived Ofc. Defrain told us that he had shot the suspect. Ofc. Andersen separated Ofc. Defrain and walked him away from the location. I walked with Ofc. Defrain and Ofc. Andersen to a safer location at NE 6th/Ne Clackamas. After the suspect was taken into custody I contacted Ofc. Berne who told me also shot the suspect. I separated Ofc. Berne from all other involved Officers. I remained with Ofc. Berne until I was relieved by Sgt. Steinbronn at 2005 hrs. Ofc. Berne and I did not discuss any details of the incident.

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY

- ☐ Desk
- DPSST
- ☐ Person
- DPSST
- ☐ Entry / Vehicle
- DPSST
- stribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Matthew A. McAllister	45405	NO/U	AP	674/694	

PPB-SSD-TH

05-13-10 1148

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER: 10-038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1821	05/12/10	2045

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE Clackmas St/NE 6th Ave	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Assist on Officer Involved Shooting call in North Precinct	#1772

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ CS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

ASSIGNMENT/ARRIVAL:

On 5/12/10 I was assigned to North Neighborhood Response Team and working at North Precinct on an unrelated case. At about 1821 hours Portland Officers conducted a traffic stop on a vehicle near NE Clackmas Street and NE 6th Ave and I heard Officers via the radio ask for the next car to box in the vehicle and voice that the occupant(s) was being uncooperative. A short time later, I heard onscene Officers relay that there was a shooting and that an officer had been hit and was being driven to the hospital. Officers were asking for assistance and I self dispatched to the area to assist with the scene.

OFFICER ACTIONS ONSCENE:

Upon arrival to the scene, I assisted with blocking NE Wasco and NE Grand. I assisted Officer Liday with crime scene tape, putting up crime scene tape east on NE Wasco for two blocks. I returned to NE Wasco/NE Grand and monitored the southwest corner of the crime scene assisting both pedestrians and vehicular traffic with directions and information for the remainder of time on this incident.

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Steven Jacquot	37153	NO/NRT	M	8530	

PPB-SSD-TH

05-13-10 1149

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER 10-038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1815	05/12/10	1815

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE Clackamas St/NE 7th Ave	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
WI Statements	

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI	[redacted]		M	B	[redacted]

ADDRESS	CITY	STATE	ZIP
1425 NE 7th # [redacted]	Portland	Oregon	

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE: [redacted] | HOME PHONE: [redacted]

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

On Wednesday May 12th 2010, I was assisting in a officer involved shooting near NE Clackamas/NE 7th when I contacted WI: [redacted] who explained prior to the shooting, he was pulling into his condo complex private parking area when an unknown SB followed WI in a separate vehicle. WI said he parked his vehicle and the unknown SB parked his car next to WI.

After parking, WI exited his vehicle and saw the SB just sitting in his car. As he walked passed the SB, WI asked him what he was doing. The SB said he lived in the condo complex and that he was just waiting for a ride. WI thought it was odd, that the SB was waiting for a ride when he was sitting in vehicle. WI said he has never seen the vehicle or the driver before.

WI described the SB as a WM late 20's early 30's, chubby build, short hair, no facial hair and a light colored shirt. SB was sitting in a older green Honda 4d. WI described the vehicle as being dirty.

WI had no further info. He was thanked for his time, and was released from the scene.

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST .stribution
- DPSST

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Michael Schmerber	33711	NO/U	A	2558	

PPB-SSD-TH

05-13-10 1150

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER: 10 38353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 4. SUPPLEMENTAL — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1821	05/12/10	2200

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th Ave @ NE Halsey Street	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Actions at Officer involved shooting	

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

On Wednesday May 12, 2010 at approximately 1823 I responded to 6th and Clackamas to assist in an officer involved shooting. My partner at the time was Sgt. Blanchard.

As I arrived onscene, at NE 6th and Clackamas I observed numerous officers just south of Halsey on 6th in cover positions. I heard commands being given to a car surrounded by police cars. I than heard less lethal rounds being fired. Shortly after the deployment of less lethal rounds it was broadcast that the suspect was in custody and medical was called in.

I immediately checked on the welfare of all police personnel and then began to identify involved and witness officers. Officer's Defrain, Bernie and Polas were identified as using deadly force. I assigned uninvolved officers to each and ordered them not to discuss the incident and to stand by for detectives arrival. Sgt. Livingston reported to me he was a witness to the incident and had deployed his tazer. He was also partnered with an uninvolved officer.

I learned that Officer Burley had been shot and had been transported to Emanuel by Officer's Foote and Murphy. Both Murphy and Foote were witnesses, Foote having deployed his tazer according to Sgt. Livingston.

As cover began to arrive, an inner and outer perimeter was set. I handled the inner perimeter, Sgt. Blanchard assumed responsibility of the outer.

Eventually, detectives assumed command of the crime scene.

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST Distribution
- DPSST

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Frank Gorgone	27542	NO/U	AP	3613	

PPB-SSD-TH

05-13-10 1151

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER 038353

PORTLAND POLICE BUREAU

SPECIAL REPORT

TYPE: 4. SUPPLEMENTAL

PAGE/OF: 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
2. Pending	05/12/10	1821	05/12/10	1821

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6/Clackamas	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Assisted with crime scene at Officer involved shooting.	1772

COPIES

- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ [illegible]S
- ☐ [illegible]VCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

8. I responded to assist Officers who were involved in a shooting while on a traffic stop at NE 6/Clackamas . Upon arrival I blocked north and southbound traffic on NE 6 AV at NE Wasco. ST. I then put up crime scene tape along the outer perimeter on NE Wasco from NE Grand Av to NE 7 AV. I remained at NE 6/ Wasco, keeping pedestrian and vehicular traffic out of the crime scene.

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY

- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST [illegible]istribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Kimberly A. Liday	37629	N/U	a	625/695	

PPB-SSD-TH

05-13-10 1152

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER 10 38353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 4. SUPPLEMENTAL — PAGE/OF 1 / 2

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
2. Pending	05/12/10	1821	05/12/10	1821

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th/NE Halsey	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Witness statements	

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			F	W	

ADDRESS	CITY	STATE	ZIP
SE George Rd	Estacada	Oregon	97023

☒ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			F	W	

ADDRESS	CITY	STATE	ZIP
SW Indian John Pl.	Troutdale	Oregon	97060

☒ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			F	W	

ADDRESS	CITY	STATE	ZIP
SE Cedar Way	Happy Valley	Oregon	97086

☒ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			F	W	

ADDRESS	CITY	STATE	ZIP
SE 70th	Portland	Oregon	97215

☒ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			F	H	

ADDRESS	CITY	STATE	ZIP
	Portland	Oregon	97233

☒ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE
	5	

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

NARRATIVE (COMMENTS)

6. Det. Musser #40710 Sgt. Blanchard #26848

8. I responded to a call for code 3 cover to an officer involved shooting call at NE 6/NE Clackamas. I arrived and blocked traffic at MLK/Clackamas. I assisted in putting up crime scene tape at that location. While on scene Sgt. Blanchard asked for assistance in talking to witnesses, who were employees at the Kaiser Dental building, 1314 NE Grand Ave. I went inside the building and contacted the above listed witnesses.

WI [redacted] said she was going to leave the building and a co-worker told her to stop and not to walk

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Alicia Russell	40932	N/U	A	585/690	

PPB-SSD-TH

05-13-10 1152

423 (08/07)

APPROVAL ROUTE Homicide

CASE NUMBER 038353

PORTLAND POLICE BUREAU **SPECIAL REPORT** TYPE: 4. SUPPLEMENTAL PAGE/OF 2 / 2

outside because she just heard gunshots. [redacted] said she looked outside a couple minutes later and saw several police cars come into the area. [redacted] said she did not hear any gunshots herself.

[redacted] said she walked out of the bathroom and heard what she thought sounded like gunshots. [redacted] said after the first couple gunshots she heard about 5 more shots. [redacted] said she looked out the window and saw officers helping another officer stand up. She said it looked like two officers helping a third officer stand up, and looked to be dusting him off. [redacted] said she just saw a lot of police cars coming after that.

WI [redacted] said she heard a couple pops which she thought were kids letting off firecrackers in the area. [redacted] said there was a slight pause, maybe 1-2 seconds, then heard several more shots. [redacted] said she knew what she was hearing was shots after the second round. [redacted] said the second round of shots were louder, and she has been to a gun range and recognized the sounds as gunshots. [redacted] said she started informing her co-workers and told them not to go outside. [redacted] said she looked out the window a few minutes later and saw all the police cars.

WI [redacted] said she was sitting in her office and heard about three shots which sounded like loud fireworks. [redacted] said she then heard a second series of shots and said she heard more than five shots. [redacted] said she ran to look out the window and saw an officer down on the ground. [redacted] said she then saw a couple officers pick the officer up off the ground and move him to the sidewalk out of the way. [redacted] said she did not see who was shooting.

WI [redacted] told me she was in the parking lot of 1314 NE Grand when she noticed some police cars. [redacted] said she was watching and saw more police cars arrive, and got out her camera. [redacted] said she took 3 pictures of the scene. She said she took two pictures right after the shots and took one more picture later. I wrote [redacted] a copy of the property receipt for the camera and media card, receipt #1199166. Det. Musser interviewed [redacted] later, and I gave Det Musser the property receipt and evidence.

All the witnesses but, [redacted] were released after I spoke with them. [redacted] spoke with Det. Musser a few hours later.

See additional reports for more information. I was released from the scene at about 2300.

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ CS
- ☐ CS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Alicia Russell	40932	N/U	A	585/690	

PPB-SSD-TH

05-13-10 1152

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER 10-038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: — PAGE/OF 1 / 2

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1824		

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th / NE Halsey	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Officer Involved Shooting / Witness Statements	

COPIES: ☐ DET ☐ CENTRAL ☐ EAST ☐ NORTH ☐ NE ☐ SE ☐ CAT ☐ DHS/CHS ☐ DVD ☐ DVRU ☐ ECRT ☐ JDH ☐ JUV ☐ CS ☐ DVCS ☐ ☐ ☐ ☐ ☐ ☐ ☐

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			M	B	

ADDRESS	CITY	STATE	ZIP
Refused	Portland	Oregon	

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE | HOME PHONE

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
WI			M	W	

ADDRESS	CITY	STATE	ZIP
SW Duniway Ave.	Portland	Oregon	97030

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE | HOME PHONE

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

08 - I was heading to a call when a shots fired call came out and a fellow officer was shot. I immediately responded to the area and took up a perimeter position at NE 6th and NE Weidler. I blocked the southbound traffic while officers dealt with the armed suspect. Once the suspect was in custody, I began assisting with taping off the scene from pedestrian traffic. I started checking with the crowd if they saw or heard anything for witness statements.

I spoke with WI- who stated he saw what happened. He and a female companion (who did not wish to speak with me) dropped off a prescription at Walgreen's and went to McDonald's to eat. He was in a vehicle pulling into the McDonald's drive through on NE 6th between NE Halsey and NE Weidler heading westbound into the parking lot. He saw the traffic stop on his left and saw the officers along side of the suspect vehicle, telling the person in the vehicle to get out. He said the person in the vehicle did not seem to be getting out. He told me he saw the officers and said no one had a gun out. He could not hear anything from the person in the vehicle. He said he heard the shots and thought he saw an officer go backwards. After the shots he, heard an officer say an officer had been shot. He had nothing further to add and did not wish to stay around to be questioned by detectives.

Later on a person that works at was being interviewed by a news crew. I was notified saw some of what happened from his place of work which is due west from the traffic stop. He said he saw unmarked cars driving around the area and was wondering what was going on. Shortly after he saw several unmarked police cars with lights and sirens on and began to watch. He said he saw a police car come up to the front of anther car he could not see very well and saw officers outside the vehicle. Seconds later he said he heard shots and saw officers moving to cover. He did not know which way the shots went or who shot. He believed he heard between 10 to 15 shots. WI-He did not have further to add.

COMPUTER ENTRY: ☐ Desk — DPSST ☐ Person — DPSST ☐ Entry / Vehicle — DPSST Distribution — DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Christopher Petrov	43491	NO/U	A	515	

PPB-SSD-TH

05-13-10 1154

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER: 1 38353

PORTLAND POLICE BUREAU — ***SPECIAL REPORT*** — TYPE: — PAGE/OF 2 / 2

I tried to speak to a F/A woman who works in the Teriyaki restaurant on the NE corner of NE 6th and NE Weidler. She said she heard 3 shots but decided she did not wish to talk about it any further, nor give her info.

COPIES

- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY

- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Christopher Petrov	43491	NO/U	A	515	

PPB-SSD-TH

05-13-10 1154

423 (08/07)

APPROVAL ROUTE: Homicide

CASE NUMBER 10-038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 4. SUPPLEMENTAL — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
	05/12/10	1821	05/12/10	1821

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE Grand Ave / NE Weidler ST	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Assist with shooting scene.	

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
KN	[redacted]		M	W	[redacted]

ADDRESS	CITY	STATE	ZIP
[redacted] SE Howe	Milwaukie	Oregon	97222

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE
		503-[redacted]

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
SB	[redacted]		M	W	[redacted]

ADDRESS	CITY	STATE	ZIP
[redacted] Pittsburg RD	St Helens	Oregon	97051

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE
		503-[redacted]

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

6:Payton #50738 (partner)

8: While on patrol I responded to a shooting scene. When I arrived my partner and I blocked the intersection of NE Grand and Weidler. I assisted in setting crime scene around the outer perimeter. I maintained my position at this intersection until relieved later in the evening.

While there I spoke to [redacted] had just arrived in the parking lot of Mcdonalds at this intersection. [redacted] told me he heard several, "pop pop pop," sounds. He then ran into the store. He saw and heard nothing else.

I also spoke to [redacted] was parked in the lot of Mcdonalds when the shooting took place. He told me he was inside the store and did not see or hear anything.

COMPUTER ENTRY
- ☐ Desk
- DPSST
- ☐ Person
- DPSST
- ☐ Entry / Vehicle
- DPSST
- stribution
- DPSST

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Karl Klundt	32398	NO/U	A	646	

PPB-SSD-TH

05-13-10 1154

423 (08/07)

PORTLAND POLICE BUREAU

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☑ SUPPLEMETNAL

PAGE/OF 1/2

CASE NUMBER: 10-38535 | REFER CASE NUMBER: | CLASSIFICATION:

☐ 1. UNFOUNDED ☐ 3.SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE / TIME: 5/12/10 1823 | THIS REPORT DATE / TIME:

LOCATION OF OCCURRENCE: NE 6th + Clackamas | PRECINCT OF OCCURRENCE: NO

ONE SENTENCE SUMMARY OF REPORT: Officer Involved shooting

PERSONS VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder SB - Subject

CODE	NAME (Last, First Middle)	TYPE	SEX	RACE	DOB
WI			M	W	

HOME ADDRESS	CITY	STATE	ZIP	HOME PH
1425 NE 7th #				

BUSINESS / SCHOOL ADDRESS: | ☐ WORK PHONE ☐ MSG PHONE | MOBILE PHONE: 41

PROPERTY RECEIPT NUMBER(S):

NARRATIVE/PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R- RECOVERED E - EVIDENCE

(ITEM)	CODE	ITEM	BRAND	MODEL/STYLE	SERIAL NO.	COLOR	ENGRAVINGS/PECULIARITIES	SIZE	VALUE

#6 Ofc. Budry #37043- Partner

#8 Ofc. Budry and I proceeded code three to a "Code Zero" "Officer Down" report on the radio. We arrived at the N/W corner of NE 6th and NE Clackamas as we approached E/B on Clackamas. As we exited the car I heard two reports similar to the sound of a less-lethal shotgun. I assigned Ofc. Budry to assist the onscene supervisor. I donned my ballistic Helmut and ran to the scene of the shooting 3/4 of a block to the north. My initial intent was to provide initial assesment to HNT/SERT, My HNT team was currently on call. As I arrived I watched two Officers take a B/M from the passenger side of the car, with numerous officers providing lethal cover. The Officers gently lowered the B/M to the sidewalk. I could see blood and taser probes on the man's

COPIES: ☐ DET ☐ CENTRAL ☐ EAST ☐ NORTH ☐ NE ☐ SE ☐ TRAFFIC ☐ CAT ☐ DHS/CHS ☐ DVD ☐ DVRU ☐ ECRT ☐ JUV ☐ CS ☐ DVCS

COMPUTER ENTRY: ☐ Person OPR ☐ Vehicle OPR ☐ Crime/Prop OPR ☐ OPR

REPORTING OFFICER(S)	DPSST	PREC/DIV	SELF/SHIFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
Olenbrook	29194	N/U	A	555/690	

PPB-SSD-TH

423 (11/15/07) v1

PORTLAND POLICE BUREAU — **CONTINUATION REPORT** — PAGE/OF 2/2

CASE NO. 10-38535 | CLASSIFICATION | TYPE OF CONTINUATION: ☐ INCIDENT ☐ TRAFFIC ACCIDENT ☐ CUSTODY ☐ SPECIAL

SUBJECT'S NAME | CRN [redacted] | SEX | RACE | DOB

LOCATION OF OCCURRENCE

NARRATIVE–The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO–List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO–Report all suspect info on additional incident reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO–List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS–Record multiple worthless documents on a multiple worthless document form and attach as additional pages. Record in the narrative the number of worthless documents written.
ITEM 5: ADDITIONAL PROPERTY–Record no more than four additional items of property in the narrative–and/or use a special report and attach as additional pages.
ITEM 6: ADDITIONAL OFFICERS–List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY–A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE–List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

CASE NO. | ITEM | CODE

torso. I then turned and returned to NE 6th + Clackamas, notifing the HNT Sgt. via phone. While stringing crime scene tape on the N/E corner of 6/Clackamas I noticed Mr. [redacted] (WI) looking out a sliding glass door. He looked scared/pale/shocky. I waved to him and he opened the door and asked "Is it over?" I said "yes" and I asked if he saw what happened. He said "Yeah I saw the whole thing!" He said he was standing on the sidewalk (N/E corner 6/Clackamas) when the "car chase went by." He said that the car and police cars stopped where they now rested. He said that he first heard police officers yelling commands, then heard "Put the gun down!" being yelled by a police officer. He said he then heard shots. He said "The guy in the car shot first." He said that he saw a police officer fall to the ground and trying to pull himself away from the car as he lay on the ground. Mr. [redacted] made these statements to me at 1835 hours. I turned him over to Detectives for interviewing.

REPORTING OFFICER(S) C Lenbrook | 29199 BPST | PREC/DIV 11 | RLF/SHFT A | ASSN/DIST 505 | SUPERVISOR'S SIGNATURE

PPB–CR–9/84 — 267 (9/96)

Portland Police Bureau

FORCE DATA COLLECTION REPORT

PAGE/OF 1/ 2

Case No.	Refer Case No.	Classification
100 38353		

Original Report Date/Time	This Report Date/Time	Location of Occurrence
051210/1821	051210/1821	NE 6th / CLACKAMAS

UF	Name of Subject	CRN	Sex	Race	DOB

Address	Hgt	Wgt	Hair	Eyes

Home Phone	Mobile Phone	Work/Message Phone

Case No.

Copies
- ☐ Dets
- ☐ Cent
- ☐ East
- ☐ North
- ☐ NE
- ☐ SE
- ☐ Traf
- ☐ PLM
- ☐ Trng

Perceived Subject Conditions (Check All That Apply)

- ☐ 1 Actually/Perceived Armed
- ☐ 2 Reported to be Armed
- ☐ 3 Assaulted Officer
- ☐ 4 Assaulted Citizen
- ☐ 5 History of Violence
- ☒ 6 Failure to Comply
- ☒ 7 Engaged in or Indicated the Intent to Engage in Physical Resistance
- ☒ 8 Engaged in or Indicated the Intent to Engage in Aggressive Physical Resistance
- ☐ 9 High Risk Incident/Custody
- ☐ 10 Alcohol (under the influence of)
- ☐ 11 Drugs (under the influence of)
- ☐ 12 Mental Illness
- ☐ 13 None Apparent
- ☐ 14 Other

Use of Force/Control Necessary to (Check All That Apply)

- ☒ 1 Defend Self
- ☒ 2 Defend Another
- ☒ 3 Make Arrest
- ☐ 4 Prevent Escape
- ☐ 5 Civil Hold
- ☐ 6 Other

Officer Activity Immediately Prior To Force Response (Check All That Apply)

- ☐ 1 Foot Pursuit
- ☐ 2 Subject Escort
- ☐ 3 Person Search (Cuffed)
- ☐ 4 Person Search (Not Cuffed)
- ☐ 5 Handcuffing
- ☐ 6 Transporting in Vehicle
- ☐ 7 Interview Interrogation
- ☒ 8 Other

Subject Was Injured (Check All That Apply)

- ☐ 1 Prior to Police Involvement
- ☐ 2 During Arrest
- ☐ 3 In Custody
- ☒ 4 Other

Injuries (Check All That Apply)

	1 None	2 Bruises	3 Abrasions	4 Lacerations	5 Broken Bones	6 Other Injuries
Officer	☐	☐	☐	☐	☐	☒
Subject	☐	☐	☐	☐	☐	☒

Force Options Used (Check All That Apply)

		Effective:	Yes	No
☐	1 Control Holds Causing Injury	Effective:	☐	☐
☐	2 Takedowns	Effective:	☐	☐
☐	3 Hobble	Effective:	☐	☐
☐	4 Hands/Feet	Effective:	☐	☐
☐	5 Baton	Effective:	☐	☐
☐	6 Pepper Spray	Effective:	☐	☐
☒	7 Taser	Effective:	☐	☒
☐	8 Bean Bag Round(s)	Effective:	☐	☐
☐	9 Point Firearm	Effective:	☐	☐

Treatment Received (Check All That Apply)

	Officer	Subject
1 EMS at Scene	☐	☐
2 EMS at Precinct	☐	☐
3 Hospital/Admitted	☐	☐
4 Hospital/Released	☐	☐
5 Treatment Refused		☐
6 Self Treatment		☐
7 Mental Health Admission		☐

Computer Entry Person

Entry

Notification

Supervisor Notified:	At Scene:	Name/DPSST:
☒ Yes ☐ No	☒ Yes ☐ No	LIVINGSTON

Reporting Officer	DPSST	Prec/Div	Rlf/Shift	Assn/Dist	Supervisor's Signature
FOOTE	43493	CO/HEAT	A	1950	

PORTLAND POLICE BUREAU

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☐ SUPPLEMENTAL

PAGE/OF

CASE NO.: 10-38353

REFER CASE NO.:

CLASSIFICATION:

☐ 1. UNFOUNDED ☐ 3. SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME:

THIS REPORT DATE/TIME:

LOCATION OF OCCURRENCE: NE 6 / NE CLACKAMAS

N

PERSON CO–Complainant SB–Subject SI–Sick/Injured/Cared For PE–Park Exclusion

CODE	NAME: LAST	FIRST	MIDDLE	CRN	SEX	RACE	DOB
SB	OTIS,	KEATON			M	B	1-4-85

ADDRESS: ZIP: PHONE:

SUBJECT OF THIS REPORT: PROPERTY RECEIPT NO.:

NARRATIVE/PROPERTY S–STOLEN L–LOST F–FOUND D–DAMAGED K–SAFEKEEPING R–RECOVERED

(ITEM) CODE ITEM BRAND MODEL/STYLE SERIAL NO. COLOR ENGRAVINGS/PECULIARITIES SIZE VALUE

8 This report is written pursuant to Directive 1010.10 and related provisions. On or about May 12, 2010 at about 1823 hours in the area of NE 6/Clackamas, I was involved in an incident in which I used deadly physical force. For additional details, refer to the oral interview provided to detectives as a continuation of this report.

CASE NO.

COPIES

☐ DET
☐ CAU
☐ Central
☐ East
☐ North
☐ TRF
☐ DA
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ Intell
☐ ...ort
☐
☐
☐
☐
☐
☐
☐

COMPUTER ENTRY

☐ Person
OPR
☐ Vehicle
OPR
☐ Crime/Prop
OPR
☐ Book

REPORTING OFFICER(S)	BPST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
DeFrain	44436	CHO/HEAT	A	1950	

PB–SR–9/84

423 (09/02)

Portland Police Bureau

FORCE DATA COLLECTION REPORT

PAGE/OF 1/

Case No.	Refer Case No.	Classification
10-38353		

Original Report Date/Time	This Report Date/Time	Location of Occurrence
		NE 6 / NE CLACKAMAS

UF	Name of Subject	CRN	Sex	Race	DOB
	OTIS, KEATON		M	B	1-4-85

Address	Hgt	Wgt	Hair	Eyes

Home Phone	Mobile Phone	Work/Message Phone

Case No.

Copies
- ☐ Dets
- ☐ Cent
- ☐ East
- ☐ North
- ☐ NE
- ☐ SE
- ☐ Traf
- ☐ PLM
- ☐ Trng

Perceived Subject Conditions (Check All That Apply)

- ☒ 1 Actually/Perceived Armed
- ☐ 2 Reported to be Armed
- ☒ 3 Assaulted Officer
- ☐ 4 Assaulted Citizen
- ☐ 5 History of Violence
- ☒ 6 Failure to Comply
- ☒ 7 Engaged in or Indicated the Intent to Engage in Physical Resistance
- ☒ 8 Engaged in or Indicated the Intent to Engage in Aggressive Physical Resistance
- ☒ 9 High Risk Incident/Custody
- ☐ 10 Alcohol (under the influence of)
- ☐ 11 Drugs (under the influence of)
- ☐ 12 Mental Illness
- ☐ 13 None Apparent
- ☐ 14 Other

Use of Force/Control Necessary to (Check All That Apply)

- ☒ 1 Defend Self
- ☒ 2 Defend Another
- ☐ 3 Make Arrest
- ☐ 4 Prevent Escape
- ☐ 5 Civil Hold
- ☐ 6 Other

Officer Activity Immediately Prior To Force Response (Check All That Apply)

- ☐ 1 Foot Pursuit
- ☐ 2 Subject Escort
- ☐ 3 Person Search (Cuffed)
- ☐ 4 Person Search (Not Cuffed)
- ☐ 5 Handcuffing
- ☐ 6 Transporting in Vehicle
- ☐ 7 Interview Interrogation
- ☐ 8 Other

Subject Was Injured (Check All That Apply)

- ☐ 1 Prior to Police Involvement
- ☒ 2 During Arrest
- ☐ 3 In Custody
- ☐ 4 Other

Injuries (Check All That Apply)

	1 None	2 Bruises	3 Abrasions	4 Lacerations	5 Broken Bones	6 Other Injuries
Officer	☐	☒	☐	☐	☐	☐
Subject	☐	☐	☐	☐	☐	☒

Force Options Used (Check All That Apply)

☐ 1 Control Holds Causing Injury	Effective:	☐ Yes	☐ No
☐ 2 Takedowns	Effective:	☐ Yes	☐ No
☐ 3 Hobble	Effective:	☐ Yes	☐ No
☐ 4 Hands/Feet	Effective:	☐ Yes	☐ No
☐ 5 Baton	Effective:	☐ Yes	☐ No
☐ 6 Pepper Spray	Effective:	☐ Yes	☐ No
☐ 7 Taser	Effective:	☐ Yes	☐ No
☐ 8 Bean Bag Round(s)	Effective:	☐ Yes	☐ No
☒ 9 Point Firearm	Effective:	☐ Yes	☒ No

Treatment Received (Check All That Apply)

	Officer	Subject
1 EMS at Scene	☐	☒
2 EMS at Precinct	☐	☐
3 Hospital/Admitted	☐	☐
4 Hospital/Released	☐	☐
5 Treatment Refused		☐
6 Self Treatment		☐
7 Mental Health Admission		☐

Computer Entry Person _____ Entry _____

Notification

Supervisor Notified: ☒ Yes ☐ No At Scene: ☒ Yes ☐ No Name/DPSST: Livingston / 32588

Reporting Officer	DPSST	Prec/Div	Rlf/Shift	Assn/Dist	Supervisor's Signature
DeFrain	44436	CHO/HEAT	A	1950	

PORTLAND POLICE BUREAU

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☑ SUPPLEMENTAL

PAGE/OF 1/1

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38358		

☐ 1. UNFOUNDED ☐ 3. SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME: 05·12·10 / 1821

THIS REPORT DATE/TIME: 05·15·10 / 1430

LOCATION OF OCCURRENCE: NE 6 Ave / NE Halsey St

N

PERSON CO–Complainant SB–Subject SI–Sick/Injured/Cared For PE–Park Exclusion

CODE	NAME: LAST	FIRST	MIDDLE	CRN	SEX	RACE	DOB
SB	Otis, Keaton				M	B	01·04·85

ADDRESS	ZIP	PHONE

SUBJECT OF THIS REPORT: Officer Involved Shooting

PROPERTY RECEIPT NO.:

NARRATIVE/PROPERTY S–STOLEN L–LOST F–FOUND D–DAMAGED K–SAFEKEEPING R–RECOVERED

(ITEM)	CODE	ITEM	BRAND	MODEL/STYLE	SERIAL NO.	COLOR	ENGRAVINGS/PECULIARITIES	SIZE	VALUE

CC On 05/12/2010 I was present during a deadly force incident at the listed location. I was later interviewed by detectives.

See report by Detective Kammerer.

CASE NO.

COPIES

☐ DET
☐ CAU
☐ Central
☐ East
☐ North
☐ TRF
☐ DA
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ Intell
☐ [illegible]port
☐
☐
☐
☐
☐
☐
☐

COMPUTER ENTRY

☐ Person
OPR
☐ Vehicle
OPR
☐ Crime/ Prop
OPR
☐ Book
OPR

REPORTING OFFICER(S)	BPST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
Burley	45975	CE/HEAT	A	1951	

PPB–SR–9/84

423 (09/02)

PORTLAND POLICE BUREAU

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE PAGE/OF 1/1
☐ CONTINUATION ☒ SUPPLEMENTAL

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353		

☐ 1. UNFOUNDED ☐ 3. SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
051210/1821	051210/1821

LOCATION OF OCCURRENCE: NE 6th / Halsey

N

PERSON CO–Complainant SB–Subject SI–Sick/Injured/Cared For PE–Park Exclusion

CODE	NAME: LAST	FIRST	MIDDLE	CRN	SEX	RACE	DOB
	OTIS,	KEATON			M	B	1-4-85

ADDRESS	ZIP	PHONE

SUBJECT OF THIS REPORT	PROPERTY RECEIPT NO.

NARRATIVE/PROPERTY S–STOLEN L–LOST F–FOUND D–DAMAGED K–SAFEKEEPING R–RECOVERED

(ITEM)	CODE	ITEM	BRAND	MODEL/STYLE	SERIAL NO.	COLOR	ENGRAVINGS/PECULIARITIES	SIZE	VALUE

8 On May 12, 2010 at approximately 1823 at or near NE 6th/ and NE Clackamas, I was involved in an incident in which I used deadly physical force. For additional details, refer to the oral interview I provided to detectives on May 14th, 2010 as a continuation of this report.

COPIES
☐ DET
☐ CAU
☐ Central
☐ East
☐ North
☐ TRF
☐ DA
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ Intell
☐ ort
☐
☐
☐
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR
☐ Vehicle
OPR
☐ Crime/ Prop
OPR
☐ Book
OPR

REPORTING OFFICER(S)	BPST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
Po/as	#43489	CO/HEAT	A	1951	

Portland Police Bureau

FORCE DATA COLLECTION REPORT

PAGE/OF 1/2

Case No.	Refer Case No.	Classification
10-38353		

Original Report Date/Time	This Report Date/Time	Location of Occurrence
051210/1821	051410/2150	NE 6th/Halsey

UF	Name of Subject	CRN	Sex	Race	DOB
	OTIS, KEATON		M	B	1-4-85

Address	Hgt	Wgt	Hair	Eyes

Home Phone	Mobile Phone	Work/Message Phone

Case No.

Copies
- ☐ Dets
- ☐ Cent
- ☐ East
- ☐ North
- ☐ NE
- ☐ SE
- ☐ Traf
- ☐ PLM
- ☐ Trng

Perceived Subject Conditions (Check All That Apply)

- ☒ 1 Actually/Perceived Armed
- ☐ 2 Reported to be Armed
- ☒ 3 Assaulted Officer
- ☐ 4 Assaulted Citizen
- ☐ 5 History of Violence
- ☒ 6 Failure to Comply
- ☒ 7 Engaged in or Indicated the Intent to Engage in Physical Resistance
- ☐ 8 Engaged in or Indicated the Intent to Engage in Aggressive Physical Resistance
- ☒ 9 High Risk Incident/Custody
- ☐ 10 Alcohol (under the influence of)
- ☐ 11 Drugs (under the influence of)
- ☐ 12 Mental Illness
- ☐ 13 None Apparent
- ☐ 14 Other

Use of Force/Control Necessary to (Check All That Apply)

- ☒ 1 Defend Self
- ☒ 2 Defend Another
- ☐ 3 Make Arrest
- ☐ 4 Prevent Escape
- ☐ 5 Civil Hold
- ☐ 6 Other

Officer Activity Immediately Prior To Force Response (Check All That Apply)

- ☐ 1 Foot Pursuit
- ☐ 2 Subject Escort
- ☐ 3 Person Search (Cuffed)
- ☐ 4 Person Search (Not Cuffed)
- ☐ 5 Handcuffing
- ☐ 6 Transporting in Vehicle
- ☐ 7 Interview Interrogation
- ☒ 8 Other

Subject Was Injured (Check All That Apply)

- ☐ 1 Prior to Police Involvement
- ☒ 2 During Arrest
- ☐ 3 In Custody
- ☐ 4 Other

Injuries (Check All That Apply)

	1 None	2 Bruises	3 Abrasions	4 Lacerations	5 Broken Bones	6 Other Injuries
Officer	☐	☒	☒	☐	☐	☐
Subject	☐	☐	☐	☐	☐	☒

Force Options Used (Check All That Apply)

☐ 1 Control Holds Causing Injury	Effective:	☐ Yes	☐ No
☐ 2 Takedowns	Effective:	☐ Yes	☐ No
☐ 3 Hobble	Effective:	☐ Yes	☐ No
☐ 4 Hands/Feet	Effective:	☐ Yes	☐ No
☐ 5 Baton	Effective:	☐ Yes	☐ No
☐ 6 Pepper Spray	Effective:	☐ Yes	☐ No
☐ 7 Taser	Effective:	☐ Yes	☐ No
☐ 8 Bean Bag Round(s)	Effective:	☐ Yes	☐ No
☒ 9 Point Firearm	Effective:	☒ Yes	☐ No

Treatment Received (Check All That Apply)

	Officer	Subject
1 EMS at Scene	☐	☒
2 EMS at Precinct	☐	☐
3 Hospital/Admitted	☐	☐
4 Hospital/Released	☐	☐
5 Treatment Refused		☐
6 Self Treatment		☐
7 Mental Health Admission		☐

Computer Entry Person _____ Entry _____

Notification

Supervisor Notified: ☒ Yes ☐ No

At Scene: ☒ Yes ☐ No

Name/DPSST: Livingston

Reporting Officer	DPSST	Prec/Div	Rlf/Shift	Assn/Dist	Supervisor's Signature
Polas	43489	CO/HEAT	A	1951	

PORTLAND POLICE BUREAU

SPECIAL REPORT

☐ INFORMATION ☐ CONTINUATION ☐ CLEARANCE ☒ SUPPLEMENTAL

PAGE/OF 1/1

CASE NO. 10-38353

REFER CASE NO.

CLASSIFICATION

☐ 1. UNFOUNDED ☐ 2. PENDING ☐ 3. SUSPENDED ☐ 4. CLR BY ARREST ☐ 5. EXCEPTIONAL ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME 051210/1815

THIS REPORT DATE/TIME 051210/1815

LOCATION OF OCCURRENCE NE 6/Clackamas

N

PERSON CO–Complainant SB–Subject SI–Sick/Injured/Cared For PE–Park Exclusion

CODE	NAME: LAST FIRST MIDDLE	CRN	SEX	RACE	DOB
SB	Otis, Keaton		M	B	01/04/85

ADDRESS ZIP PHONE

SUBJECT OF THIS REPORT PROPERTY RECEIPT NO.

NARRATIVE/PROPERTY S–STOLEN L–LOST F–FOUND D–DAMAGED K–SAFEKEEPING R–RECOVERED

(ITEM) CODE ITEM BRAND MODEL/STYLE SERIAL NO. COLOR ENGRAVINGS/PECULIARITIES SIZE VALUE

8 I was involved in an incident on 05/12/10, at 1815 hours, at NE 6/Clackamas. The incident involved deadly force. Refer to reports written by detectives for additional information.

CASE NO.

COPIES

☐ DET ☐ CAU ☐ Central ☐ East ☐ North ☐ TRF ☐ DA ☐ DVD ☐ ID ☐ Prop Room ☐ Crime Prev ☐ Intell ☐ [illegible] port ☐ ☐ ☐ ☐ ☐ ☐ ☐

COMPUTER ENTRY

☐ Person OPR

☐ Vehicle OPR

☐ Crime/Prop OPR

☐ Book OPR

REPORTING OFFICER(S)	BPST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
Berne	45662	CO/HEAT	A	1955	

PPB–SR–9/84

423 (09/02)

Portland Police Bureau

FORCE DATA COLLECTION REPORT

PAGE/OF 1/2

Case No.	Refer Case No.	Classification
1038353		

Original Report Date/Time	This Report Date/Time	Location of Occurrence
05/2/10 / 1815	05/2/10 / 1815	NE 6 / Clackamas

UF	Name of Subject	CRN	Sex	Race	DOB
	Otis, Kreaton		M	B	01/04/85

Address	Hgt	Wgt	Hair	Eyes

Home Phone	Mobile Phone	Work/Message Phone

Case No.

Copies
- ☐ Dets
- ☐ Cent
- ☐ East
- ☐ North
- ☐ NE
- ☐ SE
- ☐ Traf
- ☐ PLM
- ☐ Trng

Perceived Subject Conditions (Check All That Apply)

- ☒ 1 Actually/Perceived Armed
- ☒ 2 Reported to be Armed
- ☒ 3 Assaulted Officer
- ☒ 4 Assaulted Citizen
- ☐ 5 History of Violence
- ☒ 6 Failure to Comply
- ☒ 7 Engaged in or Indicated the Intent to Engage in Physical Resistance
- ☒ 8 Engaged in or Indicated the Intent to Engage in Aggressive Physical Resistance
- ☒ 9 High Risk Incident/Custody
- ☐ 10 Alcohol (under the influence of)
- ☐ 11 Drugs (under the influence of)
- ☐ 12 Mental Illness
- ☐ 13 None Apparent
- ☐ 14 Other

Use of Force/Control Necessary to (Check All That Apply)

- ☒ 1 Defend Self
- ☒ 2 Defend Another
- ☒ 3 Make Arrest
- ☒ 4 Prevent Escape
- ☐ 5 Civil Hold
- ☐ 6 Other

Officer Activity Immediately Prior To Force Response (Check All That Apply)

- ☐ 1 Foot Pursuit
- ☐ 2 Subject Escort
- ☐ 3 Person Search (Cuffed)
- ☐ 4 Person Search (Not Cuffed)
- ☐ 5 Handcuffing
- ☐ 6 Transporting in Vehicle
- ☒ 7 Interview Interrogation
- ☒ 8 Other

Subject Was Injured (Check All That Apply)

- ☐ 1 Prior to Police Involvement
- ☐ 2 During Arrest
- ☐ 3 In Custody
- ☒ 4 Other

Injuries (Check All That Apply)

	1 None	2 Bruises	3 Abrasions	4 Lacerations	5 Broken Bones	6 Other Injuries
Officer Burley	☐	☐	☐	☐	☐	☒
Subject	☐	☐	☐	☐	☐	☒

Force Options Used (Check All That Apply)

☐ 1 Control Holds Causing Injury	Effective:	☐ Yes	☐ No
☐ 2 Takedowns	Effective:	☐ Yes	☐ No
☐ 3 Hobble	Effective:	☐ Yes	☐ No
☐ 4 Hands/Feet	Effective:	☐ Yes	☐ No
☐ 5 Baton	Effective:	☐ Yes	☐ No
☐ 6 Pepper Spray	Effective:	☐ Yes	☐ No
☐ 7 Taser	Effective:	☐ Yes	☐ No
☐ 8 Bean Bag Round(s)	Effective:	☐ Yes	☐ No
☐ 9 Point Firearm	Effective:	☐ Yes	☐ No

Treatment Received (Check All That Apply)

	Officer Burley	Subject
1 EMS at Scene	☐	☐
2 EMS at Precinct	☐	☐
3 Hospital/Admitted	☐	☐
4 Hospital/Released	☐	☐
5 Treatment Refused	(refer to Burley's report)	☐
6 Self Treatment		☐
7 Mental Health Admission		☐ (refer to detective)

Computer Entry Person

Entry

Notification

Supervisor Notified: ☒ Yes ☐ No At Scene: ☒ Yes ☐ No Name/DPSST: Sgt Livingston 32588

Reporting Officer	DPSST	Prec/Div	Rlf/Shift	Assn/Dist	Supervisor's Signature
Berne	45662	CO/HEAT	A	195	

PORTLAND POLICE BUREAU

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☐ SUPPLEMENTAL

PAGE/OF 1 1

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353		

☐ 1. UNFOUNDED ☐ 3. SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
05/12/10 1821	05/14/10 1630

LOCATION OF OCCURRENCE
NE 6 / NE HALSEY

N

CASE NO.

PERSON CO–Complainant SB–Subject SI–Sick/Injured/Cared For PE–Park Exclusion

CODE	NAME: LAST	FIRST	MIDDLE	CRN	SEX	RACE	DOB
SB	OTIS, KEATON				M	B	01-04-85

ADDRESS	ZIP	PHONE

SUBJECT OF THIS REPORT
USE OF FORCE (BEAN BAG) AT OFFICER INVOLVED SHOOTING

PROPERTY RECEIPT NO.

COPIES
☐ DET
☐ CAU
☐ Central
☐ East
☐ North
☐ TRF
☐ DA
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ Intell
☐ Report
☐
☐
☐
☐
☐
☐
☐

NARRATIVE/PROPERTY S–STOLEN L–LOST F–FOUND D–DAMAGED K–SAFEKEEPING R–RECOVERED

(ITEM)	CODE	ITEM	BRAND	MODEL/STYLE	SERIAL NO.	COLOR	ENGRAVINGS/PECULIARITIES	SIZE	VALUE

8 See Detectives Interviews - On 05/12/10 I responded to the listed intersection for an officer involved shooting. When I arrived the officer had already been Transported; I was then involved in a use of force incident during the custody of the suspect.

COMPUTER ENTRY
☐ Person
OPR
☐ Vehicle
OPR
☐ Crime/Prop
OPR
☐ Book
OPR

REPORTING OFFICER(S)	BPST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
A. DALUCHY	30873	TRANSIT	A	1763	

PPB–SR–9/84

423 (09/02)

Portland Police Bureau

FORCE DATA COLLECTION REPORT

PAGE/OF 1/

Case No.	Refer Case No.	Classification
10-38353		

Original Report Date/Time	This Report Date/Time	Location of Occurrence
05/12/10 1821	05/14/10 1630	NE 6 / NE HALSEY

UF	Name of Subject	CRN	Sex	Race	DOB
	OTIS, KEATON		M	B	01-04-85

Address	Hgt	Wgt	Hair	Eyes
			BLK	BRO

Home Phone	Mobile Phone	Work/Message Phone

Case No.

Copies
- ☐ Dets
- ☐ Cent
- ☐ East
- ☐ North
- ☐ NE
- ☐ SE
- ☐ Traf
- ☐ PLM
- ☐ Trng
- ☐
- ☐
- ☐

Perceived Subject Conditions (Check All That Apply)

- ☒ 1 Actually/Perceived Armed
- ☐ 2 Reported to be Armed
- ☒ 3 Assaulted Officer
- ☐ 4 Assaulted Citizen
- ☐ 5 History of Violence
- ☐ 6 Failure to Comply
- ☐ 7 Engaged in or Indicated the Intent to Engage in Physical Resistance
- ☐ 8 Engaged in or Indicated the Intent to Engage in Aggressive Physical Resistance
- ☒ 9 High Risk Incident/Custody
- ☐ 10 Alcohol (under the influence of)
- ☐ 11 Drugs (under the influence of)
- ☐ 12 Mental Illness
- ☐ 13 None Apparent
- ☐ 14 Other

Use of Force/Control Necessary to (Check All That Apply)

- ☐ 1 Defend Self
- ☐ 2 Defend Another
- ☒ 3 Make Arrest
- ☐ 4 Prevent Escape
- ☐ 5 Civil Hold
- ☒ 6 Other

Officer Activity Immediately Prior To Force Response (Check All That Apply)

- ☐ 1 Foot Pursuit
- ☐ 2 Subject Escort
- ☐ 3 Person Search (Cuffed)
- ☐ 4 Person Search (Not Cuffed)
- ☐ 5 Handcuffing
- ☐ 6 Transporting in Vehicle
- ☐ 7 Interview Interrogation
- ☒ 8 Other

Subject Was Injured (Check All That Apply)

- ☐ 1 Prior to Police Involvement
- ☐ 2 During Arrest
- ☐ 3 In Custody
- ☒ 4 Other

Injuries (Check All That Apply)

	1 None	2 Bruises	3 Abrasions	4 Lacerations	5 Broken Bones	6 Other Injuries
Officer	☒	☐	☐	☐	☐	☐
Subject	☐	☐	☐	☐	☐	☒

Force Options Used (Check All That Apply)

☐ 1 Control Holds Causing Injury	Effective:	☐ Yes	☐ No
☐ 2 Takedowns	Effective:	☐ Yes	☐ No
☐ 3 Hobble	Effective:	☐ Yes	☐ No
☐ 4 Hands/Feet	Effective:	☐ Yes	☐ No
☐ 5 Baton	Effective:	☐ Yes	☐ No
☐ 6 Pepper Spray	Effective:	☐ Yes	☐ No
☐ 7 Taser	Effective:	☐ Yes	☐ No
☒ 8 Bean Bag Round(s)	Effective:	☒ Yes	☐ No
☐ 9 Point Firearm	Effective:	☐ Yes	☐ No

Treatment Received (Check All That Apply)

	Officer	Subject
1 EMS at Scene	☐	☒
2 EMS at Precinct	☐	☐
3 Hospital/Admitted	☐	☐
4 Hospital/Released	☐	☐
5 Treatment Refused		☐
6 Self Treatment		☐
7 Mental Health Admission		☐

Computer Entry Person _____ Entry _____

Notification

Supervisor Notified:		At Scene:		
☒ Yes	☐ No	☒ Yes	☐ No	Name/DPSST: LIVINGSTON * 32588

Reporting Officer	DPSST	Prec/Div	Rlf/Shift	Assn/Dist	Supervisor's Signature
A. DAUCHY	30873	TRANSET	A	1763	

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — ☒ INFORMATION ☐ CONTINUATION ☐ CLEARANCE ☐ SUPPLEMENTAL — PAGE/OF

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353		

☐ 1. UNFOUNDED ☐ 2. PENDING ☐ 3. SUSPENDED ☐ 4. CLR BY ARREST ☐ 5. EXCEPTIONAL ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
05/12/10 1821 hrs	05/14/10 1817 hrs

LOCATION OF OCCURRENCE: NE 6th ~~Street~~ Av. / NE Halsey Street

PERSON — CO–Complainant SB–Subject SI–Sick/Injured/Cared For PE–Park Exclusion

CODE	NAME: LAST	FIRST	MIDDLE	CRN:	SEX	RACE	DOB
AI	Otis, Keaton D				m	B	01/04/85

ADDRESS: ZIP: PHONE:

SUBJECT OF THIS REPORT: Use of deadly force

PROPERTY RECEIPT NO.:

NARRATIVE/PROPERTY S–STOLEN L–LOST F–FOUND D–DAMAGED K–SAFEKEEPING R–RECOVERED

(ITEM) CODE ITEM BRAND MODEL/STYLE SERIAL NO. COLOR ENGRAVINGS/PECULIARITIES SIZE VALUE

6. This report is written per directive 1010.10 and related provisions.

On or about May 12, 2010 at or about 1823 hours in the area of NE 6th Avenue and NE Halsey Street, I was involved in an incident where other officers used deadly force.

For additional details refer to the oral interview provided to detectives as a continuation of this report.

COPIES: ☐ DET ☐ CAU ☐ Central ☐ East ☐ North ☐ TRF ☐ DA ☐ DVD ☐ ID ☐ Prop Room ☐ Crime Prev ☐ Intell ☐ [illegible]port ☐ ☐ ☐ ☐ ☐ ☐ ☐

COMPUTER ENTRY: ☐ Person OPR ☐ Vehicle OPR ☐ Crime/Prop OPR ☐ Book OPR

REPORTING OFFICER(S)	BPST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
Livingston	32588	HEAT	A	3950	

PPB–SR–9/84 423 (09/02)

Portland Police Bureau

FORCE DATA COLLECTION REPORT

PAGE/OF 1/

Case No.	Refer Case No.	Classification
10-38353		

Original Report Date/Time	This Report Date/Time	Location of Occurrence
05/12/10 1821hrs	05/14/10 1825 hrs	NE 6th Avenue / NE Halsey Street.

UF	Name of Subject	CRN	Sex	Race	DOB
	Otis, Keaton D		m	B	01/14/85

Address	Hgt	Wgt	Hair	Eyes

Home Phone	Mobile Phone	Work/Message Phone

Case No.

Copies
- ☐ Dets
- ☐ Cent
- ☐ East
- ☐ North
- ☐ NE
- ☐ SE
- ☐ Traf
- ☐ PLM
- ☐ Trng
- ☐
- ☐
- ☐

Perceived Subject Conditions (Check All That Apply)

- ☒ 1 Actually/Perceived Armed
- ☐ 2 Reported to be Armed
- ☐ 3 Assaulted Officer
- ☐ 4 Assaulted Citizen
- ☐ 5 History of Violence
- ☐ 6 Failure to Comply
- ☒ 7 Engaged in or Indicated the Intent to Engage in Physical Resistance
- ☐ 8 Engaged in or Indicated the Intent to Engage in Aggressive Physical Resistance
- ☐ 9 High Risk Incident/Custody
- ☐ 10 Alcohol (under the influence of)
- ☐ 11 Drugs (under the influence of)
- ☐ 12 Mental Illness
- ☐ 13 None Apparent
- ☐ 14 Other

Use of Force/Control Necessary to (Check All That Apply)

- ☒ 1 Defend Self
- ☒ 2 Defend Another
- ☒ 3 Make Arrest
- ☐ 4 Prevent Escape
- ☐ 5 Civil Hold
- ☐ 6 Other

Officer Activity Immediately Prior To Force Response (Check All That Apply)

- ☐ 1 Foot Pursuit
- ☐ 2 Subject Escort
- ☐ 3 Person Search (Cuffed)
- ☐ 4 Person Search (Not Cuffed)
- ☐ 5 Handcuffing
- ☐ 6 Transporting in Vehicle
- ☐ 7 Interview Interrogation
- ☐ 8 Other

Subject Was Injured (Check All That Apply)

- ☐ 1 Prior to Police Involvement
- ☐ 2 During Arrest
- ☐ 3 In Custody
- ☒ 4 Other Subject shot after he shot police.

Injuries (Check All That Apply)

	1 None	2 Bruises	3 Abrasions	4 Lacerations	5 Broken Bones	6 Other Injuries
Officer	☒	☐	☐	☐	☐	☐
Subject	☐	☐	☐	☐	☐	☒ Gunshot wound

Force Options Used (Check All That Apply)

☐ 1 Control Holds Causing Injury	Effective:	☐ Yes	☐ No
☐ 2 Takedowns	Effective:	☐ Yes	☐ No
☐ 3 Hobble	Effective:	☐ Yes	☐ No
☐ 4 Hands/Feet	Effective:	☐ Yes	☐ No
☐ 5 Baton	Effective:	☐ Yes	☐ No
☐ 6 Pepper Spray	Effective:	☐ Yes	☐ No
☒ 7 Taser	Effective:	☐ Yes	☒ No
☐ 8 Bean Bag Round(s)	Effective:	☐ Yes	☐ No
☐ 9 Point Firearm	Effective:	☐ Yes	☐ No

Treatment Received (Check All That Apply)

	Officer	Subject
1 EMS at Scene	☐	☒
2 EMS at Precinct	☐	☐
3 Hospital/Admitted	☐	☐
4 Hospital/Released	☐	☐
5 Treatment Refused		☐
6 Self Treatment		☐
7 Mental Health Admission		☐

Computer Entry Person: _____ Entry: _____

Notification

Supervisor Notified: ☐ Yes ☐ No — At Scene: ☐ Yes ☐ No — Name/DPSST: * Supervisors responded to the Scene

Reporting Officer	DPSST	Prec/Div	Rif/Shift	Assn/Dist	Supervisor's Signature
Livingston	32588	HEAT	A	3950	

CASE NUMBER 10-3835

PORTLAND POLICE BUREAU

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ■ SUPPLEMENTAL

PAGE/OF 1/1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-38353		

☐ 1. UNFOUNDED ☐ 3.SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE / TIME	THIS REPORT DATE / TIME
05-12-10 1822	05-12-10 2300

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th Av and NE Halsey St	N

ONE SENTENCE SUMMARY OF REPORT
Actions at scene of Officer-Involved Shooting

PERSONS VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder SB - Subject

CODE	NAME (Last, First Middle)	CRN	SEX	RACE	DOB

HOME ADDRESS	CITY	STATE	ZIP	HOME PHONE

BUSINESS / SCHOOL ADDRESS	☐ WORK PHONE ☐ MSG PHONE	MOBILE PHONE

PROPERTY RECEIPT NUMBER(S)

NARRATIVE/PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R- RECOVERED E - EVIDENCE

(ITEM)	CODE	ITEM	BRAND	MODEL/STYLE	SERIAL NO.	COLOR	ENGRAVINGS/PECULIARITIES	SIZE	VALUE

8 I Responded to the location as member of the Traffic Division Major Crash Team. Upon arrival coordinated with Detectives Michelle Michaels and Andy Madden. I then assisted Officer Darke Hull in diagramming the scene and providing measurements for Detectives Michaels and Madden using Lidar #L-44.

Nothing Further.

COPIES
☐ DET
☐ CENTRAL
☐ EAST
☐ NORTH
☐ NE
☐ SE
☐ TRAFFIC
☐ CAT
☐ DHS/CHS
☐ DVD
☐ DVRU
☐ ECRT
☐
☐ JUV
☐ CS
☐ DVCS
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR
☐ Vehicle
OPR
☐ Crime/ Prop
OPR
☐
OPR

REPORTING OFFICER(S)	DPSST	PREC/DIV	RLF/SHIFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
Gustafson	23996	T/U	A	1503	

PORTLAND POLICE BUREAU

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☐ SUPPLEMETNAL

PAGE/OF 1/

CASE NUMBER: 10-38353 | REFER CASE NUMBER: | CLASSIFICATION:

☐ 1. UNFOUNDED ☐ 3.SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE / TIME: | THIS REPORT DATE / TIME: 05-12-10 / 1821

LOCATION OF OCCURRENCE: NE 6th Av / NE Clackamas St. | PRECINCT OF OCCURRENCE: North

ONE SENTENCE SUMMARY OF REPORT: Officer Shot during a traffic Stop

CASE NUMBER: 10-38353

COPIES: ☐ DET ☐ CENTRAL ☐ EAST ☐ NORTH ☐ NE ☐ SE ☐ TRAFFIC ☐ CAT ☐ DHS/CHS ☐ DVD ☐ DVRU ☐ ECRT ☐ . ☐ JUV ☐ CS ☐ DVCS ☐ ☐ ☐ ☐

COMPUTER ENTRY: ☐ Person OPR ☐ Vehicle OPR ☐ Crime/Prop OPR

PERSONS VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder SB - Subject

CODE	NAME (Last, First Middle)	CRN	SEX	RACE	DOB

HOME ADDRESS	CITY	STATE	ZIP	HOME PHONE

BUSINESS / SCHOOL ADDRESS	☐ WORK PHONE ☐ MSG PHONE	MOBILE PHONE

PROPERTY RECEIPT NUMBER(S):

NARRATIVE/PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R- RECOVERED E - EVIDENCE

(ITEM)	CODE	ITEM	BRAND	MODEL/STYLE	SERIAL NO.	COLOR	ENGRAVINGS/PECULIARITIES	SIZE	VALUE

6 Sgt. Gorgone # 27542, partner.

8 I was working with Sgt. Gorgone, when I heard an officer say that he had just been shot on the radio. Arriving, I checked on Ofcr. DeFrain and later Ofcr. Berne. They were not physically injured, and were seperated right away.

I then set up the inner perimeter on Clackamas St. and Secured the outer crime Scene area down to Wasco St. on 6th Av, and over to 7th Av. I then assigned the Command post to be on Clackamas St. / 6th – 7th Av.

Once done, I remained in the area of Clackamas St / 6th Av where Lt. Rodriguez asked for me to just be available to the Sergeant and Officers involved until attorney's and TIC teams arrived.

After, I maintained continued Security of the perimeter until we were cleared by Detectives. —Resp.

REPORTING OFFICER(S)	DPSST	PREC/DIV	RLF/SHIFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
Sgt. Blanchard	26848	NO	A	3613	

PPB-SSD-TH

423 (11/15/07) v1

PORTLAND POLICE BUREAU

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☐ SUPPLEMETNAL

PAGE/OF 01/01

CASE NUMBER: 10-38353

REFER CASE NUMBER:

CLASSIFICATION:

☐ 1. UNFOUNDED ☐ 3.SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE / TIME: 05-12-10 / 1821

THIS REPORT DATE / TIME: 05-12-10 / 2041

LOCATION OF OCCURRENCE: NE 6TH / NE CLACKAMAS

PRECINCT OF OCCURRENCE: NE

ONE SENTENCE SUMMARY OF REPORT: OFFICER INVOLVED SHOOTING

CASE NUMBER

COPIES
☐ DET
☐ CENTRAL
☐ EAST
☐ NORTH
☐ NE
☐ SE
☐ TRAFFIC
☐ CAT
☐ DHS/CHS
☐ DVD
☐ DVRU
☐ ECRT
☐
☐ JUV
☐ CS
☐ DVCS
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR
☐ Vehicle
OPR
☐ Crime/ Prop
OPR

PERSONS VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder SB - Subject

CODE	NAME (Last, First Middle)	CRN	SEX	RACE	DOB
DE					

HOME ADDRESS / CITY / STATE / ZIP / HOME PHONE

BUSINESS / SCHOOL ADDRESS / ☐ WORK PHONE ☐ MSG PHONE / MOBILE PHONE

PROPERTY RECEIPT NUMBER(S)

NARRATIVE/PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R- RECOVERED E - EVIDENCE

(ITEM)	CODE	ITEM	BRAND	MODEL/STYLE	SERIAL NO.	COLOR	ENGRAVINGS/PECULIARITIES	SIZE	VALUE

(8) WHILE ON PATROL, I HEARD A CODE-ZERO, THEN AN OFFICER HAS BEEN SHOT ON NORTH NET. I RESPONDED CODE-3 AND ARRIVED A SHORT TIME LATER. I PARKED AT NE CLACKAMAS AND NE 6TH AVE. I LOOKED TO THE NORTH AND OBSERVED OFFICERS WITH GUNS POINTED NORTH. I IMMEDIATELY GOT ON THE AIR AND TOLD ARRIVING OFFICERS TO STAY OUT OF THE LINE OF FIRE TO THE NORTH OF INCIDENT. IN ADDITION, I ASKED THAT ALL TRAFFIC BE STOPPED IN A THREE BLOCK RADIUS. AT AROUND THIS TIME, I HEARD MULTIPLE BEAN-BAG ROUNDS BEING DEPLOYED. SGT CORCONE REQUESTED I STAY WITH SGT. LIVINGSTON, UNTIL BEING RELIEVED BY A "TIC" MEMBER.

REPORTING OFFICER(S)	DPSST	PREC/DIV	RLF/SHIFT	ASSN/DIST	SUPERVISOR'S SIGNATURE
ELIAS	29338	TRAFF	A	K-9	

PPB-SSD-TH

423 (11/15/07) v1

APPROVAL ROUTE: Homicide

CASE NUMBER: 10-038359

PORTLAND POLICE BUREAU — INVESTIGATION REPORT

PAGE/OF: 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION	CFR
10-038359	10-38353		

DATE / TIME REPORTED	DATE /TIME OCCURRED (START)	DATE / TIME OCCURRED(END)	
05/12/10 1821	05/12/10 1821	05/12/10 1821	☐ RADIO (R) ☒ S/I (S) ☐ PHONE-IN (P)

LOCATION OF OCCURRENCE: NE 6TH AVENUE / NE HALSEY STREET

PREMISE TYPE	PRECINCT OF OCCURRENCE
600 - Thoroughfare, Street/Hwy/Sidewalk	North Precinct

ONE SENTENCE SUMMARY OF INCIDENT: OFC. INVOLVED SHOOTING WHERE OFFICER GETS SHOT, SUSPECT SHOT AND DECEASED

PERSONS BU - Business Complainant KN - Person w/Knowledge OW - Owner PF - Property Finder SB - Subject RP - Reporting Person VI - Victim WI - Witness

CODE	NAME (Last, First Middle)	CRN	SEX	RACE	DOB
VI	BURLEY, CHRISTOPHER		M	W	

HOME ADDRESS	CITY	STATE	ZIP	HOME PHONE
1111 SW 2ND AVENUE	PORTLAND	Oregon	97204	

BUSINESS/SCHOOL ADDRESS	☐WORK PHONE ☐MSG. PHONE	MOBILE PHONE

X1,X2, - X9 - SUSPECTS MI - Missing RW - Runaway DK - Drunk DE - Deceased AS - Attempt Suicide ME - Mental SB - Subject

CODE	NAME (Last, First Middle)	CRN	SEX	RACE	DOB
DE	OTIS, KEATON DU PREE		M	B	01/04/85

HOME ADDRESS	CITY	STATE	ZIP	HEIGHT	WEIGHT	HAIR	EYES	CUSTODY?
3541 N. HOUGHTON STREET	PORTLAND	OR						☐YES ☐NO

AKA/MONIKER	☐WRK PHN ☐MSG PHONE	MOBILE PHONE	HOME PHONE

OTHER DESCRIPTION:

VEHICLE S - Stolen R - Recovered L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Informational M - Missing

IDENTIFICATION DIVISION NOTIFIED? ☐YES ☐NO

OUTSIDE AGENCY NOTIFIED/REFERRED TO?

PROPERTY RECEIPT NUMBER(S)

PROPERTY S - STOLEN L - LOST F - FOUND D - DAMAGED K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE-The order of appearance for addtional information will be:

ITEM 1: N/A

ITEM 2: N/A

ITEM 3: N/A

ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS - Record multiple worthless documents on a fraud supplemental form. Record in the narrative the total number of worthless documents written.

ITEM 5: N/A

ITEM 6: ADDITIONAL OFFICERS - List all officers present and identify their involvement with the incident being reported.

ITEM 7: SUMMARY - A short summary is necessary if the narrative is more than one full page in length.

ITEM 8: NARRATIVE - List in chronological order, all of the relevant details of the incident and/ or elements of the crime or violation.

NARRATIVE

(6) Detective Sergeant K. McGlathery, DPSST #26847
Detective Division Homicide Detail, Supervisor On-Scene

Detective E. Kammerer, DPSST #29988
Detective Division Homicide Detail, Primary Investigator

(8) SEE INVESTIGATIVE SPECIAL REPORTS FOR DETAILS

COPY

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mark E Slater	27192	DET/HOM	M	HOM	

COPIES: ☐DET ☐CENTRAL ☐EAST ☐NORTH ☐NE ☐SE ☐CAT ☐DHS/CHS ☐DVD ☐DVRU ☐ECRT ☐DH ☐JUV ☐CS ☐DVCS

COMPUTER ENTRY: ☐Desk

DPSST ☐Person

DPSST ☐Entry / Vehicle

DPSST ☐Distribution

PPB-C-1-10/84

05-20-10 1624

767 (08/07)

*** CONFIDENTIAL *** | APPROVAL ROUTE: Homicide

CASE NUMBER 10-040852

PORTLAND POLICE BUREAU — **INVESTIGATION REPORT** — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION	CLR
10-040852	10-38353		

DATE / TIME REPORTED	DATE /TIME OCCURRED (START)	DATE / TIME OCCURRED(END)	
05/12/10 1821	05/12/10 1821	05/12/10 1821	☐ RADIO (R) ☒ S/I (S) ☐ PHONE-IN (P)

LOCATION OF OCCURRENCE: NE 6TH AVENUE / NE HALSEY STREET

PREMISE TYPE	PRECINCT OF OCCURRENCE
600 - Thoroughfare, Street/Hwy/Sidewalk	North Precinct

ONE SENTENCE SUMMARY OF INCIDENT: OFFICER INJURED DURING OFFICER INVOLVED SHOOTING INCIDENT

PERSONS BU - Business Complainant KN - Person w/Knowledge OW - Owner PF - Property Finder SB - Subject RP - Reporting Person VI - Victim WI - Witness

COPIES: ☐ DET ☐ CENTRAL ☐ EAST ☐ NORTH ☐ NE ☐ SE ☐ CAT ☐ DHS/CHS ☐ DVD ☐ DVRU ☐ ECRT ☐ DH ☐ JUV ☐ CS ☐ DVCS

CODE	NAME (Last, First Middle)	CRN	SEX	RACE	DOB
VI	DEFRAIN, JAMES		M	W	

HOME ADDRESS	CITY	STATE	ZIP	HOME PHONE
1111 SW 2ND AVENUE	PORTLAND	Oregon	97204	

BUSINESS/SCHOOL ADDRESS | ☐ WORK PHONE ☐ MSG. PHONE | MOBILE PHONE

X1,X2, - X9 - SUSPECTS MI - Missing RW - Runaway DK - Drunk DE - Deceased AS - Attempt Suicide ME - Mental SB - Subject

CODE	NAME (Last, First Middle)	CRN	SEX	RACE	DOB
DE	OTIS, KEATON DUPREE		M	B	01/04/85

HOME ADDRESS	CITY	STATE	ZIP	HEIGHT	WEIGHT	HAIR	EYES	CUSTODY?
3541 N. HOUGHTON STREET	PORTLAND	OR						☐ YES ☐ NO

AKA/MONIKER | ☐ WRK PHN ☐ MSG PHONE | MOBILE PHONE | HOME PHONE

OTHER DESCRIPTION

VEHICLE S - Stolen R - Recovered L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Informational M - Missing

IDENTIFICATION DIVISION NOTIFIED? ☐ YES ☐ NO

OUTSIDE AGENCY NOTIFIED/REFERRED TO?

PROPERTY RECEIPT NUMBER(S)

PROPERTY S - STOLEN L - LOST F - FOUND D - DAMAGED K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE-The order of appearance for additional information will be:

ITEM 1: N/A
ITEM 2: N/A
ITEM 3: N/A
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS - Record multiple worthless documents on a fraud supplemental form. Record in the narrative the total number of worthless documents written.
ITEM 5: N/A
ITEM 6: ADDITIONAL OFFICERS - List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY - A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE - List in chronological order, all of the relevant details of the incident and/or elements of the crime or violation.

NARRATIVE

(6) Detective Sergeant K. McGlathery, DPSST #26847
Detective Division Homicide Detail, Supervisor On-Scene

Detective E. Kammerer, DPSST #29988
Detective Division Homicide Detail, Primary Investigator

(8) SEE INVESTIGATIVE SPECIAL REPORTS FOR DETAILS

COPY

COMPUTER ENTRY ☐ Desk — DPSST ☐ Person — DPSST ☐ Entry / Vehicle — DPSST ☐ Distribution — DPSST

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mark E Slater	27192	DET/HOM	M	HOM	

PPB-C-1-10/84

05-20-10 1640

767 (08/07)

*** CONFIDENTIAL ***

APPROVAL ROUTE: Homicide

CASE NUMBER 10-038353

PORTLAND POLICE BUREAU

INVESTIGATION REPORT

PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION	CLR
10-038353			

DATE / TIME REPORTED	DATE /TIME OCCURRED (START)	DATE / TIME OCCURRED(END)	
05/12/10 1821	05/12/10 1821	05/12/10 1821	☐ RADIO (R) ☒ S/I (S) ☐ PHONE-IN (P)

LOCATION OF OCCURRENCE: NE 6TH AVENUE / NE HALSEY STREET

PREMISE TYPE	PRECINCT OF OCCURRENCE
600 - Thoroughfare, Street/Hwy/Sidewalk	North Precinct

ONE SENTENCE SUMMARY OF INCIDENT: OFFICER INVOLVED SHOOTING INVESTIGATION, SUSPSECT DECEASED

PERSONS BU - Business Complainant KN - Person w/Knowledge OW - Owner PF - Property Finder SB - Subject RP - Reporting Person VI - Victim WI - Witness

X1,X2, - X9 - SUSPECTS MI - Missing RW - Runaway DK - Drunk DE - Deceased AS - Attempt Suicide ME - Mental SB - Subject

CODE	NAME (Last, First Middle)	CRN	SEX	RACE	DOB
DE	OTIS, KEATON DUPREE		M	B	01/04/85

HOME ADDRESS	CITY	STATE	ZIP	HEIGHT	WEIGHT	HAIR	EYES	CUSTODY?
3541 N. HOUGHTON STREET	PORTLAND	OR						☐ YES ☐ NO

AKA/MONIKER	☐ WRK PHN ☐ MSG PHONE	MOBILE PHONE	HOME PHONE

OTHER DESCRIPTION:

VEHICLE S - Stolen R - Recovered L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Informational M - Missing

IDENTIFICATION DIVISION NOTIFIED? ☐ YES ☐ NO

OUTSIDE AGENCY NOTIFIED/REFERRED TO?

PROPERTY RECEIPT NUMBER(S):

PROPERTY S - STOLEN L - LOST F - FOUND D - DAMAGED K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE-The order of appearance for addtional information will be:

ITEM 1: N/A
ITEM 2: N/A
ITEM 3: N/A
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS - Record multiple worthless documents on a fraud supplemental form. Record in the narrative the total number of worthless documents written.
ITEM 5: N/A
ITEM 6: ADDITIONAL OFFICERS - List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY - A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE - List in chronological order, all of the relevant details of the incident and/ or elements of the crime or violation.

COPIES
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☐ CAT
☐ DHS/CHS
☐ DVD
☐ DVRU
☐ ECRT
☐ OH
☐ JUV
☐ CS
☐ DVCS
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____
☐ _____

COMPUTER ENTRY
☐ Desk
DPSST
☐ Person
DPSST
☐ Entry / Vehicle
DPSST
☐ Distribution
DPSST

NARRATIVE

(6) DETECTIVE SERGEANT K. MCGLATHERY, DPSST #26847
DETECTIVE DIVISION HOMICIDE DETAIL, SUPERVISOR ON-SCENE

DETECTIVE E. KAMMERER, DPSST #29988
DETECTIVE DIVISION HOMICIDE DETAIL, PRIMARY INVESTIGATOR

(8) SEE INVESTIGATIVE SPECIAL REPORTS FOR DETAILS

EXTERNAL DISTRIBUTION LIST

COPY

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mark E Slater	27192	DET/HOM	M	HOM	

PPB-C-1-10/84

05-20-10 1607

767 (08/07)

*** CONFIDENTIAL *** | APPROVAL ROUTE: Homicide

CASE NUMBER 10 038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 4. SUPPLEMENTAL — PAGE/OF 1 / 2

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
5. Exceptional	05/12/10	1821	05/20/10	1500

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6TH AVENUE / NE HALSEY STREET	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
INITIAL RESPONSE AND INVESTIGATION	PP1005121772

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ CS
- ☐ VCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
DE	OTIS, KEATON DUPREE		M	B	01/04/85

ADDRESS	CITY	STATE	ZIP
3541 N. HOUGHTON STREET	Portland	Oregon	

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

NO CONNECT INFORMATION

NONCONNECT INFORMATION

Additional Detectives:

Detective Sergeant K. MCGLATHERY, DPSST #26847
Detective Division Homicide Detail, Supervisor On-Scene

Detective E. KAMMERER, DPSST #29988
Detective Division Homicide Detail, Primary Investigator

COPY

NO EXHIBITS

NO SUMMARY

NARRATIVE

On 051210 at approximately 1840 hours, I received a page from Detective Sergeant McGlathery requesting I respond to the area of NE 6th/NE Halsey regarding an officer involved shooting where an officer had been shot. I responded to the scene and arrived at approximately 1915 hours, parking my vehicle at NE 6th/NE Weidler. Upon my arrival, I observed the scene to be secured with police personnel and crime scene tape.

I met with the investigative team inside the mobile command post which was parked on NE Clackamas Street east of NE 6th Avenue for an initial briefing regarding the incident. Once the investigative team was assembled, an initial briefing was given regarding the incident and assignments were given out by Detective Sergeant McGlathery.

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mark E Slater	27192	DET/HOM	M	HOM	

PPB-SSD-TH

05-20-10 1656

423 (08/07)

*** CONFIDENTIAL ***

APPROVAL ROUTE: Homicide

CASE NUMBER: 10 38353

PORTLAND POLICE BUREAU

SPECIAL REPORT

TYPE: 4. SUPPLEMENTAL

After the initial briefing, Detective Kammerer and I conducted a scene walk-thru with Officer Foote and met with each officer to conduct weapon countdowns, both at the scene and at the Traffic Division.

For details of the walk-thru and weapon countdowns, please refer to Detective Kammerer's reports.

This case continues to be investigated.

COPIES

- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
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- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ S
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

EXTERNAL DISTRIBUTION LIST

COMPUTER ENTRY

- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
- ☐ Distribution

DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mark E Slater	27192	DET/HOM	M	HOM	

PPB-SSD-TH

05-20-10 1656

423 (08/07)

PORTLAND POLICE BUREAU

CONFIDENTIAL

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☐ SUPPLEMENTAL

Page/Of 1/21

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353	10-38359	OFFICER INVOLVED SHOOTING

☐1. UNFOUNDED ☐3. SUSPENDED ☐5. EXCEPTIONAL ☐2. PENDING ☐4. CLR BY ARREST ☐6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
051210 / 1821	051710 / 1200

LOCATION OF OCCURRENCE: NE 6th AVENUE / NE HALSEY STREET

PERSONS **CO**-Complainant **SB**-Subject **SI**-Sick/Injured/Cared For **PE**-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	010485

ADDRESS	ZIP	PHONE
3541 N HOUGHTON STREET	97217	

SUBJECT OF THIS REPORT: INITIAL ACTIONS AT SCENE & WEAPONS COUNTDOWNS

PROPERTY RECEIPT NO.

NARRATIVE/PROPERTY ITEM CODE — S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ Intell
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR ☐ Vehicle
OPR ☐ Crime/ Prop
OPR ☐ Book
OPR

CONNECT INFORMATION

Victim in PPB Case #10-38359:

Officer Chris BURLEY, DPSST #45975
M/W, DOB [redacted]
Work Address: 449 NE Emerson Street
Portland, Oregon 97211
Hotspot Enforcement Action Team (HEAT), Unit 1951

NONCONNECT INFORMATION

Involved Officers:

Officer James DEFRAIN, DPSST #44436
M/W, DOB [redacted]
Work Address: 449 NE Emerson Street
Portland, Oregon 97211
Hotspot Enforcement Action Team (HEAT), Unit 1950

Officer Andy POLAS, DPSST #43489
M/W, DOB [redacted]
Work Address: 449 NE Emerson Street
Portland, Oregon 97211
Hotspot Enforcement Action Team (HEAT), Unit 1951

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE: NE 6th AVENUE / NE HALSEY STREET

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ITEM | CODE

Involved Officers (cont'd):

Officer Cody BERNE, DPSST #45662
M/W, DOB [redacted]
Work Address: 449 NE Emerson Street
Portland, Oregon 97211
Hotspot Enforcement Action Team (HEAT), Unit 1955

Sergeant Don LIVINGSTON, DPSST #32588
M/W, DOB [redacted]
Work Address: 449 NE Emerson Street
Portland, Oregon 97211
Hotspot Enforcement Action Team (HEAT), Unit 3950

Officer Aaron DAUCHY, DPSST #30873
M/W, DOB [redacted]
Work Address: 210 NW 1st Avenue
Portland, Oregon 97209
Transit Division, Unit 1763A

Witness Officers:

Officer Ryan FOOTE, DPSST #43493
Hotspot Enforcement Action Team (HEAT), Unit 1950

Officer Patrick MURPHY, DPSST #44162
Hotspot Enforcement Action Team (HEAT), Unit 3950

Officer Brian DALE, DPSST #23726
Gang Enforcement Team, Unit 1657A

Officer Anthony EUGENIO, DPSST #39877
Gang Enforcement Team, Unit 1657A

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

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ITEM | CODE

Witness Officers:

Officer Darrell SHAW, DPSST #28923
Central Precinct Uniform Patrol, Unit 2820A

Officer Matt DELENIKOS, DPSST #21331
Central Precinct Uniform Patrol, Unit 2820A

Detectives Mentioned:

Commander Mike CREBS, DPSST #25926
Detective Division Commander, Issued CROs

Detective Sergeant Kraig MCGLATHERY, DPSST #26847
Detective Division Homicide Detail, Supervisor On-Scene

Detective Mark SLATER, DPSST #27192
Detective Division Homicide Detail, Primary Investigator

Detective Sergeant Dave MICHAELSON, DPSST #23060
Detective Division Afternoon Detail Supervisor, Officer/Witness Interviews

Detective Mark SPONHAUER, DPSST #16089
Detective Division Homicide Detail, Officer/Witness Interviews

Detective Erica HURLEY, DPSST #29900
Detective Division Robbery Detail, Officer/Witness Interviews

Detective Sean MALLORY, DPSST #31088
East County Major Crimes Team, Multnomah County Sheriff's Office, Officer/Witness Interviews

Detective Lars SNITKER, DPSST #23519
East County Major Crimes Team, Multnomah County Sheriff's Office, Officer/Witness Interviews

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

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ITEM | CODE

Detectives Mentioned (cont'd):

Detective Jennifer MUSSER, DPSST #40710
Detective Division Afternoon Detail, Witness Interviews

Detective Arjay DRAN, DPSST #34502
Detective Division Afternoon Detail, Witness Interviews

Detective Tony HARRIS, DPSST #27566
Detective Division Afternoon Detail, Witness Interviews

Detective Meredith HOPPER, DPSST #36239
Detective Division Afternoon Detail, Witness Interviews

Detective Michelle MICHAELS, DPSST #40400
Detective Division Homicide Detail, Crime Scene Diagram

Detective Andy MADDEN, DPSST #23577
Detective Division White Collar Crimes, Crime Scene Word Picture

Detective Mike WEINSTEIN, DPSST #24579
Detective Division Missing Persons Detail, Secured Officer Burley's Weapons

Criminalists Mentioned:

Sergeant Ron MASON, DPSST #25247
Forensic Evidence Division, On-Scene Supervisor

Criminalist Heather DURHAM, DPSST #33027
Forensic Evidence Division, Processed Scene

Criminalist Alison SCHLEICH, DPSST #36817
Forensic Evidence Division, Processed Scene

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

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ITEM | CODE

Criminalists Mentioned (cont'd):

Criminalist Dan OUTHAYTHIP, DPSST #24990
Forensic Evidence Division, Weapons Countdown

Criminalist Vance NEBLING, DPSST #37144
Forensic Evidence Division, Weapons Countdown

Criminalist Brad MCINTYRE, DPST #35126
Forensic Evidence Division, Officer Clothing Collection

Other Officers Mentioned:

Commander Jim FERRARIS, DPSST #11406
North Precinct Commander, Provided Initial Briefing

Sergeant Frank GORGONE, DPSST #27542
North Precinct Afternoon Shift, Initial Scene Supervisor

Officer Darke HULL, DPSST #37765
Traffic Division, Crime Scene Diagram

Officer Rod GUSTAFSON, DPSST #23996
Traffic Division, Crime Scene Diagram

Persons Mentioned:

Senior Deputy District Attorney Don Rees
Multnomah County Deputy District Attorney's Office

Michael A. Greenlick, Attorney At Law
Representing Officer DeFrain
Work Phone: 503-224-2595

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

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ITEM | CODE

Persons Mentioned (cont'd):

Whitney P. Boise, Attorney At Law
Representing Officer Polas
Work Phone: 503-228-0497

Krista Shipsey, Attorney At Law
Representing Officer Berne
Work Phone: 503-222-9830

Michael W. Staropoli, Attorney At Law
Representing Sergeant Livingston
Work Phone: 503-226-2332

James J. McIntyre, Attorney At Law
Representing Officer Dauchy
Work Phone: 503-546-0696

[redacted]
F/W, DOB [redacted]
Home Address: [redacted] NE Halsey Street
Portland, Oregon 97232
Cell Phone: [redacted]

[redacted]
M/W, DOB [redacted]
Home Address: [redacted] NE Halsey Street
Portland, Oregon 97232
Home Phone: None

Vehicle Mentioned:

OR/ ZET208
2003 Silver Toyota Corolla 4D

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE: ☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special
10-38353	OFFICER INVOLVED SHOOTING	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE
NE 6th AVENUE / NE HALSEY STREET

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ITEM | CODE

EXHIBITS

1. Portland Police Bureau Property/Evidence Receipt #1203485:

   Item 1: Search by Consent Form signed by [redacted]
   Item 2: Search by Consent Form, signed by [redacted]

2. Portland Police Bureau Property/Evidence Receipt #1203486:

   Item 1: CD-R containing video footage from [redacted] iPhone
   Item 2: CD-R containing video footage from [redacted] memory card

3. Photocopy of Search by Consent Form, signed by [redacted]

4. Photocopy of Search by Consent Form, signed by [redacted]

SUMMARY

Officers from the Portland Police Bureau's Hotspot Enforcement Action Team (HEAT) conducted a traffic stop on a vehicle driven by a person later identified as KEATON OTIS. During the traffic stop, KEATON OTIS was uncooperative, refused to obey commands to keep his hands in sight, and began trying to open the glove box. Despite being tazed multiple times, KEATON OTIS was able to retrieve a handgun from the glove box. He then used the handgun to shoot Officer Burley twice. Other officers at the scene returned fire, and KEATON OTIS was fatally wounded.

Homicide detectives responded to the scene and began an initial investigation. This report details the actions of the responding detectives during the initial investigation, as well as my actions, including my observations of the scene, as well as my interactions with the involved and witness officers.

NARRATIVE

On May 12th, 2010, I was paged at home at 1839 hours by Detective Sergeant McGlathery, and directed to respond to the area of NE 6th Avenue and NE Clackamas

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

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ITEM | CODE

Street on an Officer Involved Shooting in which an officer had also been wounded. Upon arriving at the scene at 1915 hours, I met with Sergeant Gorgone, who identified for me the officers involved in, and the officers present during, the shooting. Sergeant Gorgone also identified the wounded officer as Officer Burley, and explained he was being treated at the hospital. I then ensured the scene was secure and I determined the locations of the involved and witness officers. Detectives from the Afternoon Detail were already on-scene and conducting civilian witness interviews.

Once the investigative team was assembled, Detective Slater and I, along with the rest of the investigative team, received a briefing from Commander Ferraris at 1940 hours. During this briefing, I learned the following: Officers from the Hotspot Enforcement Action Team (HEAT) had conducted a traffic stop on the listed vehicle. During the initial approach to the vehicle, the driver was non-compliant and a request for cover officers was relayed over the radio, as well as a request for cover officers to "box-in" the stopped vehicle upon the arrival. A decision was made by the officers on the scene to remove the driver from the vehicle, and the driver physically resisted. The driver was tazed by Sergeant Livingston and Officer Foote, apparently with little to no effect, and the driver was able to reach into the glove box and retrieve a firearm. The driver then shot Officer Burley, and Officers DeFrain, Berne, and Polas returned fire. Officer Dauchy arrived as cover and used his Less-Lethal shotgun to shoot the driver three times. The driver was then taken into custody by Officer Shaw and Officer Delenikos. The driver was then treated by paramedics and was pronounced dead at the scene.

At the conclusion of the briefing, investigative assignments were made by Sergeant McGlathery. Detective Sponhauer informed me he had spoken with two witnesses who had partially video recorded the shooting, [redacted] and [redacted] Detective Sponhauer told me he had spoken with [redacted] who recorded the shooting with her iPhone and [redacted] who recorded the events immediately after the shooting with his digital camera. Detective Sponhauer said he had obtained written consent from [redacted] and [redacted] to retrieve the recordings from the associated devices. Detective Sponhauer then gave me the two Search by Consent forms, and [redacted] iPhone and the memory card from [redacted] camera (see Special Report by Detective Sponhauer for complete details).

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special		
SUBJECT'S NAME		SEX	RACE	DOB	
OTIS, KEATON DUPREE		M	B	010485	
LOCATION OF OCCURENCE					
NE 6th AVENUE / NE HALSEY STREET					

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ITEM | CODE

At 2135 hours, Detective Slater and I conducted an onscene briefing with Officer Foote. Criminalist Durham was also present for this briefing. During this briefing, Officer Foote showed us which car had been driven by him and his partner, Officer DeFrain, the car driven by Officer Burley and his partner, Officer Polas, the car driven by Officer Murphy and his partner, Sergeant Livingston, and the car driven by Officer Dauchy. Officer Foote also showed us where Officer Berne's car had been parked prior to it being used to drive Officer Burley to the hospital. Officer Foote then showed us approximately where each officer had been standing just prior to the shooting. Officer Foote also identified which Taser on the ground was his. Officer Foote also identified locations where he observed civilian witnesses and provided brief descriptions of those witnesses. The onscene briefing was then concluded.

Detective Slater and I then went to the Mobile Command Post at the scene to conduct weapon countdowns for all of the involved and witness officers. At 2200 hours, we met with Officer DeFrain and his attorney, Mike Greenlick. Officer DeFrain was photographed by Criminalist Nebling. Criminalist Nebling was also present to document the weapon countdown via photographs, and Criminalist Outhaythip was present to collect the weapon. At my direction, Officer DeFrain removed the magazine from the handgun in his holster. Officer DeFrain then handed the magazine to Criminalist Nebling who removed seventeen 9mm cartridges from the magazine, rendering it empty. At full capacity, the magazine is capable of holding seventeen cartridges.

Officer DeFrain then removed his handgun from its holster and pulled the slide back, ejecting one 9mm cartridge from the chamber. This round was retrieved. Officer DeFrain locked the slide to the rear, and presented an empty handgun to Criminalist Nebling. The handgun was a 9mm Glock Model 17, SN # [redacted]. Officer DeFrain then removed a spare magazine from his back right pant pocket. This magazine was handed to Criminalist Nebling, who removed two 9mm cartridges from the magazine, rendering it empty. Officer DeFrain then removed a spare magazine from his bottom belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty. I verified with Officer DeFrain he maintained full capacity in all of his magazines, and did not carry any other firearms on his person. At the conclusion of the weapon countdown, we determined Officer DeFrain had fired a total of fifteen rounds. The handgun, magazines and cartridges were all collected by Criminalist Outhaythip (see his Special Report for details).

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE: NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO--List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
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ITEM 6: ADDITIONAL OFFICERS--List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.
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ITEM | CODE

I then asked Officer DeFrain if he would be willing to conduct an on-scene briefing, and he replied, "No." I asked Officer DeFrain if he would be willing to provide an interview at this time, and he replied, "No."

Officer DeFrain was also issued a Communication Restriction Order by Commander Crebs.

Officer DeFrain and Mr. Greenlick then went to the Traffic Division, where his clothing and other equipment were subsequently collected by Criminalist McIntyre (see his Special Report for complete details).

At 2220 hours, Detective Slater and I met with Officer Polas and his attorney, Whitney Boise. Officer Polas was photographed by Criminalist Nebling. Criminalist Nebling was also present to document the weapon countdown via photographs, and Criminalist Outhaythip was present to collect the weapon. At my direction, Officer Polas removed the magazine from the handgun in his holster. Officer Polas then handed the magazine to Criminalist Nebling who removed seventeen 9mm cartridges from the magazine, rendering it empty. At full capacity, the magazine is capable of holding seventeen cartridges.

Officer Polas then removed his handgun from its holster and pulled the slide back, ejecting one 9mm cartridge from the chamber. This round was retrieved. Officer Polas locked the slide to the rear, and presented an empty handgun to Criminalist Nebling. The handgun was a 9mm Glock Model 17, SN # [redacted] Officer Polas then removed a spare magazine from his upper belt pouch. This magazine was handed to Criminalist Nebling, who removed eleven 9mm cartridges from the magazine, rendering it empty. Officer Polas then removed a spare magazine from his bottom belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty. I verified with Officer Polas he maintained full capacity in all of his magazines. I also learned Officer Polas carried a back-up weapon. At my direction, Officer Polas removed his back-up weapon from his holster, and opened the cylinder to expose five cartridges in the cylinder. The cylinder was emptied by Criminalist Nebling, who removed five .38 caliber cartridges. The back-up weapon was a five-shot .38 caliber Smith & Wesson Airweight revolver, SN # [redacted] Officer Polas also removed two speedloaders from a belt pouch. These speedloaders were emptied by Criminalist Nebling, who removed five cartridges from each speedloader. At

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
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ITEM | CODE

the conclusion of the weapon countdown, we determined Officer Polas had fired a total of six rounds from his Glock handgun, and none from his back-up handgun. The handguns, magazines, speedlaoders, and cartridges were all collected by Criminalist Outhaythip (see his Special Report for details).

I then asked Officer Polas if he would be willing to conduct an on-scene briefing, and Mr. Boise replied, "He will not be making a statement this evening." I asked Officer Polas if he would be willing to provide an interview at this time, and Mr. Boise replied, "He won't be making a statement this evening."

Officer Polas was also issued a Communication Restriction Order by Commander Crebs.

Officer Polas and Mr. Boise then went to the Traffic Division, where his clothing and other equipment were subsequently collected by Criminalist McIntyre (see his Special Report for complete details).

Detective Slater and I were then informed by Sergeant McGlathery, due to anarchist-type protesters actively protesting very near to the scene, we would be moving to the Traffic Division to continue the weapon countdowns. Detective Slater, Criminalist Nebling and Criminalist Outhaythip, and I then drove to the Traffic Division.

At 2315 hours, Detective Slater and I met with Officer Berne and his attorney, Krista Shipsey. Officer Berne was photographed by Criminalist Nebling. Criminalist Nebling was also present to document the weapon countdown via photographs, and Criminalist Outhaythip was present to collect the weapon. At my direction, Officer Berne removed the magazine from the handgun in his holster. Officer Berne then handed the magazine to Criminalist Nebling who removed seventeen 9mm cartridges from the magazine, rendering it empty. At full capacity, the magazine is capable of holding seventeen cartridges.

Officer Berne then removed his handgun from its holster and pulled the slide back, ejecting one 9mm cartridge from the chamber. This round was retrieved. Officer Berne locked the slide to the rear, and presented an empty handgun to Criminalist Nebling. The handgun was a 9mm Glock Model 17, SN # [redacted] Officer Berne then removed a spare magazine from his upper belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty.

CASE NO.	CLASSIFICATION	TYPE:				
10-38353	OFFICER INVOLVED SHOOTING		☐ Incident	☐ Traffic Accident		
			☐ Custody	☐ Special		

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
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ITEM | CODE

Officer Berne then removed a spare magazine from his bottom belt pouch. This magazine was handed to Criminalist Nebling, who removed six 9mm cartridges from the magazine, rendering it empty. I verified with Officer Berne he maintained full capacity in all of his magazines, and did not carry any other firearms on his person. At the conclusion of the weapon countdown, we determined Officer Berne had fired a total of eleven rounds. The handgun, magazines and cartridges were all collected by Criminalist Outhaythip (see his Special Report for details).

I then asked Officer Berne if he would be willing to conduct an on-scene briefing, and he replied, "No." I asked Officer Berne if he would be willing to provide an interview at this time, and he replied, "No."

Officer Berne was also issued a Communication Restriction Order by Commander Crebs.

Officer Berne and Ms. Shipsey then went to the locker room, where his clothing and other equipment were subsequently collected by Criminalist McIntyre (see his Special Report for complete details).

At 2330 hours, Detective Slater and I met with Officer Dauchy and his attorney, Jim McIntyre. Officer Dauchy was photographed by Criminalist Nebling. Criminalist Nebling was also present to document the weapon countdown via photographs, and Criminalist Outhaythip was present to collect the weapon. At my direction, Officer Dauchy removed the magazine from the handgun in his holster. Officer Dauchy then handed the magazine to Criminalist Nebling who removed seventeen 9mm cartridges from the magazine, rendering it empty. At full capacity, the magazine is capable of holding seventeen cartridges.

Officer Dauchy then removed his handgun from its holster and pulled the slide back, ejecting one 9mm cartridge from the chamber. This round was retrieved. Officer Dauchy locked the slide to the rear, and presented an empty handgun to Criminalist Nebling. The handgun was a 9mm Glock Model 17, SN # [redacted] Officer Dauchy then removed a spare magazine from his upper belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty. Officer Dauchy then removed a spare magazine from his bottom belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty. I verified with Officer Dauchy he

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
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ITEM CODE

maintained full capacity in all of his magazines. I also learned Officer Dauchy carried a back-up weapon. At my direction, Officer Dauchy removed his back-up weapon from his holster, and removed the magazine from the handgun. Officer Dauchy handed to magazine to Criminalist Nebling, who removed ten 9mm cartridges from the magazine, rendering it empty. At full capacity, the magazine is capable of holding ten cartridges. Officer Dauchy then pulled the slide back, ejecting one 9mm cartridge from the chamber. This round was retrieved. Officer Dauchy locked the slide to the rear, and presented an empty handgun to Criminalist Nebling. The handgun was a 9mm Glock Model 26, SN # [redacted] I verified Officer Dauchy did not carry any other magazines for this handgun. At the conclusion of the weapon countdown, we determined Officer Dauchy had not fired either of his handguns. The handguns, magazines and cartridges were all returned to Officer Dauchy.

I then asked Officer Dauchy if he would be willing to conduct an on-scene briefing, and Mr. McIntyre replied, "We'll be very happy to cooperate at a later time." I asked Officer Dauchy if he would be willing to provide an interview at this time, and Mr. McIntyre replied, "No, he's not."

Officer Dauchy was also issued a Communication Restriction Order by Commander Crebs. Officer Dauchy and Mr. McIntyre then left.

At 2340 hours, Detective Slater and I met with Officer Murphy who was not represented by an attorney. Officer Murphy was photographed by Criminalist Nebling. Criminalist Nebling was also present to document the weapon countdown via photographs, and Criminalist Outhaythip was present to collect the weapon. At my direction, Officer Murphy removed the magazine from the handgun in his holster. Officer Murphy then handed the magazine to Criminalist Nebling who removed seventeen 9mm cartridges from the magazine, rendering it empty. At full capacity, the magazine is capable of holding seventeen cartridges.

Officer Murphy then removed his handgun from its holster and pulled the slide back, ejecting one 9mm cartridge from the chamber. This round was retrieved. Officer Murphy locked the slide to the rear, and presented an empty handgun to Criminalist Nebling. The handgun was a 9mm Glock Model 17, SN # [redacted] Officer Murphy then removed a spare magazine from his upper belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine,

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE: NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
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ITEM | CODE

rendering it empty. Officer Murphy then removed a spare magazine from his bottom belt pouch. This magazine was handed to Criminalist Nebling, who removed eighteen 9mm cartridges from the magazine, rendering it empty. I verified with Officer Murphy he maintained full capacity in all of his magazines, and did not carry any other firearms on his person. At the conclusion of the weapon countdown, we determined Officer Murphy had not fired his handgun. The handgun, magazines and cartridges were all returned to Officer Murphy.

I then asked Officer Murphy if he would be willing to conduct an on-scene briefing, and he replied, "Yes." I asked Officer Murphy if he would be willing to provide an interview at this time, and he replied, "Yes."

Officer Murphy was also issued a Communication Restriction Order by Commander Crebs.

Officer Murphy then went to the locker room, where his clothing and other equipment were subsequently collected by Criminalist McIntyre (see his Special Report for complete details). Officer Murphy was then interviewed by Detective Mallory and Detective Snitker (see Detective Snitker's report for complete details).

At 2350 hours, Detective Slater and I met with Sergeant Livingston and his attorney, Mike Staropoli. Sergeant Livingston was photographed by Criminalist Nebling. Criminalist Nebling was also present to document the weapon countdown via photographs, and Criminalist Outhaythip was present to collect the weapon. At my direction, Sergeant Livingston removed the magazine from the handgun in his holster. Sergeant Livingston then handed the magazine to Criminalist Nebling who removed seventeen 9mm cartridges from the magazine, rendering it empty. At full capacity, the magazine is capable of holding seventeen cartridges.

Sergeant Livingston then removed his handgun from its holster and pulled the slide back, ejecting one 9mm cartridge from the chamber. This round was retrieved. Sergeant Livingston locked the slide to the rear, and presented an empty handgun to Criminalist Nebling. The handgun was a 9mm Glock Model 17, SN #[redacted] Sergeant Livingston then removed a spare magazine from his upper belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty. Sergeant Livingston then removed a spare magazine from his bottom

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE
NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
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ITEM | CODE

belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty. I verified with Sergeant Livingston he maintained full capacity in all of his magazines, and did not carry any other firearms on his person. At the conclusion of the weapon countdown, we determined Sergeant Livingston had not fired his handgun. The handgun, magazines and cartridges were all returned to Sergeant Livingston.

I then asked Sergeant Livingston if he would be willing to conduct an on-scene briefing, and he replied, "No." I asked Sergeant Livingston if he would be willing to provide an interview at this time, and he replied, "No, not at this time."

Sergeant Livingston was also issued a Communication Restriction Order by Commander Crebs.

Sergeant Livingston and Mr. Staropoli then went to the locker room, where his clothing and other equipment were subsequently collected by Criminalist McIntyre (see his Special Report for complete details).

At 2355 hours, Detective Slater and I met with Officer Shaw who was not represented by an attorney. Officer Shaw was photographed by Criminalist Nebling. Criminalist Nebling was also present to document the weapon countdown via photographs, and Criminalist Outhaythip was present to collect the weapon. At my direction, Officer Shaw removed the magazine from the handgun in his holster. Officer Shaw then handed the magazine to Criminalist Nebling who removed seventeen 9mm cartridges from the magazine, rendering it empty. At full capacity, the magazine is capable of holding seventeen cartridges.

Officer Shaw then removed his handgun from its holster and pulled the slide back, ejecting one 9mm cartridge from the chamber. This round was retrieved. Officer Shaw locked the slide to the rear, and presented an empty handgun to Criminalist Nebling. The handgun was a 9mm Glock Model 17, SN # [redacted] Officer Shaw then removed a spare magazine from his upper belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty. Officer Shaw then removed a spare magazine from his bottom belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty. I verified with Officer Shaw he maintained full

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
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ITEM | CODE

capacity in all of his magazines, and did not carry any other firearms on his person. At the conclusion of the weapon countdown, we determined Officer Shaw had not fired his handgun. The handgun, magazines and cartridges were all returned to Officer Shaw.

I then asked Officer Shaw if he would be willing to conduct an on-scene briefing, and he replied, "Yes, sir." I asked Officer Shaw if he would be willing to provide an interview at this time, and he replied, "Yes, sir."

Officer Shaw was also issued a Communication Restriction Order by Commander Crebs.

Officer Shaw was then interviewed by Detective Hurley and Detective Harris (see Detective Hurley's report for complete details).

At 0005 hours, Detective Slater and I met with Officer Delenikos who was not represented by an attorney. Officer Delenikos was photographed by Criminalist Nebling. Criminalist Nebling was also present to document the weapon countdown via photographs, and Criminalist Outhaythip was present to collect the weapon. At my direction, Officer Delenikos removed the magazine from the handgun in his holster. Officer Delenikos then handed the magazine to Criminalist Nebling who removed seventeen 9mm cartridges from the magazine, rendering it empty. At full capacity, the magazine is capable of holding seventeen cartridges.

Officer Delenikos then removed his handgun from its holster and pulled the slide back, ejecting one 9mm cartridge from the chamber. This round was retrieved. Officer Delenikos locked the slide to the rear, and presented an empty handgun to Criminalist Nebling. The handgun was a 9mm Glock Model 17, SN # [redacted] Officer Delenikos then removed a spare magazine from his upper belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty. Officer Delenikos then removed a spare magazine from his bottom belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty. I verified with Officer Delenikos he maintained full capacity in all of his magazines, and did not carry any other firearms on his person. At the conclusion of the weapon countdown, we determined Officer Delenikos had not fired his handgun. The handgun, magazines and cartridges were all returned to Officer Delenikos.

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
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ITEM | CODE

I then asked Officer Delenikos if he would be willing to conduct an on-scene briefing, and he replied, "Yes." I asked Officer Delenikos if he would be willing to provide an interview at this time, and he replied, "Yes."

Officer Delenikos was also issued a Communication Restriction Order by Commander Crebs.

Officer Delenikos was then interviewed by Detective Hurley and Detective Harris (see Detective Hurley's report for complete details).

At 0010 hours, Detective Slater and I met with Officer Foote, who was not represented by an attorney. Officer Foote was photographed by Criminalist Nebling. Criminalist Nebling was also present to document the weapon countdown via photographs, and Criminalist Outhaythip was present to collect the weapon. At my direction, Officer Foote removed the magazine from the handgun in his holster. Officer Foote then handed the magazine to Criminalist Nebling who removed fifteen 9mm cartridges from the magazine, rendering it empty. At full capacity, the magazine is capable of holding seventeen cartridges.

Officer Foote then removed his handgun from its holster and pulled the slide back, ejecting one 9mm cartridge from the chamber. This round was retrieved. Officer Foote locked the slide to the rear, and presented an empty handgun to Criminalist Nebling. The handgun was a 9mm Glock Model 17, SN # [redacted] Officer Foote then removed a spare magazine from his upper belt pouch. This magazine was handed to Criminalist Nebling, who removed sixteen 9mm cartridges from the magazine, rendering it empty. Officer Foote then removed a spare magazine from his bottom belt pouch. This magazine was handed to Criminalist Nebling, who removed fifteen 9mm cartridges from the magazine, rendering it empty. I asked Officer Foote if he maintained full capacity in all of his magazines, and Officer Foote told me he did not keep his magazines fully loaded due to a recommendation he received from a firearms instructor when he was at the range. Officer Foote told me he normally kept sixteen rounds in two of the magazines and fifteen rounds in the third magazine. I verified with Officer Foote he did not carry any other firearms on his person. At the conclusion of the weapon countdown, we determined Officer Foote had not fired his handgun. The handgun, magazines and cartridges were all returned to Officer Foote.

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE
NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
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ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM | CODE

I then asked Officer Foote if he would be willing to conduct an on-scene briefing, which he had already done, and he replied, "Yes." I asked Officer Foote if he would be willing to provide an interview at this time, and he replied, "Yes."

Officer Foote was also issued a Communication Restriction Order by Commander Crebs.

Officer Foote then went to the locker room, where his clothing and other equipment were subsequently collected by Criminalist McIntyre (see his Special Report for complete details). Detective Slater and I later interviewed Officer Foote (see Special Report by Detective Slater for the details of that interview).

At 0020 hours, Detective Slater and I met with Officer Dale who was not represented by an attorney. Officer Dale was photographed by Criminalist Nebling. Criminalist Nebling was also present to document the weapon countdown via photographs, and Criminalist Outhaythip was present to collect the weapon. At my direction, Officer Dale removed the magazine from the handgun in his holster. Officer Dale then handed the magazine to Criminalist Nebling who removed seventeen 9mm cartridges from the magazine, rendering it empty. At full capacity, the magazine is capable of holding seventeen cartridges.

Officer Dale then removed his handgun from its holster and pulled the slide back, ejecting one 9mm cartridge from the chamber. This round was retrieved. Officer Dale locked the slide to the rear, and presented an empty handgun to Criminalist Nebling. The handgun was a 9mm Glock Model 17, SN # [redacted] Officer Dale then removed a spare magazine from his upper belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty. Officer Dale then removed a spare magazine from his bottom belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty. I verified with Officer Dale he maintained full capacity in all of his magazines, and did not carry any other firearms on his person. At the conclusion of the weapon countdown, we determined Officer Dale had not fired his handgun. The handgun, magazines and cartridges were all returned to Officer Dale.

I then asked Officer Dale if he would be willing to conduct an on-scene briefing, and he replied, "Yes." I asked Officer Dale if he would be willing to provide an interview at this time, and he replied, "Yes."

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
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ITEM | CODE

Officer Dale was also issued a Communication Restriction Order by Commander Crebs.

Officer Dale was then interviewed by Detective Sponhauer and Sergeant Michaelson (see Detective Sponhauer's report for complete details).

At 0025 hours, Detective Slater and I met with Officer Eugenio who was not represented by an attorney. Officer Eugenio was photographed by Criminalist Nebling. Criminalist Nebling was also present to document the weapon countdown via photographs, and Criminalist Outhaythip was present to collect the weapon. At my direction, Officer Eugenio removed the magazine from the handgun in his holster. Officer Eugenio then handed the magazine to Criminalist Nebling who removed seventeen 9mm cartridges from the magazine, rendering it empty. At full capacity, the magazine is capable of holding seventeen cartridges.

Officer Eugenio then removed his handgun from its holster and pulled the slide back, ejecting one 9mm cartridge from the chamber. This round was retrieved. Officer Eugenio locked the slide to the rear, and presented an empty handgun to Criminalist Nebling. The handgun was a 9mm Glock Model 17, SN # [redacted] Officer Eugenio then removed a spare magazine from his upper belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty. Officer Eugenio then removed a spare magazine from his bottom belt pouch. This magazine was handed to Criminalist Nebling, who removed seventeen 9mm cartridges from the magazine, rendering it empty. I verified with Officer Eugenio he maintained full capacity in all of his magazines, and did not carry any other firearms on his person. At the conclusion of the weapon countdown, we determined Officer Eugenio had not fired his handgun. The handgun, magazines and cartridges were all returned to Officer Eugenio.

I then asked Officer Eugenio if he would be willing to conduct an on-scene briefing, and he replied, "Yes." I asked Officer Eugenio if he would be willing to provide an interview at this time, and he replied, "Yes."

Officer Eugenio was also issued a Communication Restriction Order by Commander Crebs.

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE: NE 6th AVENUE / NE HALSEY STREET

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Officer Eugenio was then interviewed by Detective Hurley and Detective Harris (see Detective Hurley's report for complete details).

After interviewing Officer Foote, Detective Slate and I then went to Emanuel Hospital at 0200 hours and spoke to Detective Weinstein who had secured Officer Burley's weapons and duty belt in the trunk of an unmarked police car. Detective Weinstein had already performed a weapon countdown on Officer Burley's back-up handgun, a 9mm Glock Model 26. Detective Weinstein told me after performing the weapon countdown, he had determined Officer Burley had not fired his back-up handgun (see Special Report by Detective Weinstein for details of the weapons countdown).

Criminalist Nebling and Criminalist Outhaythip also met us at Emanuel Hospital. Criminalist Nebling was present to document the weapon countdown via photographs, and Criminalist Outhaythip was present to collect the weapon. I removed Officer Burley's duty belt from the trunk of the unmarked police car. Officer Burley's handgun was holstered on the duty belt. At my direction, Criminalist Nebling removed the magazine from the handgun in the holster on Officer Burley's duty belt. Criminalist Nebling then removed seventeen 9mm cartridges from the magazine, rendering it empty. At full capacity, the magazine is capable of holding seventeen cartridges.

Criminalist Nebling then removed the handgun from its holster and pulled the slide back, ejecting one 9mm cartridge from the chamber. This round was retrieved. Criminalist Nebling locked the slide to the rear, and presented an empty handgun to me. The handgun was a 9mm Glock Model 17, SN # [redacted] Criminalist Nebling then removed a spare magazine from Officer Burley's upper belt pouch. Criminalist Nebling then removed seventeen 9mm cartridges from the magazine, rendering it empty. Criminalist Nebling then removed a spare magazine from Officer Burley's bottom belt pouch. Criminalist Nebling then removed eighteen 9mm cartridges from the magazine, rendering it empty. I later verified with Officer Burley he maintained full capacity in all of his magazines, and all of his firearms had been accounted for. At the conclusion of the weapon countdown, we determined Officer Burley had not fired either of his handguns. The handguns, magazines and cartridges were all later returned to Officer Burley. Detective Slater and I attempted to speak with Officer Burley, but learned from hospital staff he was currently sleeping.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
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ITEM | CODE

Detective Slater and I then went back to the scene at 0255 hours, and received a briefing from the other Detectives who had interviewed civilian witnesses and officer witnesses. The listed vehicle was towed to Rivergate Vehicle Storage for further processing.

Upon leaving the scene, Detective Slater and I went to the Detective Division, where I copied the video of the shooting from the iPhone provided by [redacted] Detective Slater and I then returned to the scene, and at 0500 hours, I returned [redacted] iPhone to her boyfriend, [redacted] Detective Slater and I then cleared the scene and returned to the Detective Division. I then copied the iPhone video to a CD-R. I also copied the contents [redacted] memory card to a separate CD-R. Both of these CD-Rs were listed as evidence on Portland Police Bureau Property/Evidence Receipt #1203486. I also placed the Search by Consent forms signed by [redacted] and [redacted] on Portland Police Bureau Property/Evidence Receipt #12034865 as evidence. All of these items were later placed in the Property Room.

This investigation is ongoing.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

BUREAU OF POLICE
1619 NW INDUSTRIAL WAY, STE. B4
PORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No. 1203485	6-12-10 / 2100 AM PM		10-38353

ONLY ☐ EVIDENCE ☐ FOUND PROPERTY ☐ PRISONER'S PROP. ☐ SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐

HOME ADDRESS CITY STATE ZIP

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING.

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

SIGNATURE

HOME ADDRESS CITY STATE ZIP PHONE

TYPE OF INCIDENT: Officer Initiated Stop

DELIVERING OFFICER: Katsaros ID/ASSIGN: 28911

LOCATION WHERE SEIZED/FOUND/SURRENDERED: NE Chatham St / NE 6th Ave

INVESTIGATOR (IF DIFFERENT) ID/ASSIGN:

☐ DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB

☐ SUSPECT

FOR GUNS: LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORGIN. LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1: Search by Consent Form, signed by		
ITEM 2: Search by Consent Form, signed by		
ITEM 3:		
ITEM 4:		
ITEM 5:		
ITEM 6:		
ITEM 7:		
ITEM 8:		

DELIVERED TO: ☐ PROPERTY ☐ EVIDENCE ☐ CHIP ☐ OTHER | LOCKER | DATE | RECEIVED BY

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

INVENTORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION
DATE: TIME: BY

WHITE - RECORDS COPY
YELOW - CITIZENS RECEIPT
PINK - WITH PROPERTY

02-01-10

[redacted]

CASE # 10-387533

SEARCH BY CONSENT

BEFORE ANY SEARCH IS MADE, YOU MUST UNDERSTAND YOUR RIGHTS.

1) You may refuse to consent to a search and may demand that a search warrant be obtained prior to any search of the premises described below.

2) If you consent to a search, anything of value as evidence seized in the course of the search can be used in court against you.

I HAVE READ THE ABOVE STATEMENT OF MY RIGHTS AND AM FULLY AWARE OF THESE RIGHTS.

I HEREBY CONSENT TO A SEARCH WITHOUT WARRANT OF THE FOLLOWING (DESCRIBE PREMISES, AUTO OR OTHER SUBJECT OF SEARCH):

SanDisk 2GB SD Memory Card for Video and Data + CDR

BY PEACE OFFICERS: Det. Spanhauer OF THE PORTLAND POLICE BUREAU AND His Agents

I HEREBY AUTHORIZE THESE OFFICERS TO SEIZE ANY ARTICLE WHICH THEY CONSIDER TO BE OF VALUE AS EVIDENCE.

THIS STATEMENT IS SIGNED OF MY OWN FREE WILL WITHOUT ANY THREATS OR PROMISES HAVING BEEN MADE TO ME.

[redacted]
Signature

05/12/10 8:28PM
Date - Time

[redacted] NE Holsey St PDX, OR
Place

[redacted] 16089
Witness

[redacted] 50500
Witness

[redacted]

CASE # 10-38353

SEARCH BY CONSENT

BEFORE ANY SEARCH IS MADE, YOU MUST UNDERSTAND YOUR RIGHTS.

1) You may refuse to consent to a search and may demand that a search warrant be obtained prior to any search of the premises described below.

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I HAVE READ THE ABOVE STATEMENT OF MY RIGHTS AND AM FULLY AWARE OF THESE RIGHTS.

I HEREBY CONSENT TO A SEARCH WITHOUT WARRANT OF THE FOLLOWING (DESCRIBE PREMISES, AUTO OR OTHER SUBJECT OF SEARCH):

APPLE I-PHONE WITH PHONE # [redacted]
FOR VIDEO AND RELEVANT CALLS AND DATA.

BY PEACE OFFICERS: DET. SPANHAUER OF THE PORTLAND POLICE BUREAU AND HIS AGENTS

I HEREBY AUTHORIZE THESE OFFICERS TO SEIZE ANY ARTICLE WHICH THEY CONSIDER TO BE OF VALUE AS EVIDENCE.

THIS STATEMENT IS SIGNED OF MY OWN FREE WILL WITHOUT ANY THREATS OR PROMISES HAVING BEEN MADE TO ME.

[redacted]
Signature

5.12.10 8:09 PM
Date - Time

[redacted] NE HALSEY ST. PORTLAND OR 97232
Place

Witness

Witness

JREAU OF POLICE
519 NW INDUSTRIAL WAY, STE. B4
ORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No. 1203486	5-13-10 / 0430 (AM) PM		10-88353

ONLY ☐ EVIDENCE ☐ FOUND PROPERTY ☐ PRISONER'S PROP ☐ SAFEKEEPING

COPY: YES ☐ NO ☐

PROPERTY TAKEN FROM: LAST NAME | FIRST | M.I. | SEX | DOB

DENIED OWNERSHIP ☐

HOME ADDRESS | CITY | STATE | ZIP

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

OWNER OF PROPERTY: LAST NAME | FIRST | M.I. | SEX | DOB

SIGNATURE

HOME ADDRESS | CITY | STATE | ZIP | PHONE

TYPE OF INCIDENT: Officer Involved Shooting

DELIVERING OFFICER: Kalmbach

DPSST ASSIGN: 23686

LOCATION WHERE SEIZED / FOUND / SURRENDERED: [redacted]

INVESTIGATOR (IF DIFFERENT):

DPSST ASSIGN:

☐ DEFENDANT ☐ SUSPECT

LAST NAME	FIRST	M.I.	SEX	RACE	DOB

ITEM	FOR GUNS: LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORGIN. LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1	CD-R containing video footage from [redacted] iPhone		
ITEM 2	CD-R containing video footage from [redacted] memory card		
ITEM 3			
ITEM 4			
ITEM 5			
ITEM 6			
ITEM 7			
ITEM 8			

DELETED FROM [illegible] SATELLITE PROPERTY ROOM AS DIRECTED BY [illegible]

LOCKER	DATE	RECEIVED BY

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

TORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION	BY	WHITE - RECORDS COPY YELOW - CITIZENS RECEIPT PINK - WITH PROPERTY
DATE: TIME:		

02-01-10

PORTLAND POLICE BUREAU

CONFIDENTIAL

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☐ SUPPLEMENTAL

Page/Of 1/4

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353	10-38359	Officer Involved Shooting

☐1. UNFOUNDED ☐ 3. SUSPENDED ☐ 5. EXCEPTIONAL
☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
05/12/10 1821	05/19/10 0800

LOCATION OF OCCURRENCE
NE 6th and HALSEY

PERSONS **CO**-Complainant **SB**-Subject **SI**-Sick/Injured/Cared For **PE**-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
VI	BURLEY, CHRISTOPHER		M	W	

ADDRESS	ZIP	PHONE
Work : 1111 SW 2nd Ave., Portland, OR	97204	

SUBJECT OF THIS REPORT	PROPERTY RECEIPT NO.
Crime Scene	

NARRATIVE/PROPERTY ITEM CODE **S**-STOLEN **L**-LOST **F**-FOUND **D**-DAMAGED **K**-SAFEKEEPING **R**-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ Intell
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR
☐ Vehicle
OPR
☐ Crime/ Prop
OPR
☐ Book
OPR

NO CONNECT INFORMATION

SB : OTIS, KEATON Dupree
MB 01/04/85
ODL# [redacted]
Address: 3541 N Houghton St
Portland, OR
(SB/Deceased at scene)

NONCONNECT INFORMATION

Law Enforcement Personnel:

Sgt. McGlathery #26847
Detective Division Homicide Detail, Supervisor On-Scene

Detective Kammerer #29988
Detective Division Homicide Detail, Lead Investigator

Detective Slater #27192
Detective Division Homicide Detail, Co-lead Investigator

Detective Madden #23577
Detective Division White Collar Crimes, Crime Scene

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective Michaels	40400	DET	M	Homicide	

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38359	Officer Involved Shooting	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special	M	W	

SUBJECT'S NAME: BURLEY, CHRISTOPHER

LOCATION OF OCCURENCE: NE 6th and HALSEY

NARRATIVE: The order of appearance for additional information will be:
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ITEM | CODE

NONCONNECT INFORMATION Cont.

Law Enforcement Personnel Cont.:

Sgt. T. Davis # 18957
Traffic Division, Crime Scene

Officer Gustafson #233996
Traffic Division, Crime Scene

Officer Hull #37765
Traffic Division, Crime Scene

Criminalist Durham #33027
Forensic Evidence Division: Crime Scene

Criminalist Schleich #36817
Forensic Evidence Division: Crime Scene

Vehicles at the Scene:

OR Plate ZET208:	Silver Toyota Corolla : Suspect Vehicle
OR Plate 742DPF:	Unmarked police vehicle
OR Plate 015CLW:	Unmarked police vehicle
OR Plate ZHC240:	Unmarked police vehicle
OR Plate ZHC233:	Unmarked police vehicle
OR Plate E248018:	Marked police vehicle/Trimet
Backhoe:	Backhoe parked at West curb of NE 6th Ave.

EXHIBITS

None

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective Michaels	40400	DET	M	Homicide	

CASE NO.	CLASSIFICATION	TYPE:			
10-38359	Officer Involved Shooting	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
BURLEY, CHRISTOPHER	M	W	

LOCATION OF OCCURENCE

NE 6th and HALSEY

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ITEM CODE

SUMMARY

This report covers the Crime scene diagram and information about the Less Lethal gun #5 and Shotgun # TOD 7.

NARRATIVE

Initial Information:

On May 12, 2010 at about 1638 hours I was called by Sgt. McGlathery to respond to the scene of an officer involved shooting at NE 6th and Halsey. I arrived at about 1920 hours and Sgt. McGlathery assigned me to do the crime scene with Detective Madden. Detective Madden wrote the word picture for the scene; see his report for details. Traffic Officers Hull and Gustafson and Traffic Sgt. Davis responded and assisted me with the diagram of the crime scene. Sgt. Davis, Officer Gustafson and Officer Hull used a Trimbol Survey Device to gather measurements for the crime scene. We also gathered some measurements with a tape measure (for example, items under cars). Officer Hull put all the measurements into a diagram.

Crime Scene Legend:

The attached spreadsheet is the Legend for the diagram. The following is an explanation of its contents:

- PK # - PK numbers are the numbers the Trimbol Survey Device uses. The first number, "1001" is the "PK Orientation Nail" from which all the other measurements are drawn from.
- Item # - Item numbers or "Placard" numbers are the identifying numbers/letters items of evidence were given prior to being photographed. They are listed next to their corresponding PK number or their tape measurement where appropriate.
- Item – Brief description of the item photographed/collected.
- Extra description – additional measurement information or other info about item.
- Note: not all items have a PK number.

CASE NO.	CLASSIFICATION	TYPE:			SEX	RACE	DOB
10-38359	Officer Involved Shooting	☐ Incident	☐ Traffic Accident		M	W	
		☐ Custody	☐ Special				

SUBJECT'S NAME: BURLEY, CHRISTOPHER

LOCATION OF OCCURENCE: NE 6th and HALSEY

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ITEM | CODE

Information about Less Lethal Gun #5 and Shotgun # TOD 7:

Criminalists Durham and Schleich collected Less Lethal Gun #5 and Shotgun #TOD 7. The following is the information about those guns as the criminalists took them from the accompanying cars:

Less Lethal #5

From Trimet Police Car E248018
Car assigned to Unit 1657 : Ofc. Dauchy #30873
Less Lethal Gun #5
Locked into its rack.
Safety on.
One round in chamber.
Five rounds in magazine chamber.
Three rounds in barrel clip.
Three empty slots in barrel clip. (Barrel clip holds six).
Six rounds in "ammunition pouch" on stock of gun.
So, a total of fifteen rounds with the beanbag gun.

Shotgun TOD 7

From dark grey UC Police Car ZHC240
Car assigned to 1951 : Ofc. Polas #43489 and Ofc. Burley #45975.
Shotgun # TOD 7
Locked into its rack.
Safety on.
Zero rounds in chamber.
Six rounds (buckshot) in the magazine chamber.
Six rounds (slugs) in the barrel clip.
So, a total of twelve rounds with the shotgun.

PPB Case# 10-38359

Crime Scene Diagram Legend

PK #	Item #	Item	Additional Information
1001		PK Orientation Nail for Trimbol Survey Device	To Orient Diagram
1004		Head	
1008		Lt foot	
1005		Rt Elbow	
1006		Rt foot	
1012	1	Tazer # 50 X00-198086	South of SB Rt elbow
1011	2	Tazer line and probe and Crown Royal bag	tazer line wrapped up with clothing & Crown Royal bag
1010	3	Intact Bullet	next to Crown Royal bag
1009	4	Fired Less Lethal sock round	btwn SB car (ZET208) and curb / next to lft foot of SB
1007	5	Bullet fragment	btwn SB car and curb - near curbline/SB rt foot
No Pk#	6	Bullet fragment	under SB's silver Toyota (ZET208)
			35" South of RFT
			11" West of edge of car
1002	7	Bullet fragment	btwn stop sign and apartment wall on sidewalk
1003	8	Bullet fragment	btwn stop sign and apartment wall on sidewalk
1013	9	Fired Less Lethal sock round	East of SB car/on sidewalk
1014	10	Fired Less Lethal sock round	West of item 9
1015	11	Silver color casing marked "9mm Luger FC"	Southeast of parking meter
1064	12	Set of police keys with selectron	behind rt rear bumper of SB car
1063	13	Silver color casing marked "9mm Luger FC"	behind SB car near keys of item 12
1021	14	Silver color casing marked "9mm Luger FC"	in road/against curb/by trimet car (E248018)
1022	15	Silver color casing marked "9mm Luger FC"	near item 14
1057	16	Silver color casing marked "9mm Luger FC"	by curb btwn SB car and trimet car
1058	17	Silver color casing marked "9mm Luger FC"	by curb and in front of right trimet bumper
1059a	18	Silver color casing marked "9mm Luger FC"	under trimet car
1059b	19	Silver color casing marked "9mm Luger FC"	under trimet car
1060	20	Silver color casing marked "9mm Luger FC"	by trimet LFT

PPB Case# 10-38359

Crime Scene Diagram Legend

PK #	Item #	Item	Additional Information
1061	21	Silver color casing marked "9mm Luger FC"	behnind left rear bumper SB car
1062	22	Silver color casing marked "9mm Luger FC"	South of item 21 between trimet and SB cars
1055	23	Silver color casing marked "9mm Luger FC"	under grate/tree/sidewalk/near SB car
1056	24	Black object	under grate near item 23
1017	25	Less Lethal shell casing	by wall in area of trimet car
No Pk#	26	Silver color casing marked "9mm Luger FC"	Under RFT trimet car on sidewalk
			60' 10" S of SCL of NE Halsey
			2' 11" E of ECL of NE 6th
1016a	27	Less Lethal shell casing	by trimet car RFT
1016b	28	Less Lethal shell casing	by trimet car RFT
1018	29	Silver color casing marked "9mm Luger FC"	mid level of trimet car on sidewalk
1019	30	Silver color casing marked "9mm Luger FC"	between tree and wall on sidewalk
1067	31	Silver color casing marked "9mm Luger FC"	near curb/tree/RFT of trimet car
No Pk#	32	Silver color casing marked "9mm Luger FC"	under trimet car E248018
			60' 11" South of SCL of NE Halsey
			4" West of curb
No Pk#	33	Silver color casing marked "9mm Luger FC"	under trimet car E248018
			62' 3" S of SCL of NE Halsey
			0" from curb (against)
1066	34	Blue gloves (latex type)	next to item 35
1065	35	Bullet fragment	rear of trimet car/driver's side
1070	36	Black glove (latex type)	under LRT
1069	37	"Tigerlight" flashlight	lying on ground
1068	38	Bullet fragment	South of backhoe
No Pk#	39	Black glove (latex type)	South of backhoe
			90' S of SCL of NE Halsey
			15' E of WCL of NE 6th Ave
1083	40	Tazer - # SE 67 X00-193306	btwn dk grey slicktop ZHC240 & silver slicktop 015CLW
1072	41	Intact bullet	in front of blue slicktop (ZHC233)
1071	42	Silver color casing marked "9mm Luger FC"	btwn RFT of blue slicktop car and SB car

PPB Case# 10-38359 Crime Scene Diagram Legend

PK #	Item #	Item	Additional Information
No Pk#	43	Wristwatch	under SB car
			46" South of LFT
			14" East of edge
1073	44	Tazer gate	in front of blue slicktop car
1074	45	Silver color casing marked "9mm Luger FC"	West of blue slicktop car
1075	46	Silver color casing marked "9mm Luger FC"	West of blue slicktop car
1076	47	Silver color casing marked "9mm Luger FC"	West of blue slicktop car
1077	48	Silver color casing marked "9mm Luger FC"	West of blue slicktop car
1078	49	Silver color casing marked "9mm Luger FC"	West of blue slicktop car
1080	50	Silver color casing marked "9mm Luger FC"	West of blue slicktop car
1081	51	Silver color casing marked "9mm Luger FC"	West of blue slicktop car
1079	53	Silver color casing marked "9mm Luger FC"	under LFT of blue slicktop car / tire turned rt 30 degrees
No Pk#	54	Silver color casing marked "9mm Luger FC"	under blue slicktop car where doors meet
			50" North of LFT
			8 " East of edge
1082	55	Tazer # T-8 X00-108648	by silver slicktop 015CLW near RRT
No Pk#	56	Bullet fragment	SW corner of NE 6th and Halsey
			2' South of SCL of NE Halsey
			12' West of WCL of NE 6th
No Pk#	57	Spent bullet lodged in brick wall of building	42' 6" S of SCL of NE Halsey, 8" high
No Pk#	58	Suspected blood on brick wall of building	44' 11" S of SCL of NE Halsey, 77" high
No Pk#	59	Suspected blood on brick wall of building	47' 3" S of SCL of NE Halsey, 28" high
No Pk#	60	Suspected blood on brick wall of building	49' 5" S of SCL of NE Halsey, 3" high
No Pk#	61	Wallet with bullet impact from SB pocket	med. examiner took out of SB right front jeans pocket
			wallet had a spent bullet lodged in it
No Pk#	62	Business card	found under body - "mahogony beauty?"
No Pk#	63	Bullet fragment frag	under driver side wiper arm of dk grey slicktop ZHC240
			23" North of LFT
			13.5" West of edge
No Pk#	64	Silver color casing marked "9mm Luger FC"	on trunk/window edge of SB car

PPB Case# 10-38359 Crime Scene Diagram Legend

PK #	Item #	Item	Additional Information
			19" S and 13" W of RRT
No Pk#	65	Silver color casing marked "9mm Luger FC"	on trunk/window edge of SB car
			20" S and 25" W of RRT
No Pk#	66	Silver color casing marked "9mm Luger FC"	on trunk/window edge of SB car
			20" S and 28.5" W of RRT
No Pk#	67	Gun in SB car	Gun on driver's seat of SB car
			52" from LFT and 20" East from edge
			Taurus "Millennium" PT111 9mm
			SN TVK95611 made in Brazil
			Rounds were 9mm Luger
			Rounds stamped with flat bottom V, 9mm, Luger, CBC
			One round in chamber. Five rounds in magazine.
			Casings are gold color.
			Gun lying with barrel toward NorthWest
No Pk#	68	Silver color casing marked "9mm Luger FC"	near latch area of hood of Dk blue slicktop car ZHC233
			30" North of RFT
			38" West of edge
No Pk#	69	Bullet fragment	2' 7" S of NCL of NE Halsey
			9' 6" E of ECL of NE 6th Ave
No Pk#	70	Bullet fragment	Under Backhoe
			33' 5" S of SCL of NE Halsey
			5' 10" E of WCL NE 6th Ave.
No Pk#	No #	Bullet fragment inside SB car on dashboard	16" S of RFT and 19" W of edge
No Pk#	No #	Tazer wire	hanging out of front passenger door of SB car
		Labeled items : Not collected.	
No Pk#	A	Bullet hole on driver side of SB car	38.5" S of LFT 35" high
No Pk#	B	Bullet hole on driver side of SB car	55" S of LFT 39" high
No Pk#	C	Bullet hole - windshield of SB car	23" S of LFT / 27 " E of edge 49" high
No Pk#	D	Bullet hole - windshield of SB car	15" S of LFT / 38" E of edge 42.5" high
No Pk#	E	Bullet hole - windshield of SB car	15" S of LFT / 44" E of edge 42.5" high
No Pk#	F	Bullet hole on passenger side of SB car	29" S of RFT and 25" high

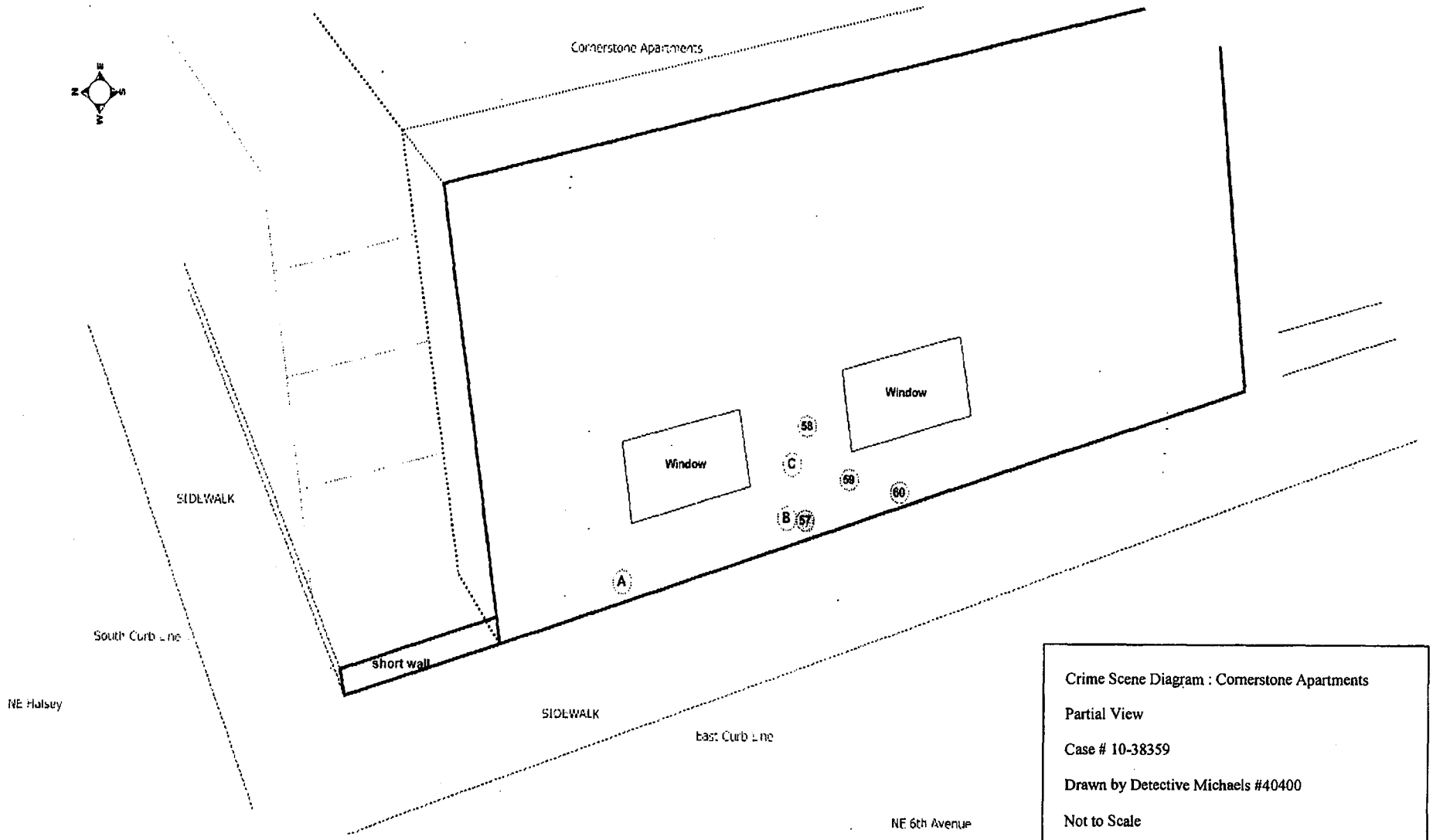
PPB Case# 10-38359 Crime Scene Diagram Legend

PK #	Item #	Item	Additional Information
No Pk#	G	Bullet hole on passenger side of SB car	38.5" S of RFT and 31.5 high
No Pk#	H	Bullet hole on passenger side of SB car	53" S of RFT and 29" high
No Pk#	I	Bullet hole on passenger side of SB car	31.5" S of RFT and 37.5" high
No Pk#	J	Bullet hole on passenger side of SB car	43" S of RFT and 37.5" high
No Pk#	K	Bullet hole in Rt side SB trunk	32" S and 11" W of RRT
No Pk#	L	Bullet hole in rear window of SB car	20" S of RRT and 21" W of edge
No Pk#	M	Bullet hole by license plate of SB car	33" S and 35" W of RRT
No Pk#	N	Bullet hole in Lt side SB trunk	28" S and 50" W of RRT, 3" in length
No Pk#	Wall-A	Bullet impact in brick wall of building	29' 7" S of SCL of NE Halsey and 15" high
		North wall of bldg = 12 '5" E of ECL of 6th Ave	
No Pk#	Wall-B	Bullet impact in brick wall of building	42' 1" S of SCL of NE Halsey and 31.5" high
		North wall of bldg = 12 '5" E of ECL of 6th Ave	
No Pk#	Wall-C	Bullet impact in brick wall of building	42' 10" S of SCL of NE Halsey and 55" high
		North wall of bldg = 12 '5" E of ECL of 6th Ave	
		VEHICLE INFORMATION	
1084		LFT 015CLW	Silver slicktop police car 015CLW
1085		LRT 015CLW	Unit Number 3950
1086		RRT 015CLW	Sgt. Livingston #32588
1087		RFT 015CLW	Ofc. Murphy #44162
1088		RFT ZHC240	Dark grey slicktop police car ZHC240
1089		RRT ZHC240	Unit Number 1951
1090		LRT ZHC240	Ofc. Polas #43489
1091		LFT ZHC240	Ofc. Burley #45975
1092		LFT ZET208	Silver Toyota Corolla - (SB) Otis' car ZET208
1093		LRT ZET208	
1094		RRT ZET208	
1095		RFT ZET208	
1096		LFT ZHC233	Blue (dark) slicktop police car ZHC233
1097		LRT ZHC233	Unit Number 1950
1098		RRT ZHC233	Ofc. Foote #43493

PPB Case# 10-38359

Crime Scene Diagram Legend

PK #	Item #	Item	Additional Information
1099		RFT ZHC233	Ofc. Defrain #44436
1100		LRT E248018	Marked Trimet (trimet) police car E248018
1101		LFT E248018	Unit Number 1763A
1102		RFT E248018	Ofc. Dauchy #30873
1103		RRT E248018	
1111		RRT 742DPF	Grey slicktop car intersection of NE Halsey/6th 742DPF
1112		RFT 742DPF	Unit Number 1657
1113		LFT 742DPF	Ofc. Dale #23726
1114		LRT 742DPF	Ofc. Eugenio #39877
1105		RRT Backhoe	Backhoe
1106		FRT Backhoe	
1107		LFT Backhoe	
1108		LRT Backhoe	
1104		East Curbline of NE 6th	
1109		West Curbline of NE 6th	
		NOTE: PK#s 1020, 1023-1054, 1104 and 1109 were used to designate measurements for orientation of diagram. They do not correspond to items of evidence. They are not included in this legend. They are included in Officer Hull's report.	
		NOTE: Abbreviations	
		S = South	
		N = North	
		E = East	
		W = West	
		RRT = Right Rear Tire	
		LRT = Left Rear Tire	
		RFT = Right Front Tire	
		LFT = Left Front Tire	
		SCL = South Curb Line	
		NCL = North Curb Line	
		ECL = East Curb Line	
		WCL = West Curb Line	
		slicktop = Police car with different light kit	
		SB = Subject Otis, Keaton D	
		Edge = measured from edge of car	
		High = measurement from ground/height	
		trimet = trimet car with plate E248018	
		blue slicktop = dk blue police car ZHC233	
		silver slicktop = silver police car 015CLW	
		dk grey slicktop = dk grey police car ZHC240	
		SB car = Subject Otis' Silver Toyota ZET208	



Crime Scene Diagram : Cornerstone Apartments

Partial View

Case # 10-38359

Drawn by Detective Michaels #40400

Not to Scale

PORTLAND POLICE BUREAU | **SPECIAL REPORT** | ☐ INFORMATION ☐ CONTINUATION ☐ CLEARANCE ☐ SUPPLEMENTAL | Page/Of 1/9

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353	10-38359	HOMICIDE

☐1. UNFOUNDED ☐2. PENDING ☐3. SUSPENDED ☐4. CLR BY ARREST ☐5. EXCEPTIONAL ☐6. REFERRED

ORIGINAL REPORT DATE/TIME:

THIS REPORT DATE/TIME: 051610 1150

LOCATION OF OCCURRENCE: NE 6TH AVE/ NE HALSEY

PERSONS CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
DE	OTIS, KEATON DUPREE		M	B	010485

ADDRESS: ZIP: PHONE:

SUBJECT OF THIS REPORT: CRIME SCENE WORD PICTURE

PROPERTY RECEIPT NO.:

NARRATIVE/PROPERTY ITEM CODE: S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ Intell
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR ☐ Vehicle
OPR ☐ Crime/ Prop
OPR ☐ Book
OPR

SUMMARY

On Thursday, May 12, 2010 at 1841 hours, I received a page to respond to the location of NE 6th Avenue and NE Clackamas Street to assist the Homicide Detail with crime scene processing. Part of my assignment included the production of the crime scene word picture for this case.

NARRATIVE

The weather history for Portland, OR, for Thursday May 12, 2010 at 1841 hours showed an ambient temperature of 65 degrees Fahrenheit with 47% relative humidity. Wind was from the north at 3.5 mph. The sky was overcast with no precipitation. This information from the Weather Underground ground report from the Internet address www.wunderground.com matched my observations made at the scene.

I approached the crime scene from the south and west. I entered the crime scene by walking east on NE Wasco then turning north on NE 6th Avenue until I reached the location of the Mobile Precinct which was located on NE Clackamas Street to the east of NE 6th Avenue. As I entered the crime scene, I could see it was marked by both yellow, indicating the "perimeter crime scene," and red, marking the "interior crime scene", plastic roll tape. The area of the crime scene might be called "mixed residential" as there are businesses, apartments, and houses within and the Lloyd Center shopping mall is approximately three blocks directly east of the crime scene. The streets are paved and there is noticeable construction in the area with no construction was impacting the crime scene. There are many fully matured trees with concrete sidewalks accommodating pedestrian traffic. There was curbside parking available on the east side of NE 6th Avenue from NE Halsey south to NE Clackamas. Parking on the west side of the same block seemed to be at least temporarily unavailable due to construction. Streets running north/south as well as streets running east/west could easily accommodate two way traffic.

INVESTIGATOR

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective A. Madden	23577	DET	M	FRAUD	

CASE NO.	CLASSIFICATION	TYPE: ☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special
10-38353	HOMICIDE	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6TH AVE/ NE HALSEY

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO--List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
ITEM 5: ADDITIONAL PROPERTY--Record no more than four additional items of property in the narrative--and/or use a Special Report and attach as additional pages.
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ITEM | CODE

The primary crime scene is located on the street and east sidewalk of NE 6th Avenue and south of the intersection with NE Halsey. I have attached copies of Portland Maps and Google Maps as reference for the intersection as well as a schematic for the relative positions of vehicles that were within the primary crime scene.

As I looked at the crime scene from the west sidewalk of NE 6th Avenue approximately mid block between NE Clackamas Street to the south and NE Halsey to north, I noted the positions and conditions of vehicles at the scene and within the perimeter:

#1) the suspect's vehicle, a silver colored four-door Toyota Corolla with Oregon license plate ZET208, is parked along the east curb line of NE 6th Avenue. The vehicle has its parking lights on and the vehicle has been damaged. All four of the doors are closed and there is shattered glass on the roof, hood, trunk and in the front passenger compartment. The ignition key in the ignition at the stop position and the floor mounted gear shift is in the park position. There is blood spatter in the passenger compartment in the area of the front seats and an obvious blood smear on the front dash approximately at the midline, about a foot in length and horizontal to the floor. The glove compartment is open. The gear shifter is mounted on the floor and is in the park position. The parking brake lever is engaged. There are two taser electrode wires lying across the gear shifter approximately parallel to the seats and extend almost the entire length of the passenger compartment. The engine is not running.

There is a semi-automatic pistol on the driver's seat pointing toward the north north west. It has a silver slide and a black polymer receiver. The pistol is lying with the right side on the seat and there is blood splatter and shattered auto glass visible on the left side. There is a visible magazine in the receiver.

The rear windshield is shattered with approximately 50% of the glass still in position although entirely shattered. I estimated that 50% of the glass from the center of the rear windshield is gone. There is one clearly visible hole in the lower right quadrant of the rear window consistent with a gunshot.

There are three visible bullet impacts on the trunk:

a) there is a bullet gouge in the left side of the trunk approximately three inches long and an inch wide near the left edge of the trunk lid;

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10-38353	HOMICIDE	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6TH AVE/ NE HALSEY

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ITEM | CODE

b) there is a bullet hole approximately one inch round on the trunk just to the left of the license plate;

c) there is a bullet hole approximately two inches round on near the right edge of the trunk lid just above the Corolla model emblem.

The front windshield is cracked but intact. There are at least three impact points on the front windshield in front of the passenger seat that are consistent with gunshots and there is a bullet visible on the dashboard on the passenger side.

The right front passenger window appears to be completed shattered and missing. There are five bullet exit holes on the outside of the door:

a) there is an exit gouge located below the right front door handle that is approximately two inches in length and about an inch wide.

b) there is an exit hole approximately in the middle of the door that is about an inch and half round;

c) there is an exit hole about eighteen inches from the door's front edge that is approximately an inch round.

d) there is an exit gouge about eighteen inches from the door's front edge on the top edge of the front right passenger door just below the window seal gasket;

e) there is an exit gouge about eight inches from the door's front edge that is compressed as though it was a glancing exit.

The right rear passenger window is in the open position and is intact.

The driver's side window appears to be rolled completely down. There is entry bullet hole about midline of the door and another entry near the door handle at the edge of the window seal at the position of the door lock.

The left rear passenger window is in the open position and the glass is shattered.

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10-38353	HOMICIDE	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

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ITEM | CODE

#2) a dark blue police Ford Crown Victoria "slick top" with prisoner partition and emergency lights activated. The driver's side window is open and the driver side spotlight is in the normal down position. The unit is not marked but has Oregon license ZHC233. The engine is running.

#3) a light grey police Ford Crown Victoria "slick top" with PIT bumper and prisoner partition. The windows are closed and the emergency lights are on with the spot light in the down position. The unit is not marked but has Oregon license plate 015CLW. The engine is running.

#4) a dark grey police Ford Crown Victoria "slick top" with prisoner partition. The emergency lights are activated; the spot light is down; the windows are closed. The vehicle displays Oregon license plate ZHC240. The engine is running.

#5) a bronze police Ford Crown Victoria "slick top" with emergency lights on and displaying Oregon license 741DPF.

#6) a white police Ford Crown Victoria "slick top" with emergency lights not activated and bearing Oregon license E233776. The engine is not running.

#7) a white marked police Ford Crown Victoria bearing Oregon license E248018 and marked for transit enforcement. The emergency lights are activated and the windows are closed. The right front tire is on the east sidewalk of NE 6th Avenue and the left front tire is on the street at the east curb line.

#8) a white marked police Dodge Charger bearing Oregon license E243300. The vehicle is manned by a uniform officer maintaining the crime scene entry log.

#9) a white marked police Crown Victoria with Oregon license plate E241824. The emergency lights are not activated and the engine is off.

#10) a blue two-toned Chevrolet four door Caprice displaying a temporary trip permit in the left rear window. The engine is off.

#11) a [redacted] with the engine off.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective A. Madden	23577	DET	M	FRAUD	

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	HOMICIDE	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

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ITEM | CODE

From this vantage point south and west of the crime scene, there were numerous business card "tents" indicating suspected or possible evidence on the NE 6th Avenue. It is common for officers on scene to mark evidence by folding a business card in half and using it to cover possible evidence. I could see a flash light, several black nitrile gloves, a roll of duct tape, two tasers all in the area of the police vehicles. I estimated there were at least 30 "tents."

From this same position, I noted that two ground level windows on the west side of the apartments nearest the scene were covered with what looked to be plastic medical blankets commonly carried in emergency vehicles. These blankets were taped to the windows with pieces of duct tape. There was an orange blanket on the northernmost window and a yellow blanket covering the adjacent window. It is only my impression that these blankets were place on the ground level windows to block the view of the crime scene from the apartments.

I walked around the perimeter of the scene to the north and reentered the northeast corner using the east sidewalk of NE 6th Avenue. I observed black plastic barriers at the southeast corner of NE Halsey and NE 6th which I recognized as being placed by the Forensic Evidence Division for the purpose of respectfully blocking the view of the deceased.

The deceased was laying supine on the east sidewalk of NE 6th Avenue with the crown of the head approximately thirty six and a half feet south of the south curb line of NE Halsey and five feet one inch east of the east curb line of NE 6th. The left foot was approximately forty one feet and one inch south of the south curb line of NE Halsey and was at the east curb line of NE 6th Avenue.

The deceased appeared to be an African American male approximately 25 five years old. The deceased was very thin. The head was rotated to the right of the midline. The face has numerous small abrasions on the forehead and both cheeks which are very consistent with cuts made from the small shards of glass from laminated automobile windows. The deceased has a thin moustache and sparse goatee. The head hair is cut very short. I could not see any tattoos, jewelry, glasses or scars.

The deceased is dressed in a grey, zippered sweatshirt made from a thermal material. There is a white crew neck T-shirt that has been pulled up to the sternum. There are

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	HOMICIDE	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

UBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE
NE 6TH AVE/ NE HALSEY

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO--List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
ITEM 5: ADDITIONAL PROPERTY--Record no more than four additional items of property in the narrative--and/or use a Special Report and attach as additional pages.
ITEM 6: ADDITIONAL OFFICERS--List all officers present and identify their involvement with the incident being reported.
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ITEM | CODE

white boxer style shorts with a light blue elastic band. There are blue jeans that ride well below the hip and the legs of which have been pulled up below the knees for the application of the medical electrodes. There is a black leather or leather-styled belt. There are white crew style athletic stocks with grey toe and heel protection. The shoes are grey Nike Air style similar to Nike Air Force 107 LE that are clean but neither shoe is tied with the white laces.

The right arm is bent at the elbow and is at a slight angle to the medial line of the body. The elbow is almost completely protracted with the right hand in contact with the right side of the ribs and the wrist is rotated down with the fingers fully extended. The fingers are long-boned and thin.

The left arm is partially behind the deceased and its position could not be determined until the medical examiner arrived and "rolled" the body during his examination. At that time I observed that the left arm was protracted at the elbow and the wrist was bent with the fingers extended and pointing slightly toward the head. There were many injuries to the left hand, wrist and lower arm consistent with gunshots.

I observed that both hands, the left more so than the right, were in positions expected from the application of wrist locks.

The left leg was at a slight angle away from the medial line of the body with the left foot externally rotating from the medial. The left foot was shoeless.

The right leg was also at a slight angel away from the medial line with right foot externally rotated at an angle greater than the was left foot. The lower leg appeared to be at an unnatural angle to thigh. The right foot had a shoe and the left shoe was in the approximate area of the right foot.

Almost touching the left elbow is a large coil of Taser electrode wire that looks to have bundled and tangled into a ball about four inches in diameter. Given the very small gauge of the copper wire, it is impossible to tell the individual electrode wires apart. There is an electrode on the ground in immediate proximity to wire ball.

There is a fabric Crown Royal bag on the ground in the same area as the wire ball. At the base of this bag is a fired round. The Crown Royal bag was neither moved nor manipulated to determine if there were any contents.

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	HOMICIDE	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE
NE 6TH AVE/ NE HALSEY

NARRATIVE: The order of appearance for additional information will be:
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Near the left shoulder on the ground and partially obstructed from view is what appears to be a black "do rag" with the ties partially visible near the neck.

Within feet of the left side of the body as it lays on the ground supine is a taser that has the number 50 written in black marker ink. The taser is pointed to the west and there is observable blood splatter on the left grip. The taser has been fired and the cartridge remains attached. The electrodes wires from this taser go to the abdomen area of the deceased but there are not electrodes seen. This taser is on the "safe" selection.

There is a taser electrode on the ground within six inches of the left shoe but I am unable to ascertain where this wire came from or what, if anything, it had struck. It is also possible that medical cut or moved the wire. I can only say that the wire was there.

There are two taser electrodes that have been caught in the right front door at the floorboard. The door had to have been open at some point to have been able to catch these two electrodes within the door frame. Once again, I could not determine for sure where the electrodes came from and can only say that the wire was there.

The shirt, underwear and blue jeans are soaked with blood. There is a possible bullet hole near the right front pocket of the blue jeans; perhaps three bullet holes to the left leg from the thigh to the knee but the positions of the bullet holes are complicated by the amount of blood and the gathering of the material from the blue jean legs. There are at least three bullet wounds visible to the upper rib cage of chest and one bullet wound to through the left rib cage from the left side of the body.

I observed what appeared to me to be an impact bruise to the chest left of midline and consistent with being struck by a less lethal shotgun round. There was a spent less lethal projectile on the street between the curb and the front passenger door of the suspect vehicle. There were two spent less lethal projectiles on the sidewalk to the south of the position of the deceased.

Medical Examiner Ballant arrived at 2315 and took custody of the body. ME Ballant found a bi-fold wallet in the right front pant pocket with the wallet crease toward the head. As the ME removed the wallet, it was immediately apparent that the wallet had been struck by a bullet near the crease. As the ME opened the wallet to look for identification, there was a bullet that had been trapped inside the wallet having been stopped by hitting the right rear corner of the deceased's plastic Oregon driver license.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective A. Madden	23577	DET	M	FRAUD	

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	HOMICIDE	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE
NE 6TH AVE/ NE HALSEY

NARRATIVE: The order of appearance for additional information will be:
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When the ME presented the left hand for viewing, there were several; perhaps as many as six, wounds visible that were apparent gunshot wounds. The left wrist was noticeably swollen and possibly broken. It could not be determined at the scene what were entrance, exit and/or possible defensive wounds.

I asked the ME for an opinion on the condition of the right leg which I observed to be at an unusual angle. The ME explained he could not say for certain but would certainly have information following the autopsy.

The deceased had been lying on business card from Mahogany Beauty on the Go, LLC which appears to be located in the Lloyd Center. The significance of the business card is not known at the time of this report.

The deceased was removed from the scene by the service provided for the Medical Examiner's office at 2350 hours.

After the transport of the deceased, I continued to work on the crime scene. I witness Criminalist Heather Durham #33027 take the pistol in the suspect vehicle into evidence. I made the following observations"

1) the pistol had serial number [redacted] stamped into the receiver and was branded as a Taurus Millenium on the slide;

2) there was a magazine in the receiver which fell out easily upon release. There were a number of visible rounds in the magazine but the rounds were not removed at the scene for counting;

3) the slide functioned normally and was easily locked into the open position;

4) there was a visible round in the chamber which looked to be properly seated;

5) the round in the chamber ejected easily from the action of the slide and was identified as a 9mm caliber round.

6) the pistol was "safed" by the application of a flex cuff through the magazine chamber and through the slide.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective A. Madden	23577	DET	M	FRAUD	

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	HOMICIDE	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE: NE 6TH AVE/ NE HALSEY

NARRATIVE: The order of appearance for additional information will be:
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The pistol appeared to be operational. A full function check was not performed at the scene. The pistol was taken by Criminalist Durham as evidence.

I observed Criminalist Durham perform a countdown on the rounds in the less lethal shotgun marked with a plastic label as LL #5. The less lethal shotgun was in the shotgun rack in vehicle #7 listed above, a marked Ford Crown Victoria. The weapon was removed from its position in the shotgun rack in the car for photography and countdown. There were six rounds in the elastic shell carrier on the butt of the weapon on the weapon's right side. There were three rounds in the in the plastic shell carrier attached to the left side of the weapon which can hold up to six rounds. There was one round in the chamber and five rounds in the tube for a total of fifteen rounds. I had observed three spent less lethal projectiles near the deceased and three spent shotgun rounds at the crime scene near the vehicle.

I then observed Criminalist Durham do a countdown on the shotgun located in vehicle #4. The shotgun was in the shotgun rack inside the vehicle and was removed for photography and countdown. The shotgun was marked as "TOD 7." There were six slug rounds stored in the plastic shell carrier located on the left side of the shotgun. There were six birdshot rounds removed from the tube of the shotgun.

There were two additional tasers at the scene. One of these tasers was on NE 6th near vehicle #3 described above. The taser is located near the right rear tire of the vehicle and is in the "fire" position. There is a taser "gate", the plastic guard of the cartridge, located near the right front of the vehicle. The other taser is also on the NE 6th near the front of vehicle #4 as described above and it is in the "fire" position.

The suspect's vehicle was towed by Speed's Towing to Seizure World at approximately 0400 hours and the crime scene was secured.

I cleared the scene at 0400.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective A. Madden	23577	DET	M	FRAUD	

History for KORPORTL33

Inner Southeast, Portland, OR — Current Conditions

Daily Summary for May 12, 2010

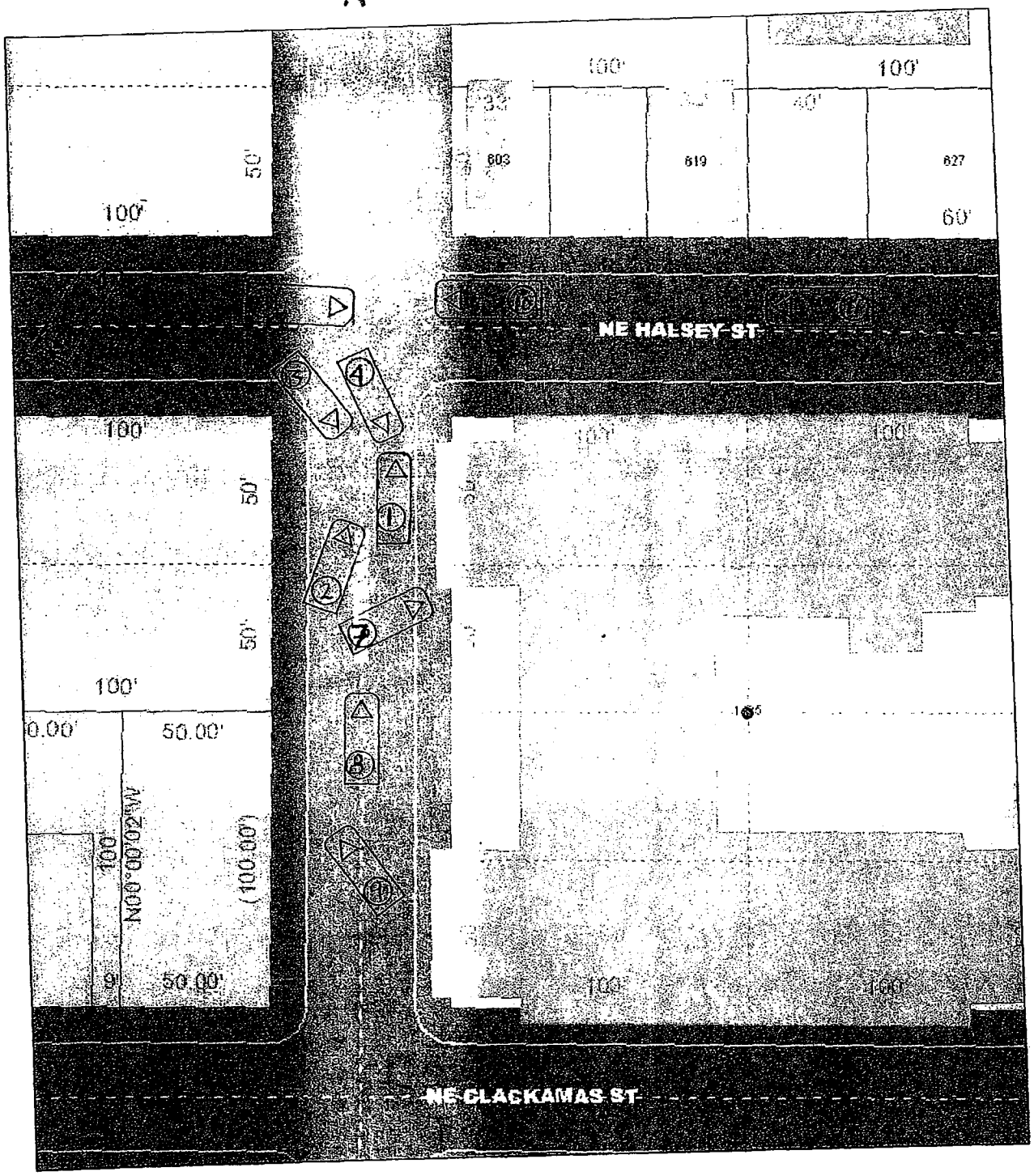
	Current:	High:	Low:	Average:
Temperature:	70.8 °F / 21.6 °C	65.8 °F / 18.8 °C	48.3 °F / 9.1 °C	56.2 °F / 13.5 °C
Dew Point:	43.9 °F / 6.6 °C	47.2 °F / 8.4 °C	42.3 °F / 5.7 °C	44.8 °F / 7.1 °C
Humidity:	38%	83%	44%	67%
Wind Speed:	5.8mph / 9.3km/h /	13.0mph / 20.9km/h	-	3.4mph / 5.5km/h
Wind Gust:	5.8mph / 9.3km/h /	13.0mph / 20.9km/h	-	-
Wind:	North	-	-	NNW
Pressure:	30.05in / 1017.5hPa	30.33in / 1027.0hPa	30.16in / 1021.2hPa	-
Precipitation:	0.00in / 0.0mm			
Solar Radiation:	939.0 watts/m^2			
UV Index:	2.6			

Statistics for the rest of the month:

	High:	Low:	Average:
Temperature:	72.1 °F / 22.3 °C	39.7 °F / 4.3 °C	52.3 °F / 11.3 °C
Dew Point:	48.9 °F / 9.4 °C	30.2 °F / -1.0 °C	41.9 °F / 5.5 °C
Humidity:	98.0%	26.0%	69.9%
Wind Speed:	23.0mph / 37.0km/h from the WSW	-	4.1mph / 6.5km/h
Wind Gust:	23.0mph / 37.0km/h from the WSW	-	-
Wind:	-	-	West
Pressure:	30.45in / 1031.0hPa	29.82in / 1009.7hPa	-
Precipitation:	0.55in / 14.0mm		

17:39	/ 18.1 °C	/ 7.2 °C	1022.2hPa	North	7.4km/h	7.4km/h	49%	0.0mm	watts/m^2	OVC
17:44	65.0 °F / 18.3 °C	44.3 °F / 6.8 °C	30.19in / 1022.2hPa	North	9.2mph / 14.8km/h	9.2mph / 14.8km/h	47%	0.00in / 0.0mm	450.0 watts/m^2	OVC
17:49	65.2 °F / 18.4 °C	45.0 °F / 7.2 °C	30.19in / 1022.2hPa	North	3.5mph / 5.6km/h	3.5mph / 5.6km/h	48%	0.00in / 0.0mm	422.0 watts/m^2	OVC
17:54	65.4 °F / 18.6 °C	45.2 °F / 7.3 °C	30.19in / 1022.2hPa	NW	3.5mph / 5.6km/h	3.5mph / 5.6km/h	48%	0.00in / 0.0mm	429.0 watts/m^2	OVC
17:59	65.5 °F / 18.6 °C	44.7 °F / 7.1 °C	30.19in / 1022.2hPa	NW	5.0mph / 8.0km/h	5.0mph / 8.0km/h	47%	0.00in / 0.0mm	462.0 watts/m^2	OVC
18:04	65.6 °F / 18.7 °C	44.8 °F / 7.1 °C	30.19in / 1022.2hPa	NNW	5.8mph / 9.3km/h	5.8mph / 9.3km/h	47%	0.00in / 0.0mm	464.0 watts/m^2	OVC
18:09	65.6 °F / 18.7 °C	44.3 °F / 6.8 °C	30.18in / 1021.9hPa	NW	6.0mph / 9.7km/h	6.0mph / 9.7km/h	46%	0.00in / 0.0mm	443.0 watts/m^2	OVC
18:14	65.5 °F / 18.6 °C	44.2 °F / 6.8 °C	30.18in / 1021.9hPa	NNW	9.2mph / 14.8km/h	9.2mph / 14.8km/h	46%	0.00in / 0.0mm	410.0 watts/m^2	OVC
18:19	65.4 °F / 18.6 °C	43.5 °F / 6.4 °C	30.18in / 1021.9hPa	NNW	5.8mph / 9.3km/h	5.8mph / 9.3km/h	45%	0.00in / 0.0mm	378.0 watts/m^2	OVC
18:24	65.8 °F / 18.8 °C	43.9 °F / 6.6 °C	30.18in / 1021.9hPa	NNW	5.0mph / 8.0km/h	5.0mph / 8.0km/h	45%	0.00in / 0.0mm	383.0 watts/m^2	OVC
18:29	65.8 °F / 18.8 °C	43.3 °F / 6.3 °C	30.18in / 1021.9hPa	NW	8.0mph / 12.9km/h	8.0mph / 12.9km/h	44%	0.00in / 0.0mm	301.0 watts/m^2	OVC
18:34	65.7 °F / 18.7 °C	44.3 °F / 6.8 °C	30.18in / 1021.9hPa	NNW	4.6mph / 7.4km/h	4.6mph / 7.4km/h	46%	0.00in / 0.0mm	302.0 watts/m^2	OVC
18:39	65.3 °F / 18.5 °C	44.5 °F / 6.9 °C	30.18in / 1021.9hPa	NW	5.0mph / 8.0km/h	5.0mph / 8.0km/h	47%	0.00in / 0.0mm	246.0 watts/m^2	OVC
18:44	65.0 °F / 18.3 °C	44.3 °F / 6.8 °C	30.18in / 1021.9hPa	North	10.4mph / 16.7km/h	10.4mph / 16.7km/h	47%	0.00in / 0.0mm	211.0 watts/m^2	OVC
18:49	64.5 °F / 18.1 °C	44.4 °F / 6.9 °C	30.17in / 1021.6hPa	North	3.5mph / 5.6km/h	3.5mph / 5.6km/h	48%	0.00in / 0.0mm	165.0 watts/m^2	OVC
18:54	64.1 °F / 17.8 °C	44.5 °F / 6.9 °C	30.18in / 1021.9hPa	NW	3.5mph / 5.6km/h	3.5mph / 5.6km/h	49%	0.00in / 0.0mm	114.0 watts/m^2	OVC
18:59	63.6 °F / 17.6 °C	44.1 °F / 6.7 °C	30.17in / 1021.6hPa	NW	4.6mph / 7.4km/h	4.6mph / 7.4km/h	49%	0.00in / 0.0mm	84.0 watts/m^2	OVC
19:04	63.1 °F / 17.3 °C	44.7 °F / 7.1 °C	30.17in / 1021.6hPa	North	3.5mph / 5.6km/h	3.5mph / 5.6km/h	51%	0.00in / 0.0mm	70.0 watts/m^2	OVC
19:09	62.9 °F / 17.2 °C	44.5 °F / 6.9 °C	30.17in / 1021.6hPa	NW	9.2mph / 14.8km/h	9.2mph / 14.8km/h	51%	0.00in / 0.0mm	58.0 watts/m^2	OVC
19:14	62.7 °F /	44.8 °F /	30.17in / 1021.6hPa	North	1.2mph / 1.9km/h	1.2mph / 1.9km/h	52%	0.00in / 0.0mm	51.0 watts/m^2	OVC

#10-38555



NOT TO SCALE

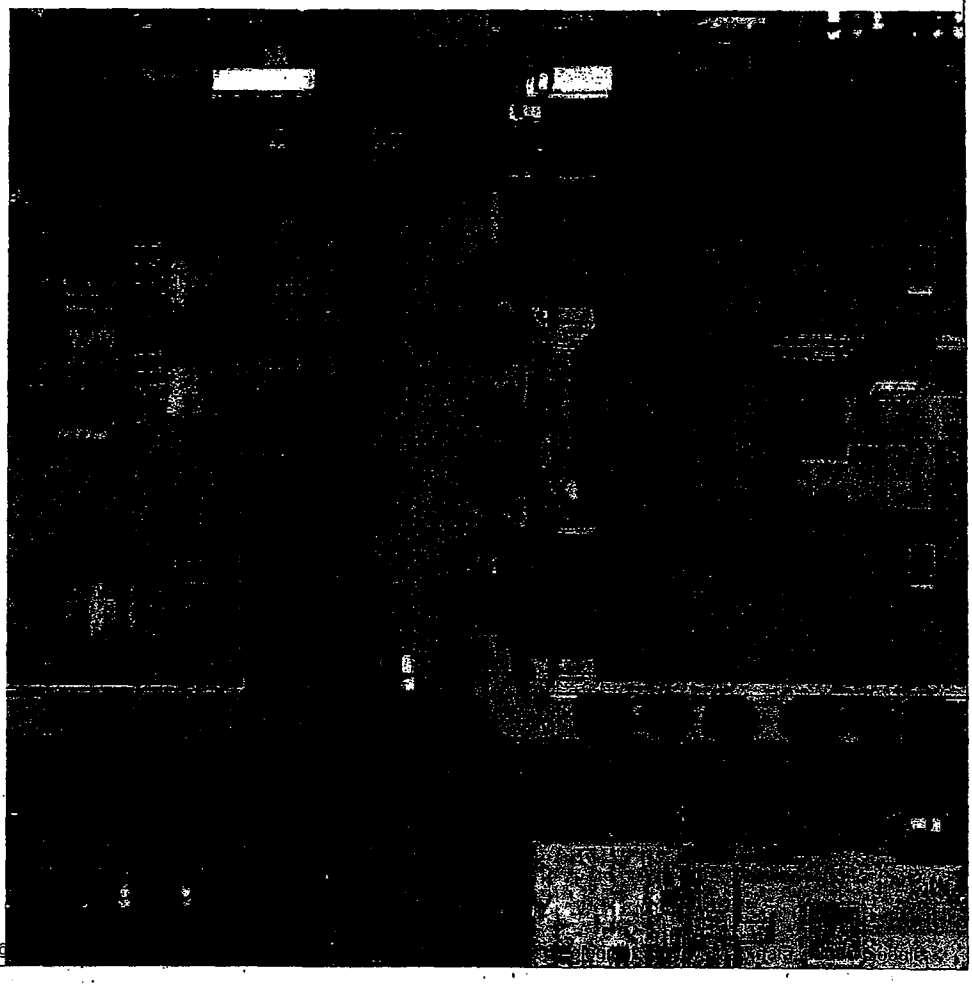
relative positions

Google maps

To see all the details that are visible on the screen,use the "Print" link next to the map.

Get Directions My Maps

Print Send Link



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PORTLAND POLICE BUREAU

CONFIDENTIAL

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE
☐ CONTINUATION ☒ SUPPLEMENTAL

Page/Of: 1/11

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38359		OFFICER-INVOLVED SHOOTING

☐1. UNFOUNDED ☐3. SUSPENDED ☐5. EXCEPTIONAL
☐2. PENDING ☐4. CLR BY ARREST ☐6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
051210/1821	051310/0001

LOCATION OF OCCURRENCE
NE 6th AVENUE / NE CLACKAMAS STREET, PORTLAND, OREGON

PERSONS CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion

CODE	NAME	CRN	SEX	RACE
RP	BURLEY, CHRISTOPHER H.	1813997	M	W

ADDRESS	ZIP	PHONE
1111 SW 2nd AVENUE, PORTLAND, OREGON	97204	

SUBJECT OF THIS REPORT	PROPERTY RECEIPT NO.
OFFICER-INVOLVED SHOOTING / FOLLOW-UP AT EMANUEL HOSPITAL	SEE EXHIBITS

NARRATIVE/PROPERTY S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

ITEM CODE

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ Intell
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR ☐ Vehicle
OPR ☐ Crime/ Prop
OPR ☐ Book
OPR

INVESTIGATOR

NO CONNECT INFORMATION

NONCONNECT INFORMATION

Involved Vehicle:

Oregon ZVN481
Ford Crown Victoria, 4S, Grey, Unmarked Police Vehicle
(Vehicle used to transport Officer BURLEY to Emanuel Hospital)

Persons Interviewed:

MOYER, ROBERT A., RN
MW, DOB [redacted]
Work Address: Emanuel Hospital
(Officer BURLEY's 5th floor nurse)

Persons Mentioned:

Dr. Cole, MD
(Officer BURLEY's Attending Physician)

PPB Officers

Officer P. MURPHY, DPSST #44162
(Involved with Officer-Involved shooting)

Officer R. FOOTE, DPSST #43493
(Involved with Officer-Involved shooting)

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective M. Weinstein	24579	DET	M	MPERS	

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38359	OFFICER-INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☒ Special			
SUBJECT'S NAME: BURLEY, CHRISTOPHER H			M	W	

LOCATION OF OCCURENCE
NE 6th AVENUE / NE CLACKAMAS STREET, PORTLAND, OREGON

NARRATIVE: The order of appearance for additional information will be:
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ITEM | CODE

PPB Officers (continued):

Officer K. BARBER, DPSST #36272 – East Precinct

Officer J.M. STRADLEY, DPSST #16129 – TIC Team Support

Detective T. GRADWAHL, DPSST #29981 – TIC Team Support

Officer L. CLAYTON, DPSST # 19527 – Employee Assistance Program (EAP)

Officer D. CHASTAIN, DPSST #36610 – Tactical Operations Division (TOD)
(Provided escort to Emanuel Hospital / Secured BURLEY's back-up firearm)

Officer D. DOBLER, DPSST # 19896 – PPA President

Sergeant R. BERRY, DPSST #14402 – North Precinct Supervisor

Officer C. VERBOUT, DPSST #44441 – North Precinct
Officer D. McCARTHY, DPSST #49067 – North Precinct
(Picked up the vehicle used to transport Officer BURLEY to Emanuel Hospital)

Additional Detectives:

Detective E. KAMMERER, DPSST #29988 – Homicide Detail
(Primary Investigator)

Detective M. SLATER, DPPST #27192 – Homicide Detail
(Primary Investigator)

Detective Sergeant K. McGLATHERY, DPSST #26847 – Homicide Detail
(Supervisor)

Criminalists:

Criminalist V. NEBLING, DPSST #37144 – Forensic Evidence Division (FED)
(Received evidence from writer)

CASE NO.	CLASSIFICATION	TYPE:
10-38359	OFFICER-INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☒ Special

SUBJECT'S NAME	SEX	RACE	DOB
BURLEY, CHRISTOPHER H	M	W	[redacted]

LOCATION OF OCCURENCE

NE 6th AVENUE / NE CLACKAMAS STREET, PORTLAND, OREGON

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO–List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO–Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
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ITEM | CODE

EXHIBITS

1. PPB Property/Evidence Receipt #1213076:

   Item 1: One (1) ABA-brand body armor vest (with small tan-colored holster attached - empty).

   Item 2: One (1) PPB uniform shirt (radio earpiece attached) – bloodstained.

   Item 3: One (1) pair Calvin Klein white men's underwear – bloodstained.

   Item 4: One (1) pair PPB uniform pants.

   Item 5: One (1) blue Under Armour-brand shirt.

   Item 6: One (1) pair black socks.

   Item 7: One (1) black duty notebook.

   Item 8: One (1) pair black tennis shoes.

   All items on this Property Receipt seized with consent from Officer BURLEY's hospital room. All items transferred to Criminalist NEBLING.

2. PPB Property/Evidence Receipt #1213077:

   Item 1: One (1) Glock semi-automatic pistol; Model 26; Serial [redacted] – empty.

   Item 2: One (1) 10-round capacity Glock ammunition magazine – empty; Total of 11 (eleven) live Luger 9mm hollow-point rounds (10 removed from magazine, plus 1 separate round).

   Item 3: One (1) Smith & Wesson-brand folding knife.

   All items provided by Officer CHASTAIN, removed from the trunk of his police vehicle, in the Emanuel Hospital parking lot. All items transferred to Detective KAMMERER, for return to Officer BURLEY.

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EXHIBITS (continued)

3. PPB Property/Evidence Receipt #1213078:

   Item 1: Data CD containing ten (10) digital photos of Officer BURLEY's back-up firearm, magazine, live ammunition and pocket knife.

   Placed in Property Room; copies provided to primary investigators.

SUMMARY

Assisted with Officer-Involved shooting on 051210. Responded to Emanuel Hospital and briefly contacted involved Officers BURLEY, MURPHY and FOOTE.

Seized evidence, with consent, including Officer BURLEY's uniform and related equipment, from Officer BURLEY's hospital room.

Interviewed Officer CHASTAIN, who had assisted in transporting BURLEY to Emanuel Hospital, and had secured Officer BURLEY's back-up firearm and additional property, until transferring the items to my custody.

Maintained security of transport patrol car at Emanuel Hospital, which contained Officer BURLEY's primary firearm and gun belt, secured in the trunk.

Transferred all evidence received from Officer CHASTAIN to primary investigator Detective KAMMERER. Transferred all clothing and related evidence seized from Officer BURLEY's hospital room to Criminalists.

Refer to related reports for further details.

CASE NO.	CLASSIFICATION	TYPE:			
10-38359	OFFICER-INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident ☒ Special		

SUBJECT'S NAME	SEX	RACE	DOB
BURLEY, CHRISTOPHER H	M	W	

LOCATION OF OCCURENCE

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NARRATIVE

On 051210, at approx 1830 hours, I was advised by Afternoon Shift Detective Musser that an Officer-Involved shooting had just occurred, in the vicinity of NE 6th/Clackamas, in which, a Portland Police Officer had been shot. I contacted Detective Sergeant McGlathery, at approx 1840 hours, who requested that I respond to Emanuel Hospital, where the injured officer had been transported.

I arrived to the Emanuel Hospital Emergency Room (ER) at approximately 1900 hours, where numerous PPB personnel were on scene. I was dressed in plain clothes, and was displaying my badge on a neck chain. I contacted Employee Assistance Program (EAP) coordinator Officer CLAYTON, who advised that the injured officer was Officer CHRISTOPHER BURLEY. I was advised that Commander FERRARIS was the on scene Incident Commander at the hospital, although I did not have contact with him at the hospital.

I contacted the ER charge nurse, who advised that Officer BURLEY was currently in surgery, in the operating room, and was not available for contact, although he was conscious at the time.

I spoke briefly with Officer CORNO, who advised that Officer BURLEY was the only officer who had been shot. He also advised that Officers MURPHY and FOOTE, who were also present in the hospital, had been directly involved with the Officer-Involved shooting.

At approx 1913 hours, I contacted uniformed Officer MURPHY, who was with Officer BARBER, in a private room, near the West Wing ICU (WWICU) waiting room. I introduced myself as a detective, asking if there was anything I could do for him, and if his needs were being met. Officer BARBER advised he was there for support, and Officer MURPHY was waiting for his PPA attorney to contact him.

At approx 1921 hours, I contacted uniformed Officer FOOTE, in the ER bereavement room, and introduced myself as a detective. Officers STRADLEY and GRADWAHL were present with Officer FOOTE, as TIC Team support. I offered my assistance, and they advised they were doing okay.

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10-38359	OFFICER-INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☒ Special

SUBJECT'S NAME	SEX	RACE	DOB
BURLEY, CHRISTOPHER H	M	W	

LOCATION OF OCCURENCE

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Upon arrival, I had observed a grey, unmarked PPB Crown Victoria police car, with yellow crime scene tape stretched across both sides of the vehicle parked outside the ambulance entrance to the ER. One of the PPB supervisors on scene told me the car had been moved from where it had initially been parked, when Officer BURLEY had been removed from the car. I was advised that the car had only been moved from the ambulance bay area, to just north of there, in the same ambulance turnaround area, where it currently was parked.

I noted the license plate, as above. I did not enter the vehicle, but observed, through the windows, what appeared to be blood across both of the backseat plastic seating surfaces. I walked around the exterior of the vehicle and noted there was no obvious damage (i.e. bullet holes or strike marks).

At approx 1920 hours, I was advised by the ER charge nurse that Officer BURLEY had sustained non-life-threatening wounds, and had been transferred to the cardiac care unit, room #S5302.

At approximately 1923 hours, I left a message for Detective Sergeant McGLATHERY, advising that I had confirmed that Officers BURLEY, MURPHY and FOOTE were all present at Emanuel Hospital, and that I had been advised that Officers MURPHY and FOOTE were believed to have been directly involved in the incident at NE 6th/Clackamas.

Officer STRADLEY told me he did not think Officer BURLEY had discharged his duty weapon. At the time, Officer STRADLEY and I were speaking just outside of Officer BURLEY's hospital room.

I contacted Officer BURLEY's nurse, ROBERT MOYER, RN, who advised that Officer BURLEY's Attending Physician was Dr. COLE, MD, who was unavailable at the time. MOYER advised that Officer BURLEY had sustained 2 non-life-threatening gunshot wounds. He said Officer BURLEY was shot

At approx 1928 hours, I contacted Officer BURLEY, who was conscious and alert, as he spoke with me from his hospital bed. I introduced myself as a

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10-38359	OFFICER-INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☒ Special			
SUBJECT'S NAME: BURLEY, CHRISTOPHER H			M	W	

LOCATION OF OCCURENCE
NE 6th AVENUE / NE CLACKAMAS STREET, PORTLAND, OREGON

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detective, and asked if there was anything I could do for him. Officer BURLEY requested that I attempt to contact a supervisor at the incident scene, to retrieve his personal iPhone cell phone, so he could contact his family members.

I contacted Sergeant GORGONE, who was on scene at the incident, advising of Officer BURLEY's request. I requested that Sergeant GORGONE get approval from an on scene detective or detective supervisor, prior to taking any action.

It should be noted that I did not interview or question Officers BURLEY, MURPHY or FOOTE, during my brief contacts with them. I advised that I was present for investigative support, to collect evidence, and to be certain everyone was safe and accounted for.

I noted that, upon my arrival to Officer BURLEY's hospital room, various uniformed officers had been posted outside his hospital room.

At approx 1955 hours, I interviewed Officer CHASTAIN, who advised he had assisted in transporting Officer BURLEY to Emanuel Hospital, and had further assisted in helping Officer BURLEY into the ER, from the unmarked patrol car in front of the ER.

Officer CHASTAIN told me he had not been present at, nor had he witnessed any of the incident, at NE 6th/Clackamas. He said he had been driving towards the area, upon having heard of the shooting over the police radio, and had been SB on NE MLK, when he saw the unmarked patrol car, driven by Officer FOOTE.

Officer CHASTAIN said he had heard something over the air about needing a car to clear traffic ahead of the patrol car which was transporting the officer who had been shot to Emanuel Hospital. Officer CHASTAIN said he turned around and pulled in front of Officer FOOTE's car, to provide a Code 3 escort to Emanuel Hospital. Officer CHASTAIN said Officer MURPHY was in the front passenger seat of the unmarked car, and Officer BURLEY in the backseat.

I asked how he knew where Officer BURLEY had been in the car. Officer CHASTAIN described having approached the car, as it pulled up to the ER

CASE NO.	CLASSIFICATION	TYPE: ☐ Incident ☐ Traffic Accident ☐ Custody ☒ Special
10-38359	OFFICER-INVOLVED SHOOTING	

SUBJECT'S NAME	SEX	RACE	DOB
BURLEY, CHRISTOPHER H	M	W	[redacted]

LOCATION OF OCCURENCE

NE 6th AVENUE / NE CLACKAMAS STREET, PORTLAND, OREGON

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ambulance area, where he assisted in removing Officer BURLEY from the car, through the right rear passenger door of the vehicle.

Officer CHASTAIN said he noticed that Officer BURLEY was not wearing his gun belt, and Officer BURLEY had blood on his uniform shirt. Officer CHASTAIN said that, upon helping Officer BURLEY out of the car, he could feel that Officer BURLEY's pants seemed to be saturated. Officer CHASTAIN said he got blood on his hands, upon helping Officer BURLEY out of the car and onto a gurney.

Officer CHASTAIN said that, as Officer BURLEY was lying on the gurney, his uniform shirt was open, and Officer BURLEY was pointing towards his back-up firearm, a Glock 26 semi-automatic pistol, which Officer BURLEY carried in a [redacted] Officer CHASTAIN said he believed Officer BURLEY was indicating to him that he wanted Officer CHASTAIN to secure his back-up weapon, so he removed the firearm from the holster, as well as a folding knife Officer BURLEY had visible in his left uniform pants pocket.

Officer CHASTAIN said he had Officer BURLEY's back-up firearm, which he had first unloaded and made safe, secured in a safe at the hospital, along with the folding knife. Officer CHASTAIN said that, after everything had calmed down a bit, he retrieved the items from the hospital safe and secured them in a gear bag in the trunk of his (Officer CHASTAIN's) unmarked patrol vehicle.

I asked Officer CHASTAIN if he had discussed any of the details of the initial incident, including the officer-involved shooting, with Officers BURLEY, MURPHY or FOOTE. He said no, explaining that, upon arriving to Emanuel Hospital, he had asked Officer FOOTE if he was okay, and started checking Officer FOOTE's body, for possible injury.

Officer CHASTAIN explained that, upon having heard the initial call come out over the police radio, he had heard there were "officers shot," causing him to believe there had been more than one officer shot. Officer CHASTAIN said it "sounded like World War III" over the air, explaining that he could hear what he thought were multiple shots being fired, over the police radio, as officers were broadcasting that officers had been shot.

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10-38359	OFFICER-INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☒ Special			
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Officer CHASTAIN said Officer FOOTE checked himself out, and it did not appear that he had been injured.

I asked if Officer CHASTAIN had communicated with Officer MURPHY. He said he had not had any communication with Officer MURPHY, nor had he overheard any comments or conversation, related to the incident, between Officers MURPHY and FOOTE, or anyone else who had been directly involved, or had witnessed, the shooting. Officer CHASTAIN said he did not recall hearing Officer BURLEY say anything, although he noted Officer BURLEY was conscious at the time.

Officer CHASTAIN said ER personnel wheeled Officer BURLEY directly into the operating room, and out of his sight. He said he and Officer FOOTE spoke briefly, only about concerns regarding family being contacted, but nothing about the shooting, as they walked away from the operating room area.

I asked Officer CHASTAIN who the on scene supervisor(s) were at Emanuel Hospital, upon his arrival, if any. He mentioned Sergeant Hogan and Lieutenant Westbrook, both of whom I had observed on scene upon my arrival to Emanuel Hospital.

Officer CHASTAIN said he had not spoken with any other detectives, nor had he been interviewed by any other personnel, regarding his involvement with this incident. During the course of our contact, Officer CHASTAIN told me he thought Officer BURLEY's gun belt and primary duty weapon were secured in the trunk of the unmarked Crown Victoria (with the crime scene tape), outside the ER. We ended our interview at approximately 2000 hours.

I spoke briefly with the PPA President, Officer DOBLER, outside Officer BURLEY's room, and asked if he was there for general support, or in the capacity of a PPA representative for the involved officers. Officer DOBLER said he was serving multiple functions, at the time. I advised him that I was not present to interview any of the officers who were directly involved in the shooting scene, at that time. He said he understood, confirming that he did not believe there were any other, non-officer-involved witness officers present at the hospital, other than Officer CHASTAIN, at that time.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective M. Weinstein	24579	DET	M	MPERS	

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SUBJECT'S NAME	SEX	RACE	DOB
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At approximately 2035 hours, I spoke with Detective Sergeant McGLATHERY, who requested that I provide security for the unmarked patrol car with the crime scene tape. He also requested that I secure Officer BURLEY's uniform and related clothing and equipment, as evidence. I advised him that Officer CHASTAIN had secured Officer BURLEY's back-up firearm.

At approx 2045 hours, I asked Sergeant BERRY to assist in watching the unmarked patrol car, which he did until I was able to return to watch the vehicle. I then re-contacted Officer BURLEY, asking if I could seize his uniform, body armor, clothing and related equipment, which hospital staff had placed in plastic bags, in his room. Officer BURLEY consented to my taking the items, which I receipted and provided him the yellow copy of the Property Receipt (refer to Exhibits).

Upon receipting the items as evidence, I noted they had been placed into plastic Emanuel Hospital patient bags, with one of the bags bearing a yellow identification sticker with the name [redacted]" printed on the label. [It should be noted that, upon an immediately unidentified patient being accepted into the hospital, a unique "DOE" name is assigned to the patient, until the person's identity can be verified.]

Using gloved hands, I transferred the items listed on PER #1213076 to paper bags, then placed the paper bags in open plastic bags. I noted that Officer BURLEY's uniform shirt and underwear appeared to have quite a bit of blood on them. I secured the evidence in the trunk of my car.

Officer CHASTAIN showed me Officer BURLEY's back-up firearm, ammunition and folding knife, in the trunk of his (Officer Chastain's) unmarked patrol car, where he had placed the firearm and related items in a black gear bag.

Using freshly gloved hands, I examined Officer BURLEY's Glock 26 semi-automatic pistol, which I verified, both visually and by feeling, was empty and safe. Upon first observing the firearm, I noted it had its slide locked back. I photographed the firearm, noted the serial number, and placed it in a paper bag.

I examined a Glock magazine which appeared full, which had been previously separated from the firearm, which contained the maximum capacity 10 rounds of

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live Luger 9mm hollow point ammunition. I emptied the magazine, examining each of the rounds, none of which appeared to have been fired. I also examined one separate bullet, also a live Luger 9mm hollow point round, which also had not been fired. Officer CHASTAIN advised it had been the chambered round, which he had ejected, when he had made Officer BURLEY's firearm safe. I photographed all items and placed them in a paper bag.

I also seized a folding knife Officer CHASTAIN had removed from Officer BURLEY, which I photographed and placed in a paper bag (refer to Exhibits), prior to securing all items in the trunk of my car. Sergeant Berry witnessed the examination and transfer of the aforementioned items from Officer CHASTAIN to writer. Sergeant Berry advised that a Criminalist had already photographed the unmarked patrol vehicle with the crime scene tape, although the vehicle had not been entered, nor had the trunk been opened.

I monitored the involved unmarked patrol car until the primary investigators, Detectives KAMMERER and SLATER, arrived at Emanuel Hospital, at approximately 0155 hours (051310). I then transferred all items on PER #1213076 (clothing and related items seized from Officer BURLEY's hospital room) to Criminalist Nebling, at approximately 0210 hours, providing him the original Property Receipt.

At approximately 0230 hours, I transferred all items on PER #1213077 (Officer BURLEY's back-up firearm and related items) to Detectives KAMMERER and SLATER, who then secured the firearm and related items in the trunk of the involved unmarked patrol car. I advised them that I had photographed and examined the firearm, ammunition and related items, and had determined that none of the included rounds had been fired (refer to Exhibits).

I continued to monitor the patrol car until uniformed Officers VERBOUT and McCARTHY arrived and removed it from the hospital lot (refer to their Special Report). I cleared from the hospital at approximately 0300 hours.

Refer to related reports for further details.

BUREAU OF POLICE
2619 NW INDUSTRIAL WAY, STE. B4
PORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No. 1213077	5-12-10 / 2245 AM PM		10-38359

ONLY ☐ EVIDENCE ☐ FOUND PROPERTY ☐ PRISONER'S PROP. (SEE CUSTODY AFFIDAVIT) ☐ SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME: OFC. CHAPLAIN FIRST: #36610 M.I. SEX DOB

DENIED OWNERSHIP ☐

HOME ADDRESS CITY STATE ZIP

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

SIGNATURE

OWNER OF PROPERTY LAST NAME: OFC. BURLEY FIRST: #45975 M.I. SEX DOB

HOME ADDRESS CITY STATE ZIP PHONE

TYPE OF INCIDENT: OFC. INJURED BY SUSPECT DELIVERING OFFICER: M. KEMPKER RESPONSE

LOCATION WHERE SEIZED OR FOUND OR THREATENED: 6TH/MAIN INVESTIGATOR OR REPORTING OFFICER: D. KEMPKER #29968 DET.

☐ DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB

☐ SUSPECT

ITEM	FOR GUNS: LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER, COUNTRY OF ORIGIN. FOR ITEMS: DESCRIPTION OF ITEM FOR SELECTION	STLN	FOR PED USE ONLY
ITEM 1	Glock Pistol – Mod. 26, 9mm, SER# [redacted] (empty)		
ITEM 2	1 (one) Glock Magazine; w/ 10 Removed Live 9mm Rounds; + 1 Addtl. Live Rnd (Total = 11 Live 9mm Rnds)		
ITEM 3	Smith & Wesson Folding Knife		
ITEM 4			
ITEM 5			
ITEM 6			
ITEM 7			
ITEM 8			

All Items Transferred to Det. Kemper, for Return to Ofc. Burley

M. Wemyss 24579

RELEASED BY: SIGNATURE / PRINT NAME / SERIAL NO. / ASSIGNMENT | RELEASED TO: SIGNATURE / PRINT NAME / SERIAL NO. / ASSIGNMENT | LOCKER | DATE | RECEIVED BY

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

INVENTORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION | BY | TIME:

WHITE - RECORDS COPY
YELOW - CITIZENS RECEIPT
PINK - WITH PROPERTY

04-01-10

UREAU OF POLICE
619 NW INDUSTRIAL WAY, STE. B4
ORTLAND, OREGON 97210

PROPERTY EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No. 1213078	5-13-10 AM PM		10-38359

[redacted] ONLY [redacted] EVIDENCE [redacted] FOUND PROPERTY [redacted] PRISONER'S PROP [redacted] SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐

HOME ADDRESS CITY STATE ZIP

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

HOME ADDRESS CITY STATE ZIP PHONE

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

SIGNATURE

TYPE OF INCIDENT: [illegible] Shooting

DELIVERING OFFICER: M. Weinstein

BEST ASSIGN: [illegible]

LOCATION WHERE SEIZED FOUND SURRENDERED

INVESTIGATOR (IF DIFFERENT): [illegible] Kammerer

BEST ASSIGN: [illegible]

☐ DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB

☐ SUSPECT

FOR GUNS LIST MAKE TYPE CALIBER MODEL SERIAL NUMBER(S) IMPORTER & COUNTRY OF ORIGIN LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1: DATA CD - 10 dig pics OF OFC. Burleys BK-up FIREARM & Related items		
ITEM 2		
ITEM 3		
ITEM 4		
ITEM 5		
ITEM 6		
ITEM 7		
ITEM 8		

[redacted] LOCKER: CG DATE: 5/13/10 RECEIVED BY

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DATE: TIME:

WHITE - RECORDS COPY
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PINK - WITH PROPERTY

04-01-10

PORTLAND POLICE BUREAU

CONFIDENTIAL

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☐ SUPPLEMENTAL

Page/Of: 1/4

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353	10-38359	OFFICER INVOLVED SHOOTING

☐1. UNFOUNDED ☐ 3. SUSPENDED ☐ 5. EXCEPTIONAL ☐ 2. PENDING ☐ 4. CLR BY ARREST ☐ 6. REFERRED

ORIGINAL REPORT DATE/TIME: 051210 / 1821

THIS REPORT DATE/TIME: 051810 / 1300

LOCATION OF OCCURRENCE: NE 6th AVENUE / NE HALSEY STREET

PERSONS CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	010485

ADDRESS	ZIP	PHONE
3541 N HOUGHTON STREET	97217	

SUBJECT OF THIS REPORT: DEATH NOTIFICATION TO FAMILY

PROPERTY RECEIPT NO.

NARRATIVE/PROPERTY S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

ITEM CODE

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ Intell
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR
☐ Vehicle
OPR
☐ Crime/ Prop
OPR
☐ Book
OPR

CONNECT INFORMATION

Victim in PPB Case #10-38359:

Officer Chris BURLEY, DPSST #45975
M/W, DOB [redacted]
Work Address: 449 NE Emerson Street
Portland, Oregon 97211
Hotspot Enforcement Action Team (HEAT), Unit 1951

NONCONNECT INFORMATION

Person Notified:

OTIS, FELESIA
F/B, DOB [redacted]
Home Address: [redacted] N Houghton Street
Portland, Oregon 97217
Home Phone: [redacted]

Persons Mentioned:

OTIS, JOSEPH MITCHELL
M/B, DOB [redacted]
Home Address: [redacted] N Houghton Street
Portland, Oregon 97217
Home Phone: 503-[redacted]

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE
NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
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ITEM | CODE

Persons Mentioned (cont'd):

BRYANT, FREDERICK NELSON
M/B, DOB [redacted]
Home Address: [redacted] NE Sandy Boulevard, Apartment [redacted]
Portland, Oregon 97220
Message Phone: 503-[redacted]

Clyde LEWIS
Police Chaplain

Officers Mentioned:

Detective Mark SLATER, DPSST #27192
Officer Marcianne JACKSON, DPSST # 28013
Sergeant Kraig MCGLATHERY, DPSST #26847

SUMMARY

KEATON OTIS was shot and fatally wounded after shooting Officer Burley twice during a traffic stop. Detective Slater and I notified the family KEATON OTIS was deceased and of what had occurred.

NARRATIVE

During the evening on May 12th, 2010, KEATON OTIS shot Officer Burley twice during a traffic stop. Other officers onscene returned fire, fatally wounding KEATON OTIS. KEATON OTIS was positively identified by his Oregon Driver's License in his pocket, as well as by other means. On May 13th, 2010, Detective Slater and I went to [redacted] N Houghton Avenue to notify a family member. While enroute, I called Officer Jackson, and requested she accompany us in order to assist any family members with obtaining any emotional support they might need after Detective Slater and I left.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE:			SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special		
SUBJECT'S NAME: OTIS, KEATON DUPREE					M	B	010485

LOCATION OF OCCURENCE
NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
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ITEM | CODE

Detective Slater and I arrived at approximately 1030 hours, and noticed it did not appear as if anyone were at home. Detective Slater and I waited for Officer Jackson to arrive, and a short time later, a person later identified as FELESIA OTIS arrived and went into the residence. A short time after that, Officer Jackson arrived, along with police chaplain Clyde Lewis. The four of us then went to the residence and I identified myself to FELESIA OTIS when she opened the door. We went inside the residence, and I confirmed with FELESIA OTIS her son was KEATON OTIS. I then informed FELESIA OTIS her son had been fatally wounded after shooting a police officer.

FELESIA OTIS told me her son had been battling mental illness for several years now, and she and her husband, JOSEPH OTIS, had been attempting to obtain help for KEATON OTIS. FELESIA OTIS told me KEATON OTIS had been diagnosed with mood disorder and [redacted] FELESIA OTIS said KEATON OTIS was supposed to be taking medication, but had recently stopped taking his medication. FELESIA OTIS explained she had recently attempted to have KEATON OTIS committed for treatment, but she was unable to prove he was a danger to himself or others. I asked FELESIA OTIS if she knew how KEATON OTIS would have obtained a firearm, and she told me [redacted] Out of respect for FELESIA OTIS and the terrible news she had just received, I did not ask any further questions about KEATON OTIS.

FELESIA OTIS said her husband, JOSEPH OTIS, was currently at work at [redacted] and expressed concern about how he would react to a police officer telling him about KEATON OTIS. Because of this, Police Chaplain Clyde Lewis volunteered to go to OHSU and notify JOSEPH OTIS. After answering what questions I could for FELESIA OTIS, Detective Slater and I then left. A short time later, Officer Jackson informed me JOSEPH OTIS was KEATON OTIS' step-father, and KEATON OTIS had a biological father, FREDERICK BRYANT, but FELESIA OTIS did not have good contact information for him.

On May 17th, 2010, Sergeant McGlathery notified me he had briefly spoken with FREDERICK BRYANT when he showed up at the front desk of Central Precinct. Sergeant McGlathery told me FREDERICK BRYANT was meeting with Officer Jackson at the Denny's restaurant at 425 NE Hassalo Street at noon. I then spoke with Officer Jackson and told her Detective Slater and I would attend the noon meeting. Detective

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody ☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:

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ITEM	CODE

Slater and I arrived at noon and introduced ourselves to FREDERICK BRYANT, who told us he has not been very involved in KEATON OTIS' life since FELESIA OTIS re-married. FREDERICK BRYANT said he was unaware KEATON OTIS had any mental health issues, and said he last saw KEATON OTIS four months ago. FREDERICK BRYANT said KEATON OTIS always seemed happy when he did see his son, and he seemed to enjoy interacting with his cousins, nieces, nephews, and other extended family members. After answering what questions we could for FREDERICK BRYANT, Detective Slater and I then left.

This investigation is ongoing.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

PORTLAND POLICE BUREAU

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SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☐ SUPPLEMENTAL

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CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353	10-38359	OFFICER INVOLVED SHOOTING

☐1. UNFOUNDED ☐2. PENDING ☐3. SUSPENDED ☐4. CLR BY ARREST ☐5. EXCEPTIONAL ☐6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
051210 / 1821	051810 / 1600

LOCATION OF OCCURRENCE
NE 6th AVENUE / NE HALSEY STREET

PERSONS CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	010485

ADDRESS	ZIP	PHONE
3541 N HOUGHTON STREET	97217	

SUBJECT OF THIS REPORT	PROPERTY RECEIPT NO.
POST-MORTEM EXAMINATION	

NARRATIVE/PROPERTY ITEM CODE S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ tell
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR ☐ Vehicle
OPR ☐ Crime/ Prop
OPR ☐ Book
OPR

CONNECT INFORMATION

Victim in PPB Case #10-38359:

Officer Chris BURLEY, DPSST #45975
M/W, DOB [redacted]
Work Address: 449 NE Emerson Street
Portland, Oregon 97211
Hotspot Enforcement Action Team (HEAT), Unit 1951

NONCONNECT INFORMATION

Officers Mentioned:

Detective Mark SLATER, DPSST #27192
Criminalist Alison SCHLEICH, DPSST #36817
Criminalist Randy YOSHIMURA, DPSST #24583
Officer Paul MEYER, DPSST #26651

Other Personnel Mentioned:

Dr. Karen Gunson
Oregon State Medical Examiner's Office

Senior Deputy District Attorney Don Rees
Multnomah County District Attorney's Office

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE
NE 6th AVENUE / NE HALSEY STREET

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ITEM | CODE

SUMMARY

KEATON OTIS shot Officer Burley twice during a traffic stop. Other officers returned fire, and KEATON OTIS was fatally wounded. A post-mortem examination was conducted, and Dr. Gunson determined KEATON OTIS's cause of death to be a gunshot wound to his chest.

NARRATIVE

On May 12th, 2010, KEATON OTIS shot Officer Burley twice during a traffic stop. Other officers returned fire, and KEATON OTIS was fatally wounded. KEATON OTIS's body was transported to the Oregon State Medical Examiner's Office for a post-mortem examination.

On May 15th, 2010, at 1300 hours, Detective Slater and I went to the Oregon State Medical Examiner's Office. The post-mortem examination began at 1320 hours, and was conducted by Dr. Karen Gunson. The procedure was documented via photographs by Criminalist Yoshimura, and items of evidence were collected by Criminalist Schleich (see Special Reports by Criminalist Yoshimura and Criminalist Schleich for complete details). DDA Rees and Officer Meyer were also present.

During her preliminary examination of KEATON OTIS, Dr. Gunson located a fired bullet in KEATON OTIS's underwear while removing them. Dr. Gunson also located a Taser probe which penetrated the right forearm. A second Taser probe was located inside the pocket on the left side of KEATON OTIS's jacket. A third Taser probe was located within KEATON OTIS's grey sweatshirt.

During her external examination, Dr. Gunson noticed the following injuries: abrasions to the forehead containing glass fragments; lacerations and abrasions to the left temple; small punctate injuries to the left cheek; a square-shaped abrasion on the upper left chest; a one-and-one-half-inch-long abrasion on the left side, between the chest and the back; multiple punctate abrasions and laceration on the left elbow; small abrasions to the left fingers; and an apparent one-inch-long incised wound to the left wrist, which partially transected a tendon.

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE
NE 6th AVENUE / NE HALSEY STREET

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Dr. Gunson also noted the following gunshot wounds, which she numbered as she examined them: Gunshot Wound (GSW) #1 was a gunshot entrance wound to the upper left chest, which perforated the chest wall, the upper lobe of the left lung, the pericardial sac, partially transected the pulmonary artery and the aorta, perforated the upper lobe of the left lung, exited the chest cavity, and came to rest in the right shoulder, with a trajectory of left to right and front to back. This bullet was recovered; GSW #2 was a gunshot entrance wound to the left side of the chest, which perforated the lower lobe of the left lung, and came to rest in the right chest cavity, with a trajectory of left to right. This bullet was recovered; GSW #3 was a grazing injury to the left shoulder; GSW #4 was a gunshot entrance wound to the right side of the chest which perforated the abdominal wall, the liver, the stomach, and came to rest in the colon, with a trajectory of front to back and above to below. This bullet was recovered; GSW #5 was a gunshot entrance wound to the right side of the chest which entered and came to rest in the soft tissue between the chest and the abdominal wall, with a trajectory of above to below, right to left, and front to back. This bullet was recovered; GSW #6 was a gunshot entrance wound to the right side of the chest which perforated the chest wall, the abdomen, and exited in the right side of the groin, with a trajectory of above to below and front to back. This bullet was recovered from the underwear; GSW #7 was a grazing wound on the right side, between the chest and the back, in front of and below the armpit; GSW #8 was a gunshot entrance wound to the outside of the upper right arm which perforated the bicep, exiting on the inside of the right arm and then re-entering on the right side of the chest wall, perforating the diaphragm, the right lobe of the liver, the right kidney, and came to rest next to the spinal column, with a trajectory of right to left, front to back, and above to below. This bullet was recovered; GSW #9 was a grazing wound to the right forearm; GSW #10 was a gunshot entrance wound to the left shoulder which traversed the soft tissue of the shoulder, traveled behind the left clavicle, and came to rest next to the larynx, with a trajectory of left to right. This bullet was recovered; GSW #11 was a gunshot entrance wound to the upper left arm which fractured the humerus, and exited below the armpit; GSW #12 was a gunshot entrance wound to the outside of the left elbow, which fractured the elbow and exited on the inside of the elbow; GSW #13 was a gunshot entrance wound to the upper surface of the left forearm which exited the underside of the left forearm; GSW #14 was a gunshot entrance wound to the upper surface of the left wrist which fractured the radius and exited the inside of the left wrist; GSW #15 was a gunshot entrance wound to the upper surface of the left wrist which fractured the radius and the ulna and exited the inside of the left wrist; GSW #16 was a gunshot entrance wound to the top surface of the left hand which fractured multiple

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

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ITEM | CODE

metacarpal bones and exited at the base of the left thumb; GSW #17 was a gunshot entrance wound to the upper left hand at the base of the little and ring fingers which fractured multiple metacarpal bones and exited at the base of the left thumb; GSW #18 was a grazing wound to the top surface of the left ring finger knuckle; GSW #19 was a gunshot entrance wound to the back of the left thigh which exited the outside of the left thigh, with a trajectory of back to front and right to left; GSW #20 was a gunshot entrance wound to the front of the left thigh which exited the back of the left thigh with a trajectory of front to back; GSW #21 was a gunshot entrance wound to the lower left leg, which passed behind the patella and exited the back of the lower left thigh, with a trajectory of below to above, left to right, and front to back; GSW #22 was a gunshot entrance wound to the outside of the right thigh which fractured the right femur and came to rest in the soft tissue of the right thigh, with a trajectory of below to above, right to left and front to back. This bullet was recovered; and GSW #23 was a grazing wound to the back of the neck.

At the conclusion of her examination, Dr. Gunson concluded gunshot wound #1 was fatal, and determined the cause of death to be that gunshot wound. The post-mortem examination was concluded at 1555 hours.

This investigation is ongoing.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

PORTLAND POLICE BUREAU

CONFIDENTIAL

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☐ SUPPLEMENTAL

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353	10-38359	OFFICER INVOLVED SHOOTING

☐1. UNFOUNDED ☐2. PENDING ☐3. SUSPENDED ☐4. CLR BY ARREST ☐5. EXCEPTIONAL ☐6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
051210 / 1821	052010 / 1300

LOCATION OF OCCURRENCE
NE 6th AVENUE / NE HALSEY STREET

PERSONS **CO**-Complainant **SB**-Subject **SI**-Sick/Injured/Cared For **PE**-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	010485

ADDRESS	ZIP	PHONE
3541 N HOUGHTON STREET	97217	

SUBJECT OF THIS REPORT	PROPERTY RECEIPT NO.
SEARCH OF VEHICLE AT RVS	

NARRATIVE/PROPERTY **S**-STOLEN **L**-LOST **F**-FOUND **D**-DAMAGED **K**-SAFEKEEPING **R**-RECOVERED

ITEM CODE

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ tell
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person

OPR
☐ Vehicle

OPR
☐ Crime/ Prop

OPR
☐ Book

OPR

CONNECT INFORMATION

Victim in PPB Case #10-38359:

Officer Chris BURLEY, DPSST #45975
M/W, DOB [redacted]
Work Address: 449 NE Emerson Street
Portland, Oregon 97211
Hotspot Enforcement Action Team (HEAT), Unit 1951

Vehicle Searched:

OR/ ZET208
2003 Silver Toyota Corolla 4D

NONCONNECT INFORMATION

Officers Mentioned:

Detective Mark SLATER, DPSST #27192
Criminalist Paul WARE, DPSST #37137
Criminalist Vance NEBLING, DPSST #37144
Criminalist Ken JONES, DPSST #22516
Officer Paul MEYER, DPSST #26651

Persons Mentioned:

Senior Deputy District Attorney Don REES
Deputy District Attorney Glen BANFIELD

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE
NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
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ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
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ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM CODE

SUMMARY

The vehicle occupied by KEATON OTIS when he was fatally wounded was towed to Rivergate Vehicle Storage. The vehicle was later processed over two days, and several items of evidence were located and retained.

NARRATIVE

On May 12th, 2010, KEATON OTIS shot Officer Burley twice during a traffic stop. Other officers onscene returned fire, fatally wounding KEATON OTIS. The vehicle KEATON OTIS had been operating was the above listed vehicle. After the scene was processed, that vehicle was towed to Rivergate Vehicle Storage (RVS) for further processing and analysis.

On May 14th, 2010, Detective Slater and I went to RVS to process the car. We arrived at approximately 1300 hours. Also present were Criminalist Ware and Criminalist Nebling to document the search of the vehicle and recovery of evidence via photographs and video recording. Deputy District Attorney Don Rees and Deputy District Attorney Glen Banfield, both from the Multnomah County Deputy District Attorney's Office ,were also present to observe the search. Detective Slater and I conducted the search of the vehicle, and located and recovered several items of evidence, including nine fired bullets, which were consistent in appearance to Portland Police Bureau issued ammunition. We also located one brass-colored 9mm shell casing which was inconsistent in appearance to Portland Police Bureau issued ammunition. I believed this shell casing to have been ejected from the gun fired by KEATON OTIS.

Trajectory rods were used to show the path of fired bullets both into and out of the vehicle. This was documented with both video camera and photographs. We then left RVS at approximately 1600 hours. Please see Special Reports by Criminalist Ware and Criminalist Nebling for further descriptions and locations of all items of evidence recovered from the vehicle.

On May 18th, 2010, after conducting interviews of all involved officers and witness officers, Detective Slater and I returned to RVS to further search the car for an additional 9mm shell casing. We arrived at approximately 1500 hours. Criminalist Jones was

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE: NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
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ITEM | CODE

present to document the search of the vehicle and recovery of any further evidence via photographs and video recording. Officer Meyer from the Training Division was also present to observe the search. Detective Slater and I removed the front seats and disassembled the dashboard area in order to access the venting system inside the vehicle in an attempt to locate a second shell casing. Despite extensive efforts, we were unable to locate an additional shell casing inside the vehicle. No further items of evidence were located or collected from the vehicle.

This investigation is ongoing.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

PORTLAND POLICE BUREAU

CONFIDENTIAL

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☐ SUPPLEMENTAL

Page/Of 1/2

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353	10-38359	OFFICER INVOLVED SHOOTING

☐1. UNFOUNDED ☐3. SUSPENDED ☐5. EXCEPTIONAL ☐2. PENDING ☐4. CLR BY ARREST ☐6. REFERRED

ORIGINAL REPORT DATE/TIME: 051210 / 1821

THIS REPORT DATE/TIME: 052010 / 1400

LOCATION OF OCCURRENCE: NE 6th AVENUE / NE HALSEY STREET

PERSONS CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	010485

ADDRESS: 3541 N HOUGHTON STREET ZIP: 97217 PHONE:

SUBJECT OF THIS REPORT: GUN TRACE INFORMATION PROPERTY RECEIPT NO.:

NARRATIVE/PROPERTY ITEM CODE S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev tell
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR
☐ Vehicle
OPR
☐ Crime/ Prop
OPR
☐ Book
OPR

CONNECT INFORMATION

Victim in PPB Case #10-38359:

Officer Chris BURLEY, DPSST #45975
M/W, DOB [redacted]
Work Address: 449 NE Emerson Street
Portland, Oregon 97211
Hotspot Enforcement Action Team (HEAT), Unit 1951

Recovered Firearm (PPB #06-34591)

Taurus PT111 Millennium 9mm semi-automatic handgun
SN # [redacted]

NONCONNECT INFORMATION

Person Mentioned:

[redacted]
M/W, DOB [redacted]
Home Address: [redacted] SE 10th Street
Gresham, Oregon 97080
Home Phone:

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE: NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
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ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM | CODE

Officers Mentioned:

Detective Mark SLATER, DPSST #27192

EXHIBITS

1. Photocopy of faxed Firearms Trace Summary from the BATFE National Tracing Center

NO SUMMARY

NARRATIVE

On May 12th, 2010, Officer Burley was shot twice by KEATON OTIS during a traffic stop. Other officers returned fire, fatally wounding KEATON OTIS. The gun used by KEATON OTIS, a Taurus 9mm PT111, was recovered at the scene. A National Tracing Center Request was sent to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE).

On May 19th, 2010, I received a Firearms Trace Summary from BATFE National Tracing Center, and learned the following about the firearm used by KEATON OTIS: the firearm was purchased from a local gun store by [redacted] on August 26th, 2004. It was never reported as stolen and, according to the BATFE, the firearm still belonged to [redacted]

On May 20th, 2010, Detective Slater spoke with [redacted] who told Detective Slater in 2006 he had been burglarized and his car had been stolen. [redacted] said he reported this to the police (PPB Case #06-34591). [redacted] said several firearms had been stolen from him, and he believed the Taurus PT111 had been in his vehicle, and he overlooked it when he reported the incident to the police. [redacted] said he has not seen his Taurus PT111 since that night in 2006.

This investigation is ongoing.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

DEPARTMENT OF JUSTICE
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
NATIONAL TRACING CENTER

Phone: (800) 788-7133 Fax: (800) 578-7223

Print Date: May 19, 2010

FIREARMS TRACE SUMMARY

Trace Number: T20100118888 **Request Date:** May 18, 2010

ERIK KAMMERER
PORTLAND POLICE BUREAU
1111 SOUTHWEST 2ND
PORTLAND, OR 97204

Badge No: 29988
Investigation No: 1038353

FIREARM INFORMATION

Manufacturer: TAURUS
Model: PT111
Caliber: 9
Serial Number: [redacted]
Type: PISTOL
Country: BRAZIL
Importer: TAURUS INTERNATIONAL MANUFA...
Obliterated:
Identifying Marks:
NIBIN:
Gang Name:

RECOVERY INFORMATION

Recovery Date: 05/12/2010
Time to Crime: 2085 days

NE 6TH AVE & NE HALSELY ST
PORTLAND, OR 97232
UNITED STATES
Possessor: KEATON DUPREE OTIS
DOB: 01/04/1985
POB: UNITED STATES

PURCHASER INFORMATION

Purchase Date: 08/26/2004

[redacted]
SE 187TH AV
PORTLAND, OR 97233
UNITED STATES
B: 0[redacted]
POB: BREMERTON, WA UNITED STATES
Race: WHITE Height: 5 ft. 7 in.
Sex: Male Weight: 200 lbs.
ID 1: OR DRIVER'S LICENSE [redacted]
ID 2: SOCIAL SECURITY

DEALER INFORMATION

FFL: 99300654

KEITHS SPORTING GOODS INC
1595 E POWELL BLVD
GRESHAM, OR 97030
Phone: (503) 492-6999

Ship Date: 08/16/2004

ADMINISTRATIVE INFORMATION

SUMMARY OF RESULTS

THIS TRACE WAS COMPLETED THROUGH THE USE OF A NATIONAL TRACING CENTER DEMAND LETTER REPORT WHICH WAS FOUND TO CONTAIN INFORMATION SUBMITTED BY THE FIREARMS DEALER IDENTIFIED IN THE TRACE SUMMARY. THE IDENTIFIED DEALER'S RECORDS REVEALED THE SUBJECT FIREARM WAS PRE-OWNED AND OBTAINED FROM AN UNLICENSED INDIVIDUAL ON THE SECONDARY MARKET. THEREFORE, INFORMATION OBTAINED AND PROVIDED BY THE NATIONAL TRACING CENTER IN THIS TRACE SUMMARY DOES NOT REFLECT THE COMPLETE HISTORY OR NEXUS OF THE SUBJECT FIREARM THROUGH THE ORIGINAL CHAIN OF DISTRIBUTION. SPECIFICALLY, THIS TRACE RESULT DOES NOT INDICATE WHERE AND WHEN THE SUBJECT FIREARM WAS FIRST SOLD BY A LICENSED FIREARMS DEALER WHEN THE FIREARM WAS NEW. IF YOU HAVE QUESTIONS REGARDING THIS TRACE, PLEASE CONTACT THE ATF NATIONAL TRACING CENTER (TOLL FREE 800-788-7133).

Additional Remarks:

SENSITIVE BUT UNCLASSIFIED

...e information in this report must be validated prior to use in any criminal proceedings.

APPROVAL ROUTE: Homicide

CASE NUMBER: 06-034591

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 4. SUPPLEMENTAL — PAGE/OF 1 / 2

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
06-034591	10-38353	

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
5. Exceptional	04/16/06	0305	05/12/10	1821

LOCATION OF OCCURRENCE: 17537 SE MARIE ST., PORTLAND, OR
PRECINCT OF OCCURRENCE: East Precinct

SUBJECT OF THIS REPORT: HANDGUN STOLEN IN BURGLARY USED IN OFFICER INVOLVED SHOOTING
CAD INCIDENT NUMBER:

COPIES: ☐DET ☐CENTRAL ☐EAST ☐NORTH ☐NE ☐SE ☐CAT ☐DHS/CHS ☐DVD ☐DVRU ☐ECRT ☐JDH ☐JUV ☐CS ☐DVCS ☐ ☐ ☐ ☐ ☐ ☐

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
VI	[redacted]	[redacted]	M	W	[redacted]

ADDRESS	CITY	STATE	ZIP
[redacted] SE 10th Street	Gresham	Oregon	97080

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE | HOME PHONE [redacted]

CODE	NAME: (Last, First Middle)	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE	[redacted]	M	B	01/04/85

ADDRESS	CITY	STATE	ZIP
3541 N. Houghton Street	Portland	Oregon	

☐ WORK PHONE ☐ MESSAGE PHONE | MOBILE PHONE | HOME PHONE

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY RECEIPT NO.

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

NO CONNECT INFORMATION

COPY

NONCONNECT INFORMATION

Additional Detectives:

Detective E. KAMMERER, DPSST #29988
Detective Division Homicide Detail, Primary Investigator

Stolen/Recovered Handgun:

Manufacturer: Taurus
Model: PT111 Semi-Automatic Handgun
Caliber: 9mm
S/N: [redacted]

NO EXHIBITS

NO SUMMARY

NARRATIVE

On 051210, KEATON OTIS was shot and killed by Portland Police Officers near NE 6th/NE Halsey during a traffic stop. Prior to Officer's shooting KEATON OTIS, KEATON OTIS fired two rounds from a handgun, striking an officer two times.

COMPUTER ENTRY: ☐ Desk DPSST ☐ Person DPSST ☐ Entry / Vehicle DPSST ☐ Distribution DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mark E Slater	27192	DET/HOM	M	HOM	

APPROVAL ROUTE Homicide

CASE NUMBER 06 34591

PORTLAND POLICE BUREAU **SPECIAL REPORT** TYPE: 4. SUPPLEMENTAL PAGE/OF 2 / 2

During the subsequent search of the vehicle KEATON OTIS was driving, a Taurus 9mm handgun was located.

I conducted a trace on the handgun with the Bureau of Alcohol, Tobacco, Firearms and Explosives and learned the handgun had been purchased by [redacted] on August 26th, 2004 in Gresham, Oregon. I checked [redacted] in the Portland Police Data System and learned he reported a burglary to his residence on April 16th, 2006 where several items were stolen, including several firearms.

On May 19th, 2010, I contacted [redacted] by telephone to inquire into his knowledge of the firearm. [redacted] said he remembered purchasing the Taurus handgun from Keith's Sporting Goods, Inc. in Gresham, but had not thought about the handgun for years. I asked [redacted] if he sold or traded the handgun to anyone, and he said he would not sell it to anyone besides possibly Keith's Sporting Goods, Inc. [redacted] then said he did not remember ever selling the handgun back to Keith's Sporting Goods, Inc.

I explained to [redacted] I reviewed his police report from 2006 where his house was broken into and several firearms were stolen. I asked [redacted] if the Taurus 9mm handgun was also stolen during that burglary and he said this was most likely the case. [redacted] said it was a very stressful event for him and he likely forgot he had the handgun at the time and failed to report it to the police.

EXTERNAL DISTRIBUTION LIST

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ S
- ☐ DVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

COMPUTER ENTRY
- ☐ Desk
- DPSST ☐ Person
- DPSST ☐ Entry / Vehicle
- DPSST ☐ Distribution
- DPSST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
Mark E Slater	27192	DET/HOM	M	HOM	

PPB-SSD-TH

PORTLAND POLICE BUREAU

CONFIDENTIAL

SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE
☐ CONTINUATION ☐ SUPPLEMENTAL

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353	10-38359	OFFICER INVOLVED SHOOTING

☐1. UNFOUNDED ☐3. SUSPENDED ☐5. EXCEPTIONAL
☐2. PENDING ☐4. CLR BY ARREST ☐6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
051210 / 1821	052110 / 1000

LOCATION OF OCCURRENCE
NE 6th AVENUE / NE HALSEY STREET

PERSONS **CO**-Complainant **SB**-Subject **SI**-Sick/Injured/Cared For **PE**-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	010485

ADDRESS	ZIP	PHONE
3541 N HOUGHTON STREET	97217	

SUBJECT OF THIS REPORT	PROPERTY RECEIPT NO.
TASER ANALYSIS	

NARRATIVE/PROPERTY ITEM CODE — S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev tell
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR ☐ Vehicle
OPR ☐ Crime/ Prop
OPR ☐ Book
OPR

CONNECT INFORMATION

Victim in PPB Case #10-38359:

Officer Chris BURLEY, DPSST #45975

NONCONNECT INFORMATION

Officers Mentioned:

Detective Mark SLATER, DPSST #27192
Officer Tom FORSYTH, DPSST #17224
Sergeant Don LIVINGSTON, DPSST #32588
Officer Ryan FOOTE, DPSST #43493
Officer Patrick MURPHY, DPSST #44162

NO SUMMARY

NARRATIVE

On May 12th, 2010, during a traffic stop, KEATON OTIS was tasered by Sergeant Livingston, Officer Foote, and Officer Murphy, with seemingly little to no effect. KEATON OTIS was able to retrieve a handgun from the glove box, which he used to shoot Officer Burley twice. Other officers onscene returned fire, fatally wounding KEATON OTIS. All three Tasers were recovered from the scene that night and placed in a locked secure room inside the Forensic Evidence Division. On May 20th, Detective Slater retrieved the Tasers from the Forensic Evidence Division, and I then delivered them to Officer Forsyth, who conducted an examination of each of the Tasers.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

PORTLAND POLICE BUREAU — **CONTINUATION REPORT** — Page/Of 2/2

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special		

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:

ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.

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ITEM 6: ADDITIONAL OFFICERS--List all officers present and identify their involvement with the incident being reported.

ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.

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ITEM	CODE

At the conclusion of his examination, Officer Forsyth prepared a report detailing the results of his examination (see Officer Forsyth's report for complete details). Officer Forsyth then returned the three Tasers to me. I then placed the Tasers in a locked secure location in the Detective Division.

This investigation is ongoing.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

APPROVAL ROUTE: Homicide

CASE NUMBER: 10-038353

PORTLAND POLICE BUREAU — **SPECIAL REPORT** — TYPE: 1. INFORMATION — PAGE/OF 1 / 1

CASE NUMBER	REFER CASE NUMBER	CLASSIFICATION
10-038353		

STATUS	ORIGINAL REPORT DATE	TIME	THIS REPORT DATE	TIME
5. Exceptional	05/20/10	1823	05/20/10	1700

LOCATION OF OCCURRENCE	PRECINCT OF OCCURRENCE
NE 6th/ NE Halsey	North Precinct

SUBJECT OF THIS REPORT	CAD INCIDENT NUMBER
Examination of deployed TASER devices	

COPIES
- ☐ DET
- ☐ CENTRAL
- ☐ EAST
- ☐ NORTH
- ☐ NE
- ☐ SE
- ☐ CAT
- ☐ DHS/CHS
- ☐ DVD
- ☐ DVRU
- ☐ ECRT
- ☐ JDH
- ☐ JUV
- ☐ CS
- ☐ OVCS
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

COMPUTER ENTRY
- ☐ Desk

DPSST
- ☐ Person

DPSST
- ☐ Entry / Vehicle

DPSST
- ☐ Distribution

DPSST

PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested

CODE	NAME: (Last, First Middle)	DRN	SEX	RACE	DOB
SB	Otis, Keaton		M	B	01/04/1985

ADDRESS	CITY	STATE	ZIP

☐ WORK PHONE ☐ MESSAGE PHONE	MOBILE PHONE	HOME PHONE

VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing

PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE

NARRATIVE (COMMENTS)

7. On 05/20/2010 at 1500 hours I was presented with three X26 TASERs by Detective Kammerer for my examination.

8. I first examined X26 TASER #X00-[redacted] from property receipt #1209412. Upon examination I found this device to be in good working order. I noted a spent cartridge attached to this device, the wires were intact, and the probes had been removed. I performed a spark test, and a download of the device data. I discovered that the device clock was in error, indicating the current date/time to be 02/21/00 1646 hours. I performed a date/ time synchronization on the device.

On the device download print out I located my spark test as a point of reference, and noted two entries directly prior to my spark test. These entries noted a date/ time of 02/13/00 at 19:50:23 hours for 5 seconds, and 02/13/00 at 19:50:29 hours for 5 seconds. When applying the date/time conversion from the device clock error this placed the two events on 05/12/10 at 1823 hours.

I then examined X26 TASER #X00-[redacted] property receipt #1209416. I found this device to be in good working order. This device had a spent cartridge attached, the wires were intact, and the probes had been removed. I performed a spark test, and downloaded the device data. I noted that the device clock was 8 minutes, 50 seconds fast. I located my spark test on the print out, and noted two entries directly prior to my spark test. I noted these to entries to be 05/12/10 at 18:32:02 for 8 seconds, and 05/12/10 at 18:32:08 for 5 seconds.

Lastly, I examined X26 TASER #X00-[redacted] property receipt #1209415. I noted a spent cartridge attached to the device. The wires were attached to the cartridge, and the probes had been removed. I performed a spark test, and downloaded the device data. The device clock was 28 minutes slow, and I performed a clock synchronization. I located my spark test entries on the print out, and noted two entries directly prior to that spark test. These entries indicated a date/ time of 05/12/10 at 17:55:43 for 5 seconds, and 05/12/10 at 17:55:49 for 5 seconds. Considering the time adjustment, the event time would be 18:23.

The print out for each device is attached to this document.

The three TASER devices were returned to Detective Kammerer.

EXTERNAL DISTRIBUTION LIST

REPORTING OFFICER(S)	DPSST	PREC / DIV	RLF / SHIFT	ASSN / DIST	SUPERVISOR'S SIGNATURE
T. Forsyth	17774	TRN	M		

PPB-SSD-TH

05-20-10 1849

423 (08/07)

TASER

PROTECT LIFE

TASER Information		Downloaded By	
Serial #	*X00-[redacted]*	**Name**	*Tom Forsyth*
Model #	*X26*	**Dept**	*PPB*
X26 Software Version	*22*	**Rank**	*Officer*
Dataport CD Version	*17.9*	**Windows Version**	*Windows XP*
Record Date Range	*All Data*		
Computer Time Zone	*Pacific Standard Time *DST*	**Report Generated**	*05/20/10 16:01:46 (local)*
Using Daylight Savings Time	*Yes*		

Recorded Firing Data

Seq	GMT Time	Local Time	Duration	Temp	Battery
0001		Invalid Date/Time			
0002	07/30/08 22:02:35	07/30/08 15:02:35	5	25	98
0003	11/20/08 00:02:41	11/19/08 16:02:41	5	20	97
0004	12/31/08 16:22:01	12/31/08 08:22:01	5	12	97
0005	01/23/09 19:53:56	01/23/09 11:53:56	7	13	96
0006	01/23/09 19:54:03	01/23/09 11:54:03	5	13	96
0007	01/23/09 19:54:10	01/23/09 11:54:10	5	14	95
0008	01/23/09 19:54:42	01/23/09 11:54:42	5	15	95
0009	02/19/09 03:24:13	02/18/09 19:24:13	5	20	94
0010	03/11/09 14:56:26	03/11/09 07:56:26	5	24	94
0011	04/15/09 17:59:21	04/15/09 10:59:21	5	27	93
0012	04/15/09 18:38:14	04/15/09 11:38:14	5	28	93
0013	04/29/09 13:15:10	04/29/09 06:15:10	5	24	93
0014	07/16/09 14:08:24	07/16/09 07:08:24	1	24	92

0015	07/16/09 14:08:27	07/16/09 07:08:27	1	24	0
0016	07/16/09 14:08:32	07/16/09 07:08:32	1	25	0
0017	07/16/09 14:09:35	07/16/09 07:09:35	5	26	99
0018	09/04/09 14:49:56	09/04/09 07:49:56	5	21	99
0019	09/30/09 17:32:53	09/30/09 10:32:53	5	18	98
0020	10/07/09 21:36:31	10/07/09 14:36:31	5	21	98
0021	10/07/09 21:36:38	10/07/09 14:36:38	5	21	97
0022	12/15/09 16:06:26	12/15/09 08:06:26	5	23	97
0023	12/16/09 14:41:45	12/16/09 06:41:45	5	27	96
0024	01/07/10 02:29:33	01/06/10 18:29:33	5	18	96
0025	03/01/10 00:36:39	02/28/10 16:36:39	1	21	95
0026	01/05/00 16:03:06	01/05/00 08:03:06	1	21	95
0027	01/10/00 22:44:04	01/10/00 14:44:04	2	22	95
0028	01/11/00 20:04:51	01/11/00 12:04:51	1	22	95
0029	01/18/00 01:04:39	01/17/00 17:04:39	1	22	94
0030	02/01/00 01:29:40	01/31/00 17:29:40	2	22	94
0031	02/14/00 03:50:23	02/13/00 19:50:23	5	25	94 > 5/12/10 1823
0032	02/14/00 03:50:29	02/13/00 19:50:29	5	25	94 >
0033	02/22/00 00:46:46	02/21/00 16:46:46	Old Time		> TIME CHANGE
0034	05/20/10 22:19:25	05/20/10 15:19:25	New Time		>
0035	05/20/10 23:00:45	05/20/10 16:00:45	5	31	92 > TEST FILE
0036	05/20/10 23:00:49	05/20/10 16:00:49	3	31	92 >
0037	05/28/07 00:07:19	05/27/07 17:07:19	1	22	92
0038	05/28/07 23:11:38	05/28/07 16:11:38	1	21	92
0039	05/29/07 13:54:22	05/29/07 06:54:22	1	21	92
0040	05/29/07 23:34:23	05/29/07 16:34:23	1	26	91
0041	05/30/07 14:10:09	05/30/07 07:10:09	2	21	91
0042	05/31/07 00:39:14	05/30/07 17:39:14	3	22	91
0043	05/31/07 23:43:57	05/31/07 16:43:57	3	22	91
0044	06/01/07 21:42:04	06/01/07 14:42:04	1	21	91

0045	06/02/07 13:50:51	06/02/07 06:50:51	1	21	91
0046	06/02/07 23:57:07	06/02/07 16:57:07	3	26	91
0047	06/03/07 06:59:18	06/02/07 23:59:18	1	24	91
0048	06/03/07 23:26:47	06/03/07 16:26:47	1	23	90
0049	06/04/07 15:07:44	06/04/07 08:07:44	1	22	90
0050	06/05/07 17:24:17	06/05/07 10:24:17	2	23	90
0051	06/25/07 13:52:50	06/25/07 06:52:50	3	23	90
0052	06/26/07 15:59:27	06/26/07 08:59:27	1	22	90
0053	06/27/07 13:51:51	06/27/07 06:51:51	1	22	90
0054	06/28/07 04:06:30	06/27/07 21:06:30	2	22	90
0055	06/29/07 20:05:44	06/29/07 13:05:44	1	21	90
0056	06/30/07 13:49:44	06/30/07 06:49:44	1	22	89
0057	06/30/07 22:35:02	06/30/07 15:35:02	1	25	89
0058	07/01/07 22:36:18	07/01/07 15:36:18	1	24	89
0059	07/02/07 13:49:00	07/02/07 06:49:00	2	23	89
0060	07/03/07 04:27:07	07/02/07 21:27:07	1	23	89
0061	07/03/07 21:51:53	07/03/07 14:51:53	1	21	89
0062	07/04/07 14:06:21	07/04/07 07:06:21	5	22	89
0063	07/06/07 23:09:25	07/06/07 16:09:25	1	22	88
0064	07/09/07 13:54:18	07/09/07 06:54:18	1	22	88
0065	07/12/07 13:51:52	07/12/07 06:51:52	2	22	88
0066	07/12/07 23:57:15	07/12/07 16:57:15	5	23	88
0067	07/13/07 14:07:24	07/13/07 07:07:24	2	22	88
0068	07/14/07 22:45:05	07/14/07 15:45:05	1	22	88
0069	07/15/07 22:43:36	07/15/07 15:43:36	1	21	88
0070	07/16/07 22:13:45	07/16/07 15:13:45	1	20	87
0071	07/17/07 22:48:50	07/17/07 15:48:50	1	22	87
0072	07/18/07 14:55:54	07/18/07 07:55:54	5	23	87
0073	07/18/07 22:55:49	07/18/07 15:55:49	2	22	87
0074	07/19/07 22:51:46	07/19/07 15:51:46	1	21	87

0075	07/20/07 23:49:13	07/20/07 16:49:13	2	22	87
0076	07/22/07 02:58:21	07/21/07 19:58:21	1	22	87
0077	07/22/07 22:46:19	07/22/07 15:46:19	1	24	86
0078	07/23/07 22:51:30	07/23/07 15:51:30	1	22	86
0079	07/24/07 21:21:46	07/24/07 14:21:46	2	21	86
0080	07/25/07 13:53:02	07/25/07 06:53:02	2	21	86
0081	07/25/07 20:15:55	07/25/07 13:15:55	1	21	86
0082	07/26/07 18:28:21	07/26/07 11:28:21	2	21	86
0083	07/28/07 05:33:15	07/27/07 22:33:15	1	20	86
0084	07/28/07 05:33:34	07/27/07 22:33:34	2	21	86
0085	07/28/07 05:33:42	07/27/07 22:33:42	2	21	86
0086	07/28/07 22:42:05	07/28/07 15:42:05	1	21	86
0087	07/29/07 13:47:21	07/29/07 06:47:21	1	21	86
0088	07/31/07 14:10:20	07/31/07 07:10:20	1	21	86
0089	07/31/07 22:53:05	07/31/07 15:53:05	1	23	85
0090	08/01/07 22:54:16	08/01/07 15:54:16	1	20	85
0091	08/03/07 13:53:24	08/03/07 06:53:24	1	21	85
0092	08/04/07 04:55:39	08/03/07 21:55:39	1	21	85
0093	08/04/07 20:52:17	08/04/07 13:52:17	1	20	85
0094	08/06/07 22:56:06	08/06/07 15:56:06	1	20	84
0095	08/07/07 13:52:44	08/07/07 06:52:44	1	20	84
0096	08/07/07 22:40:43	08/07/07 15:40:43	1	24	84
0097	08/09/07 13:42:30	08/09/07 06:42:30	2	21	84
0098	08/12/07 00:39:49	08/11/07 17:39:49	1	22	84
0099	08/12/07 21:41:11	08/12/07 14:41:11	1	20	84
0100	08/13/07 22:57:15	08/13/07 15:57:15	1	20	84
0101	08/14/07 19:46:50	08/14/07 12:46:50	1	21	84
0102	08/16/07 13:49:59	08/16/07 06:49:59	1	22	84
0103	08/17/07 01:18:36	08/16/07 18:18:36	4	22	84
0104	08/17/07 22:55:49	08/17/07 15:55:49	1	21	83

0105	08/18/07 22:49:44	08/18/07 15:49:44	1	21	83
0106	08/20/07 22:41:36	08/20/07 15:41:36	1	20	83
0107	08/23/07 04:33:06	08/22/07 21:33:06	1	21	83
0108	08/23/07 13:55:19	08/23/07 06:55:19	2	21	83
0109	08/24/07 00:52:12	08/23/07 17:52:12	1	21	83
0110	08/25/07 00:47:49	08/24/07 17:47:49	3	21	83
0111	08/25/07 13:54:54	08/25/07 06:54:54	4	22	83
0112	08/26/07 17:56:26	08/26/07 10:56:26	1	20	82
0113	08/27/07 04:52:46	08/26/07 21:52:46	5	22	82
0114	08/27/07 22:55:07	08/27/07 15:55:07	2	21	82
0115	08/28/07 22:50:32	08/28/07 15:50:32	1	20	81
0116	08/29/07 13:55:15	08/29/07 06:55:15	2	22	81
0117	08/30/07 00:35:30	08/29/07 17:35:30	2	22	81
0118	08/30/07 13:55:49	08/30/07 06:55:49	2	22	81
0119	08/31/07 22:56:11	08/31/07 15:56:11	1	21	81
0120	09/01/07 22:46:31	09/01/07 15:46:31	2	21	81
0121	09/02/07 23:07:15	09/02/07 16:07:15	1	21	81
0122	09/03/07 13:49:15	09/03/07 06:49:15	1	20	81
0123	09/03/07 22:49:12	09/03/07 15:49:12	1	22	81
0124	09/03/07 22:55:16	09/03/07 15:55:16	1	22	81
0125	09/04/07 22:54:10	09/04/07 15:54:10	2	21	80
0126	09/06/07 22:51:46	09/06/07 15:51:46	3	22	80
0127	09/07/07 23:19:56	09/07/07 16:19:56	1	22	80
0128	09/08/07 23:17:47	09/08/07 16:17:47	2	22	80
0129	09/12/07 13:43:05	09/12/07 06:43:05	2	22	80
0130	09/12/07 23:38:24	09/12/07 16:38:24	3	26	80
0131	09/13/07 22:52:15	09/13/07 15:52:15	5	22	80
0132	09/14/07 23:18:57	09/14/07 16:18:57	1	20	79
0133	09/17/07 23:10:52	09/17/07 16:10:52	1	21	79
0134	09/18/07 23:42:00	09/18/07 16:42:00	5	21	79

0135	09/21/07 23:21:53	09/21/07 16:21:53	1	20	79
0136	09/22/07 22:48:02	09/22/07 15:48:02	5	22	79
0137	09/23/07 23:26:19	09/23/07 16:26:19	5	22	78
0138	09/24/07 23:20:52	09/24/07 16:20:52	1	21	78
0139	09/28/07 00:49:21	09/27/07 17:49:21	1	21	78
0140	09/29/07 23:24:12	09/29/07 16:24:12	1	20	78
0141	09/30/07 22:53:00	09/30/07 15:53:00	1	20	78
0142	10/01/07 15:27:32	10/01/07 08:27:32	1	20	77
0143	10/02/07 15:53:33	10/02/07 08:53:33	1	20	77
0144	10/04/07 16:18:13	10/04/07 09:18:13	1	22	77
0145	10/12/07 13:51:01	10/12/07 06:51:01	1	20	77
0146	10/22/07 22:54:30	10/22/07 15:54:30	1	20	77
0147	10/26/07 22:47:10	10/26/07 15:47:10	1	22	77
0148	10/27/07 16:56:31	10/27/07 09:56:31	1	21	77
0149	10/28/07 22:46:47	10/28/07 15:46:47	2	22	77
0150	10/29/07 15:29:24	10/29/07 08:29:24	1	22	77
0151	10/29/07 23:09:10	10/29/07 16:09:10	1	21	76
0152	10/30/07 09:55:45	10/30/07 02:55:45	1	22	76
0153	10/30/07 09:56:05	10/30/07 02:56:05	1	22	76
0154	10/30/07 23:34:04	10/30/07 16:34:04	1	23	76
0155	10/31/07 23:19:10	10/31/07 16:19:10	1	22	76
0156	11/02/07 23:20:44	11/02/07 16:20:44	1	20	76
0157	11/05/07 00:14:51	11/04/07 16:14:51	2	21	76
0158	11/05/07 14:40:55	11/05/07 06:40:55	1	21	76
0159	11/06/07 00:06:29	11/05/07 16:06:29	2	21	76
0160	11/07/07 14:35:08	11/07/07 06:35:08	1	21	76
0161	11/08/07 14:36:57	11/08/07 06:36:57	1	21	76
0162	11/09/07 00:58:09	11/08/07 16:58:09	1	21	75
0163	11/09/07 23:43:11	11/09/07 15:43:11	1	22	75
0164	11/10/07 16:15:55	11/10/07 08:15:55	1	21	75

0165	11/14/07 14:41:27	11/14/07 06:41:27	2	21	75
0166	11/15/07 14:51:53	11/15/07 06:51:53	2	22	75
0167	11/17/07 05:45:00	11/16/07 21:45:00	1	22	75
0168	11/17/07 23:52:43	11/17/07 15:52:43	2	21	75
0169	11/19/07 00:07:11	11/18/07 16:07:11	2	21	75
0170	11/19/07 14:40:18	11/19/07 06:40:18	2	21	75
0171	11/20/07 14:37:00	11/20/07 06:37:00	2	21	75
0172	11/21/07 14:43:01	11/21/07 06:43:01	1	20	75
0173	11/24/07 00:07:42	11/23/07 16:07:42	2	20	74
0174	11/25/07 00:07:09	11/24/07 16:07:09	1	21	74
0175	11/26/07 14:36:12	11/26/07 06:36:12	2	21	74
0176	11/27/07 14:53:43	11/27/07 06:53:43	2	21	74
0177	11/28/07 14:26:08	11/28/07 06:26:08	2	20	74
0178	11/29/07 00:20:35	11/28/07 16:20:35	3	21	74
0179	11/29/07 02:37:28	11/28/07 18:37:28	5	20	74
0180	11/29/07 02:37:34	11/28/07 18:37:34	5	21	73
0181	11/29/07 03:08:22	11/28/07 19:08:22	1	24	73
0182	11/29/07 16:54:42	11/29/07 08:54:42	1	22	73
0183	12/01/07 00:11:16	11/30/07 16:11:16	1	20	73
0184	12/01/07 02:15:15	11/30/07 18:15:15	1	20	73
0185	12/01/07 11:28:45	12/01/07 03:28:45	1	22	72
0186	12/01/07 11:28:46	12/01/07 03:28:46	1	22	72
0187	12/01/07 11:28:47	12/01/07 03:28:47	1	22	72
0188	12/01/07 11:28:48	12/01/07 03:28:48	1	22	72
0189	12/01/07 14:47:55	12/01/07 06:47:55	5	22	72
0190	12/03/07 14:44:43	12/03/07 06:44:43	2	21	72
0191	12/04/07 14:44:09	12/04/07 06:44:09	2	21	72
0192	12/05/07 14:38:15	12/05/07 06:38:15	2	21	72
0193	12/06/07 14:39:57	12/06/07 06:39:57	2	21	71
0194	12/07/07 05:43:48	12/06/07 21:43:48	1	21	71

0195	12/07/07 23:51:16	12/07/07 15:51:16	1	20	71
0196	12/08/07 05:51:05	12/07/07 21:51:05	1	20	71
0197	12/08/07 11:23:29	12/08/07 03:23:29	2	22	71
0198	12/08/07 11:40:15	12/08/07 03:40:15	2	21	71
0199	12/09/07 12:50:28	12/09/07 04:50:28	3	20	71
0200	12/10/07 00:03:47	12/09/07 16:03:47	2	21	71
0201	12/10/07 14:45:05	12/10/07 06:45:05	1	21	71
0202	12/11/07 14:45:33	12/11/07 06:45:33	2	20	71
0203	12/12/07 14:35:50	12/12/07 06:35:50	2	20	70
0204	12/13/07 14:40:29	12/13/07 06:40:29	2	21	70
0205	12/14/07 16:43:24	12/14/07 08:43:24	5	23	70
0206	12/14/07 23:39:01	12/14/07 15:39:01	2	21	70
0207	12/16/07 05:52:20	12/15/07 21:52:20	1	20	70
0208	12/17/07 00:09:19	12/16/07 16:09:19	1	20	70
0209	12/17/07 14:34:04	12/17/07 06:34:04	1	20	70
0210	12/18/07 00:32:35	12/17/07 16:32:35	2	22	69
0211	12/18/07 00:37:18	12/17/07 16:37:18	1	22	69
0212	12/18/07 14:39:46	12/18/07 06:39:46	2	21	69
0213	12/19/07 14:34:41	12/19/07 06:34:41	2	22	69
0214	12/20/07 14:41:47	12/20/07 06:41:47	1	21	69
0215	12/22/07 01:32:26	12/21/07 17:32:26	1	21	69
0216	12/23/07 05:53:43	12/22/07 21:53:43	2	21	69
0217	12/26/07 05:41:29	12/25/07 21:41:29	1	22	69
0218	12/27/07 00:03:15	12/26/07 16:03:15	2	21	69
0219	12/28/07 00:10:26	12/27/07 16:10:26	1	21	69
0220	12/29/07 00:17:27	12/28/07 16:17:27	1	21	69
0221	12/29/07 05:38:08	12/28/07 21:38:08	2	22	68
0222	12/29/07 23:55:15	12/29/07 15:55:15	2	20	68
0223	01/01/08 03:20:47	12/31/07 19:20:47	1	22	68
0224	01/02/08 05:31:07	01/01/08 21:31:07	1	22	68

0225	01/02/08 14:22:00	01/02/08 06:22:00	2	22	68
0226	01/04/08 00:39:53	01/03/08 16:39:53	2	21	68
0227	01/05/08 00:06:01	01/04/08 16:06:01	1	20	68
0228	01/07/08 00:20:49	01/06/08 16:20:49	1	21	68
0229	01/07/08 14:36:34	01/07/08 06:36:34	1	22	68
0230	01/08/08 14:38:34	01/08/08 06:38:34	1	21	68
0231	01/09/08 14:39:29	01/09/08 06:39:29	2	22	67
0232	01/10/08 01:42:19	01/09/08 17:42:19	1	20	67
0233	01/10/08 14:37:05	01/10/08 06:37:05	1	21	67
0234	01/11/08 01:48:48	01/10/08 17:48:48	1	20	67
0235	01/12/08 00:15:55	01/11/08 16:15:55	1	20	67
0236	01/13/08 01:48:55	01/12/08 17:48:55	1	20	67
0237	01/13/08 14:52:54	01/13/08 06:52:54	1	21	67
0238	01/14/08 14:39:57	01/14/08 06:39:57	1	21	66
0239	01/15/08 14:43:53	01/15/08 06:43:53	2	21	66
0240	01/16/08 14:40:17	01/16/08 06:40:17	1	21	66
0241	01/17/08 00:49:09	01/16/08 16:49:09	1	21	66
0242	01/17/08 14:33:23	01/17/08 06:33:23	1	21	66
0243	01/18/08 00:48:55	01/17/08 16:48:55	1	21	66
0244	01/19/08 02:13:07	01/18/08 18:13:07	1	20	66
0245	01/19/08 23:44:22	01/19/08 15:44:22	2	21	65
0246	01/23/08 23:48:36	01/23/08 15:48:36	2	22	65
0247	01/24/08 14:28:03	01/24/08 06:28:03	1	21	65
0248	01/26/08 00:16:59	01/25/08 16:16:59	1	21	65
0249	01/27/08 00:24:39	01/26/08 16:24:39	1	21	65
0250	01/28/08 05:38:21	01/27/08 21:38:21	1	22	65
0251	01/29/08 00:18:09	01/28/08 16:18:09	5	22	65
0252	01/29/08 14:35:59	01/29/08 06:35:59	1	21	64
0253	01/31/08 00:03:14	01/30/08 16:03:14	1	20	64
0254	01/31/08 14:34:25	01/31/08 06:34:25	1	20	64

0255	01/31/08 23:51:20	01/31/08 15:51:20	5	22	64
0256	02/03/08 00:06:45	02/02/08 16:06:45	1	21	64
0257	02/04/08 14:40:24	02/04/08 06:40:24	1	20	64
0258	02/05/08 14:34:55	02/05/08 06:34:55	1	21	64
0259	02/06/08 03:11:53	02/05/08 19:11:53	1	20	63
0260	02/06/08 14:40:02	02/06/08 06:40:02	1	20	63
0261	02/07/08 03:40:56	02/06/08 19:40:56	1	24	63
0262	02/07/08 14:39:13	02/07/08 06:39:13	2	21	63
0263	02/08/08 02:21:10	02/07/08 18:21:10	1	20	63
0264	02/09/08 23:47:16	02/09/08 15:47:16	1	21	63
0265	02/11/08 00:02:40	02/10/08 16:02:40	1	21	63
0266	02/11/08 14:44:11	02/11/08 06:44:11	1	20	63
0267	02/12/08 14:37:02	02/12/08 06:37:02	1	21	63
0268	02/13/08 14:38:37	02/13/08 06:38:37	1	20	63
0269	02/14/08 14:42:23	02/14/08 06:42:23	1	21	62
0270	02/16/08 00:06:49	02/15/08 16:06:49	1	20	62
0271	02/17/08 06:01:36	02/16/08 22:01:36	2	21	62
0272	02/18/08 00:13:26	02/17/08 16:13:26	5	22	62
0273	02/19/08 00:04:34	02/18/08 16:04:34	2	20	62
0274	02/19/08 14:35:42	02/19/08 06:35:42	1	20	62
0275	02/20/08 14:33:07	02/20/08 06:33:07	1	21	62
0276	02/21/08 14:36:23	02/21/08 06:36:23	1	21	61
0277	02/25/08 14:25:42	02/25/08 06:25:42	1	20	61
0278	02/26/08 14:35:27	02/26/08 06:35:27	1	21	61
0279	02/27/08 14:37:23	02/27/08 06:37:23	1	20	61
0280	02/28/08 23:48:56	02/28/08 15:48:56	1	20	61
0281	03/01/08 02:12:42	02/29/08 18:12:42	1	20	61
0282	03/03/08 14:40:27	03/03/08 06:40:27	1	20	61
0283	03/04/08 14:36:40	03/04/08 06:36:40	1	20	61
0284	03/05/08 14:38:33	03/05/08 06:38:33	2	20	61

0285	03/05/08 21:01:39	03/05/08 13:01:39	1	23	61
0286	03/06/08 14:36:52	03/06/08 06:36:52	1	21	61
0287	03/07/08 01:48:08	03/06/08 17:48:08	2	21	60
0288	03/07/08 18:53:49	03/07/08 10:53:49	5	22	60
0289	03/16/08 03:01:55	03/15/08 20:01:55	5	22	60
0290	03/19/08 17:51:09	03/19/08 10:51:09	3	25	59
0291	03/19/08 18:35:04	03/19/08 11:35:04	4	27	59
0292	04/15/08 14:21:12	04/15/08 07:21:12	5	20	59
0293	04/24/08 12:31:17	04/24/08 05:31:17	5	26	58
0294	04/24/08 15:56:40	04/24/08 08:56:40	5	24	58
0295	06/25/08 16:28:46	06/25/08 09:28:46	5	20	57

End of Report.

TASER

PROTECT LIFE

TASER Information		Downloaded By	
Serial #	*X00-[redacted]*	**Name**	*Tom Forsyth*
Model #	*X26*	**Dept**	*PPB*
X26 Software Version	*21*	**Rank**	*Officer*
Dataport CD Version	*17.9*	**Windows Version**	*Windows XP*
Record Date Range	*All Data*		
Computer Time Zone	*Pacific Standard Time *DST*	**Report Generated**	*05/20/10 16:24:23 (local)*
Using Daylight Savings Time	*Yes*		

Recorded Firing Data

Seq	GMT Time	Local Time	Duration	Temp	Battery
0001	01/21/05 17:52:11	01/21/05 09:52:11	Old Time		
0002	01/21/05 17:52:11	01/21/05 09:52:11	New Time		
0003	01/21/05 17:52:28	01/21/05 09:52:28	5	25	99
0004	01/21/05 17:52:35	01/21/05 09:52:35	5	25	99
0005	01/21/05 17:52:49	01/21/05 09:52:49	5	25	99
0006	06/06/05 19:58:19	06/06/05 12:58:19	5	20	98
0007	06/14/05 23:59:44	06/14/05 16:59:44	1	24	97
0008	06/15/05 00:00:11	06/14/05 17:00:11	1	25	97
0009	06/15/05 00:01:49	06/14/05 17:01:49	1	25	97
0010	06/16/05 14:45:01	06/16/05 07:45:01	1	21	97
0011	06/16/05 19:04:50	06/16/05 12:04:50	1	25	97
0012	06/17/05 14:22:59	06/17/05 07:22:59	1	20	97
0013	06/19/05 19:54:49	06/19/05 12:54:49	1	22	97
0014	06/21/05 14:29:55	06/21/05 07:29:55	1	22	97

0015	06/21/05 23:28:21	06/21/05 16:28:21	1	24	96
0016	06/23/05 13:56:33	06/23/05 06:56:33	1	17	96
0017	06/28/05 14:53:55	06/28/05 07:53:55	1	18	96
0018	06/29/05 14:14:01	06/29/05 07:14:01	1	21	96
0019	07/01/05 13:59:37	07/01/05 06:59:37	1	19	96
0020	07/17/05 13:23:16	07/17/05 06:23:16	2	20	96
0021	07/19/05 13:55:44	07/19/05 06:55:44	1	19	96
0022	07/20/05 21:35:42	07/20/05 14:35:42	5	31	96
0023	07/20/05 21:35:57	07/20/05 14:35:57	5	31	95
0024	07/20/05 21:36:10	07/20/05 14:36:10	5	33	95
0025	07/20/05 21:36:17	07/20/05 14:36:17	5	33	95
0026	07/21/05 14:41:46	07/21/05 07:41:46	1	26	94
0027	07/22/05 15:27:35	07/22/05 08:27:35	1	23	94
0028	08/06/05 15:57:29	08/06/05 08:57:29	1	24	94
0029	08/09/05 18:44:23	08/09/05 11:44:23	1	24	94
0030	08/10/05 03:14:35	08/09/05 20:14:35	1	29	94
0031	08/10/05 03:14:42	08/09/05 20:14:42	1	30	94
0032	08/10/05 03:15:04	08/09/05 20:15:04	1	29	94
0033	08/16/05 14:47:06	08/16/05 07:47:06	1	21	94
0034	08/17/05 13:58:54	08/17/05 06:58:54	1	20	94
0035	08/27/05 02:24:53	08/26/05 19:24:53	1	29	93
0036	08/30/05 14:04:49	08/30/05 07:04:49	1	19	93
0037	09/01/05 14:05:45	09/01/05 07:05:45	1	23	93
0038	09/13/05 13:20:09	09/13/05 06:20:09	1	22	93
0039	09/17/05 16:25:53	09/17/05 09:25:53	1	17	93
0040	09/20/05 13:23:55	09/20/05 06:23:55	1	22	93
0041	10/14/05 13:22:42	10/14/05 06:22:42	1	18	93
0042	10/14/05 13:22:45	10/14/05 06:22:45	2	19	93
0043	10/18/05 20:31:19	10/18/05 13:31:19	1	24	92
0044	10/20/05 13:56:52	10/20/05 06:56:52	1	16	92

0045	10/25/05 14:18:41	10/25/05 07:18:41	1	21	92
0046	11/02/05 20:03:43	11/02/05 13:03:43	1	20	92
0047	11/08/05 17:40:09	11/08/05 09:40:09	1	11	92
0048	11/15/05 15:27:14	11/15/05 07:27:14	1	10	92
0049	11/17/05 15:38:53	11/17/05 07:38:53	1	20	92
0050	11/22/05 15:09:13	11/22/05 07:09:13	1	14	92
0051	12/06/05 23:02:18	12/06/05 15:02:18	1	20	91
0052	12/07/05 01:02:28	12/06/05 17:02:28	1	8	91
0053	12/12/05 16:20:48	12/12/05 08:20:48	1	20	91
0054	12/20/05 23:17:18	12/20/05 15:17:18	2	20	91
0055	12/20/05 23:17:20	12/20/05 15:17:20	2	21	91
0056	12/20/05 23:25:32	12/20/05 15:25:32	1	22	91
0057	12/20/05 23:25:33	12/20/05 15:25:33	1	22	91
0058	12/22/05 15:18:36	12/22/05 07:18:36	1	20	91
0059	12/23/05 17:58:00	12/23/05 09:58:00	1	20	91
0060	01/03/06 15:23:34	01/03/06 07:23:34	1	16	90
0061	01/13/06 15:12:24	01/13/06 07:12:24	1	19	90
0062	01/25/06 20:56:58	01/25/06 12:56:58	1	20	90
0063	02/03/06 14:19:41	02/03/06 06:19:41	1	17	90
0064	02/10/06 15:28:11	02/10/06 07:28:11	1	17	90
0065	03/01/06 16:02:31	03/01/06 08:02:31	1	11	88
0066	04/01/06 15:06:44	04/01/06 08:06:44	1	7	88
0067	04/26/06 18:59:11	04/26/06 11:59:11	1	15	88
0068	05/19/06 19:06:58	05/19/06 12:06:58	1	24	88
0069	05/25/06 13:18:27	05/25/06 06:18:27	1	17	87
0070	05/26/06 19:33:32	05/26/06 12:33:32	1	21	87
0071	06/01/06 14:40:27	06/01/06 07:40:27	1	22	87
0072	06/03/06 00:41:18	06/02/06 17:41:18	1	25	87
0073	06/14/06 17:32:50	06/14/06 10:32:50	5	18	87
0074	06/14/06 17:32:55	06/14/06 10:32:55	5	18	87

0075	06/14/06 17:33:02	06/14/06 10:33:02	5	19	86
0076	06/21/06 10:38:21	06/21/06 03:38:21	3	21	86
0077	06/23/06 12:47:39	06/23/06 05:47:39	Old Time		
0078	06/23/06 17:27:45	06/23/06 10:27:45	New Time		
0079	06/23/06 17:27:55	06/23/06 10:27:55	Old Time		
0080	06/23/06 17:27:55	06/23/06 10:27:55	New Time		
0081	06/23/06 17:28:37	06/23/06 10:28:37	4	28	85
0082	06/23/06 17:28:42	06/23/06 10:28:42	5	28	85
0083	06/23/06 17:28:43	06/23/06 10:28:43	1	28	85
0084	06/23/06 17:28:44	06/23/06 10:28:44	1	28	85
0085	06/23/06 17:28:45	06/23/06 10:28:45	1	29	85
0086	06/23/06 20:13:56	06/23/06 13:13:56	5	25	85
0087	06/23/06 20:13:59	06/23/06 13:13:59	3	26	84
0088	06/26/06 15:20:37	06/26/06 08:20:37	2	25	84
0089	07/17/06 21:14:41	07/17/06 14:14:41	1	26	84
0090	07/18/06 14:35:50	07/18/06 07:35:50	1	25	84
0091	07/22/06 03:17:34	07/21/06 20:17:34	1	27	84
0092	07/27/06 14:44:20	07/27/06 07:44:20	1	26	84
0093	08/07/06 18:57:09	08/07/06 11:57:09	1	33	83
0094	08/09/06 14:44:26	08/09/06 07:44:26	1	26	83
0095	08/11/06 14:10:02	08/11/06 07:10:02	1	23	83
0096	08/12/06 19:53:00	08/12/06 12:53:00	1	26	83
0097	08/15/06 19:20:32	08/15/06 12:20:32	1	25	83
0098	09/09/06 15:32:15	09/09/06 08:32:15	1	27	83
0099	09/14/06 14:24:43	09/14/06 07:24:43	1	23	83
0100	09/15/06 23:57:28	09/15/06 16:57:28	1	23	83
0101	09/19/06 14:24:04	09/19/06 07:24:04	1	23	83
0102	09/21/06 14:04:45	09/21/06 07:04:45	1	25	82
0103	10/10/06 13:16:45	10/10/06 06:16:45	1	25	82
0104	10/10/06 14:15:44	10/10/06 07:15:44	1	19	82

0105	10/14/06 13:21:53	10/14/06 06:21:53	1	26	82
0106	10/19/06 13:21:46	10/19/06 06:21:46	1	24	82
0107	10/24/06 19:57:17	10/24/06 12:57:17	1	17	82
0108	10/26/06 13:18:11	10/26/06 06:18:11	1	21	82
0109	10/27/06 14:03:13	10/27/06 07:03:13	1	16	82
0110	11/07/06 15:14:48	11/07/06 07:14:48	5	26	81
0111	11/11/06 17:23:39	11/11/06 09:23:39	1	21	81
0112	11/16/06 15:45:03	11/16/06 07:45:03	5	23	81
0113	11/28/06 15:22:45	11/28/06 07:22:45	1	22	81
0114	11/28/06 21:46:40	11/28/06 13:46:40	1	21	80
0115	11/29/06 14:53:52	11/29/06 06:53:52	1	10	80
0116	12/15/06 21:24:02	12/15/06 13:24:02	5	16	80
0117	01/02/07 14:16:18	01/02/07 06:16:18	5	24	80
0118	01/09/07 14:21:31	01/09/07 06:21:31	2	24	79
0119	01/30/07 14:17:11	01/30/07 06:17:11	5	16	79
0120	02/25/07 18:47:38	02/25/07 10:47:38	5	19	78
0121	03/18/07 20:03:09	03/18/07 13:03:09	5	23	78
0122	04/10/07 14:54:14	04/10/07 07:54:14	1	23	77
0123	04/10/07 14:54:28	04/10/07 07:54:28	2	24	77
0124	05/03/07 12:59:27	05/03/07 05:59:27	5	24	77
0125	05/15/07 14:28:57	05/15/07 07:28:57	5	26	77
0126	06/14/07 21:16:50	06/14/07 14:16:50	2	26	76
0127	06/23/07 17:35:26	06/23/07 10:35:26	5	26	76
0128	07/06/07 14:44:38	07/06/07 07:44:38	5	26	75
0129	07/12/07 14:24:36	07/12/07 07:24:36	2	27	75
0130	07/31/07 23:18:17	07/31/07 16:18:17	5	33	75
0131	08/12/07 17:07:11	08/12/07 10:07:11	2	24	74
0132	10/18/07 13:47:46	10/18/07 06:47:46	3	17	74
0133	10/18/07 13:47:59	10/18/07 06:47:59	5	17	74
0134	10/23/07 14:06:29	10/23/07 07:06:29	1	20	73

0135	11/07/07 15:42:23	11/07/07 07:42:23	5	24	73
0136	11/15/07 00:20:52	11/14/07 16:20:52	5	29	72
0137	03/20/08 15:09:36	03/20/08 08:09:36	5	26	99
0138	04/19/08 00:59:28	04/18/08 17:59:28	1	24	57
0139	04/19/08 00:59:31	04/18/08 17:59:31	2	24	57
0140	04/21/08 16:41:17	04/21/08 09:41:17	2	23	57
0141	07/11/08 00:39:19	07/10/08 17:39:19	3	26	56
0142	07/25/08 23:42:18	07/25/08 16:42:18	1	24	56
0143	08/02/08 23:43:09	08/02/08 16:43:09	5	25	56
0144	08/13/08 23:46:06	08/13/08 16:46:06	1	26	55
0145	10/03/08 23:56:45	10/03/08 16:56:45	5	26	99
0146	10/16/08 06:28:47	10/15/08 23:28:47	1	27	99
0147	10/17/08 23:40:45	10/17/08 16:40:45	1	25	99
0148	11/05/08 21:46:40	11/05/08 13:46:40	1	25	98
0149	11/07/08 01:17:44	11/06/08 17:17:44	1	25	98
0150	11/08/08 00:40:43	11/07/08 16:40:43	1	25	98
0151	11/09/08 00:39:04	11/08/08 16:39:04	1	24	98
0152	11/13/08 01:12:36	11/12/08 17:12:36	1	26	98
0153	11/15/08 01:26:31	11/14/08 17:26:31	2	24	98
0154	12/29/08 03:47:34	12/28/08 19:47:34	3	24	98
0155	02/16/09 23:43:20	02/16/09 15:43:20	5	24	96
0156	02/20/09 01:18:20	02/19/09 17:18:20	5	24	96
0157	02/21/09 00:29:01	02/20/09 16:29:01	5	24	96
0158	02/22/09 00:43:40	02/21/09 16:43:40	2	23	95
0159	02/24/09 06:38:34	02/23/09 22:38:34	5	25	95
0160	02/25/09 02:49:05	02/24/09 18:49:05	5	23	95
0161	02/26/09 01:20:53	02/25/09 17:20:53	2	24	94
0162	02/27/09 00:54:20	02/26/09 16:54:20	5	23	94
0163	02/28/09 05:57:59	02/27/09 21:57:59	5	22	94
0164	03/01/09 00:36:24	02/28/09 16:36:24	5	23	93

0165	03/04/09 23:07:56	03/04/09 15:07:56	5	24	93
0166	03/06/09 03:58:36	03/05/09 19:58:36	5	24	92
0167	03/07/09 01:33:06	03/06/09 17:33:06	5	23	92
0168	03/12/09 01:02:31	03/11/09 18:02:31	5	24	91
0169	03/13/09 00:13:22	03/12/09 17:13:22	5	23	91
0170	03/15/09 05:41:18	03/14/09 22:41:18	1	24	88
0171	04/20/09 16:46:24	04/20/09 09:46:24	1	25	87
0172	04/20/09 16:47:58	04/20/09 09:47:58	1	25	87
0173	04/20/09 16:48:34	04/20/09 09:48:34	1	25	87
0174	06/27/09 20:03:13	06/27/09 13:03:13	5	26	87
0175	06/28/09 23:47:59	06/28/09 16:47:59	1	27	86
0176	06/29/09 23:30:33	06/29/09 16:30:33	1	26	86
0177	06/30/09 23:39:50	06/30/09 16:39:50	1	26	86
0178	07/01/09 23:57:20	07/01/09 16:57:20	1	28	86
0179	07/04/09 20:01:06	07/04/09 13:01:06	2	27	86
0180	07/06/09 23:45:51	07/06/09 16:45:51	2	27	86
0181	07/07/09 21:52:24	07/07/09 14:52:24	1	27	86
0182	07/08/09 23:48:39	07/08/09 16:48:39	2	26	86
0183	07/10/09 15:53:35	07/10/09 08:53:35	2	26	85
0184	07/12/09 20:50:44	07/12/09 13:50:44	2	25	85
0185	07/13/09 23:56:54	07/13/09 16:56:54	1	25	85
0186	07/14/09 04:23:23	07/13/09 21:23:23	1	28	85
0187	07/14/09 04:23:29	07/13/09 21:23:29	1	29	85
0188	07/15/09 20:55:19	07/15/09 13:55:19	1	26	85
0189	07/19/09 23:59:18	07/19/09 16:59:18	2	29	85
0190	07/20/09 20:38:17	07/20/09 13:38:17	1	26	85
0191	07/21/09 23:30:47	07/21/09 16:30:47	1	26	84
0192	07/22/09 05:45:23	07/21/09 22:45:23	1	26	84
0193	07/26/09 23:54:39	07/26/09 16:54:39	2	27	84
0194	08/03/09 23:36:10	08/03/09 16:36:10	2	26	84

0195	08/03/09 23:36:14	08/03/09 16:36:14	3	27	84
0196	08/11/09 23:22:49	08/11/09 16:22:49	3	26	84
0197	08/17/09 00:35:03	08/16/09 17:35:03	2	26	83
0198	08/31/09 23:19:31	08/31/09 16:19:31	2	27	83
0199	09/08/09 20:22:08	09/08/09 13:22:08	2	26	83
0200	09/21/09 00:11:04	09/20/09 17:11:04	1	26	83
0201	11/12/09 01:37:49	11/11/09 17:37:49	1	26	82
0202	11/19/09 00:59:03	11/18/09 16:59:03	1	24	82
0203	11/28/09 01:43:34	11/27/09 17:43:34	2	25	82
0204	12/31/09 04:35:22	12/30/09 20:35:22	1	26	82
0205	01/22/10 04:46:49	01/21/10 20:46:49	1	26	81
0206	01/25/10 01:20:17	01/24/10 17:20:17	1	25	81
0207	02/01/10 00:54:56	01/31/10 16:54:56	2	27	81
0208	02/08/10 00:41:55	02/07/10 16:41:55	1	26	81
0209	02/08/10 00:41:58	02/07/10 16:41:58	1	26	81
0210	02/10/10 01:07:34	02/09/10 17:07:34	1	23	81
0211	02/10/10 09:03:03	02/10/10 01:03:03	1	26	81
0212	02/15/10 00:53:18	02/14/10 16:53:18	1	27	81
0213	02/15/10 00:53:20	02/14/10 16:53:20	1	27	81
0214	02/17/10 00:35:24	02/16/10 16:35:24	1	28	80
0215	02/18/10 00:47:10	02/17/10 16:47:10	1	26	80
0216	03/11/10 22:33:00	03/11/10 14:33:00	1	26	80
0217	03/21/10 00:02:13	03/20/10 17:02:13	1	25	80
0218	04/14/10 06:17:16	04/13/10 23:17:16	1	24	80
0219	04/21/10 23:48:10	04/21/10 16:48:10	1	25	80
0220	04/22/10 15:45:54	04/22/10 08:45:54	5	26	80
0221	04/23/10 23:35:21	04/23/10 16:35:21	1	25	79
0222	04/24/10 22:18:11	04/24/10 15:18:11	2	26	79
0223	04/28/10 22:08:04	04/28/10 15:08:04	1	26	79
0224	04/30/10 23:34:21	04/30/10 16:34:21	1	24	79

0225	05/07/10 23:40:31	05/07/10 16:40:31	1	26	79
0226	05/12/10 23:55:10	05/12/10 16:55:10	1	25	79
0227	05/13/10 01:32:02	05/12/10 18:32:02	8	27	79
0228	05/13/10 01:32:08	05/12/10 18:32:08	5	27	78
0229	05/20/10 23:22:49	05/20/10 16:22:49	5	26	74
0230	05/20/10 23:22:54	05/20/10 16:22:54	3	27	74

SHUT - SPARK TEST

EVENT

TEST

End of Report.

TASER

PROTECT LIFE

TASER Information		Downloaded By	
Serial #	*X00-* [redacted]	**Name**	*Tom Forsyth*
Model #	*X26*	**Dept**	*PPB*
X26 Software Version	*0*	**Rank**	*Officer*
Dataport CD Version	*17.9*	**Windows Version**	*Windows XP*
Record Date Range	*All Data*		
Computer Time Zone	*Pacific Standard Time *DST*	**Report Generated**	*05/20/10 16:38:02 (local)*
Using Daylight Savings Time	*Yes*		

Recorded Firing Data

Seq	GMT Time	Local Time	Duration	Temp	Battery
0001	06/22/06 20:05:13	06/22/06 13:05:13	Old Time		
0002	06/22/06 20:05:12	06/22/06 13:05:12	New Time		
0004	06/22/06 20:05:59	06/22/06 13:05:59	New Time		
0005	07/03/07 15:50:52	07/03/07 08:50:52	1	28	98
0006	05/28/08 16:28:02	05/28/08 09:28:02	1	30	96
0007	06/21/08 00:29:30	06/20/08 17:29:30	2	37	96
0008	06/25/08 23:33:11	06/25/08 16:33:11	1	30	95
0009	07/24/08 23:02:54	07/24/08 16:02:54	1	27	95
0010	07/26/08 23:05:27	07/26/08 16:05:27	1	27	95
0011	09/19/08 02:35:34	09/18/08 19:35:34	1	23	91
0012	09/19/08 23:35:52	09/19/08 16:35:52	1	26	91
0013	09/24/08 23:19:30	09/24/08 16:19:30	1	27	91
0014	09/24/08 23:19:31	09/24/08 16:19:31	1	27	91
0015	09/24/08 23:19:33	09/24/08 16:19:33	1	27	91

0016	09/26/08 01:00:51	09/25/08 18:00:51	1	26	91
0017	10/09/08 22:50:12	10/09/08 15:50:12	1	26	91
0018	10/17/08 22:59:41	10/17/08 15:59:41	1	26	90
0019	10/22/08 23:04:10	10/22/08 16:04:10	1	26	90
0020	10/29/08 22:28:19	10/29/08 15:28:19	1	26	90
0021	10/30/08 23:30:27	10/30/08 16:30:27	1	26	90
0022	11/07/08 00:02:22	11/06/08 16:02:22	1	27	89
0023	11/07/08 00:02:43	11/06/08 16:02:43	1	28	89
0024	11/08/08 23:20:49	11/08/08 15:20:49	1	25	89
0025	11/16/08 06:01:32	11/15/08 22:01:32	1	26	89
0026	11/19/08 19:02:07	11/19/08 11:02:07	1	23	89
0027	11/21/08 00:04:15	11/20/08 16:04:15	1	27	89
0028	11/24/08 16:23:46	11/24/08 08:23:46	2	26	89
0029	11/29/08 23:58:36	11/29/08 15:58:36	1	27	89
0030	12/02/08 00:47:11	12/01/08 16:47:11	1	24	88
0031	12/05/08 00:24:50	12/04/08 16:24:50	1	26	88
0032	12/28/08 10:29:59	12/28/08 02:29:59	1	28	88
0033	12/28/08 10:30:06	12/28/08 02:30:06	1	30	88
0034	12/28/08 10:30:20	12/28/08 02:30:20	1	30	88
0035	12/28/08 10:30:23	12/28/08 02:30:23	2	30	88
0036	01/02/09 00:10:11	01/01/09 16:10:11	1	27	88
0037	01/17/09 00:14:46	01/16/09 16:14:46	1	25	87
0038	01/31/09 00:57:07	01/30/09 16:57:07	1	29	87
0039	02/06/09 03:46:44	02/05/09 19:46:44	1	25	87
0040	02/13/09 09:01:39	02/13/09 01:01:39	1	27	87
0041	02/19/09 19:40:29	02/19/09 11:40:29	11	27	87
0042	02/19/09 19:40:35	02/19/09 11:40:35	5	27	86
0043	02/19/09 19:40:48	02/19/09 11:40:48	10	27	86
0044	02/19/09 19:40:54	02/19/09 11:40:54	5	28	85
0045	02/19/09 19:51:18	02/19/09 11:51:18	5	32	85

0046	02/19/09 19:51:38	02/19/09 11:51:38	5	32	84
0047	03/13/09 03:15:53	03/12/09 20:15:53	1	27	84
0048	03/18/09 23:18:34	03/18/09 16:18:34	1	27	84
0049	03/18/09 23:18:42	03/18/09 16:18:42	1	27	84
0050	03/19/09 22:37:28	03/19/09 15:37:28	1	27	83
0051	04/01/09 22:53:10	04/01/09 15:53:10	1	27	83
0052	04/03/09 23:05:25	04/03/09 16:05:25	1	29	83
0053	04/03/09 23:05:26	04/03/09 16:05:26	1	28	83
0054	04/17/09 22:53:06	04/17/09 15:53:06	1	27	83
0055	04/22/09 23:39:41	04/22/09 16:39:41	1	28	83
0056	04/23/09 22:56:11	04/23/09 15:56:11	1	27	83
0057	05/01/09 03:45:38	04/30/09 20:45:38	1	28	83
0058	05/10/09 02:13:06	05/09/09 19:13:06	1	28	83
0059	05/22/09 02:43:18	05/21/09 19:43:18	1	28	82
0060	05/27/09 21:14:27	05/27/09 14:14:27	1	26	82
0061	05/29/09 05:08:45	05/28/09 22:08:45	1	31	82
0062	05/29/09 23:10:47	05/29/09 16:10:47	1	27	82
0063	06/20/09 02:51:25	06/19/09 19:51:25	1	24	82
0064	07/08/09 22:31:02	07/08/09 15:31:02	1	26	81
0065	07/17/09 00:02:35	07/16/09 17:02:35	1	30	81
0066	08/21/09 22:26:46	08/21/09 15:26:46	1	26	81
0067	10/08/09 23:24:29	10/08/09 16:24:29	1	27	81
0068	10/16/09 02:46:28	10/15/09 19:46:28	5	29	81
0069	10/23/09 23:38:36	10/23/09 16:38:36	1	27	79
0070	10/30/09 22:35:54	10/30/09 15:35:54	1	26	79
0071	12/13/09 07:21:05	12/12/09 23:21:05	1	17	60
0072	12/18/09 21:51:08	12/18/09 13:51:08	1	27	60
0073	12/24/09 01:39:57	12/23/09 17:39:57	1	26	60
0074	02/26/10 23:34:03	02/26/10 15:34:03	1	27	59
0075	03/17/10 02:05:45	03/16/10 19:05:45	2	27	59

0076	03/24/10 22:56:57	03/24/10 15:56:57	1	27	59
0077	04/15/10 22:31:45	04/15/10 15:31:45	1	27	59
0078	04/22/10 22:11:01	04/22/10 15:11:01	1	26	58
0079	04/24/10 22:14:47	04/24/10 15:14:47	1	26	58
0080	04/29/10 22:32:14	04/29/10 15:32:14	1	27	58
0081	04/29/10 22:40:58	04/29/10 15:40:58	1	27	58
0082	04/29/10 22:50:29	04/29/10 15:50:29	4	35	58
0083	04/29/10 22:50:36	04/29/10 15:50:36	5	35	57
0084	04/29/10 22:50:48	04/29/10 15:50:48	4	36	57
0085	05/13/10 00:55:43	05/12/10 17:55:43	5	32	57
0086	05/13/10 00:55:49	05/12/10 17:55:49	5	32	56
0087	05/20/10 23:08:56	05/20/10 16:08:56	5	29	53
0088	05/20/10 23:09:00	05/20/10 16:09:00	3	29	52
0089	05/20/10 23:09:47	05/20/10 16:09:47	Old Time		
0090	05/20/10 23:37:24	05/20/10 16:37:24	New Time		

EVENT 18:23 HRS

TEST FIRE

+ 28 min

End of Report.

PORTLAND POLICE BUREAU

CONFIDENTIAL SPECIAL REPORT

☐ INFORMATION ☐ CLEARANCE ☐ CONTINUATION ☐ SUPPLEMENTAL

Page/Of 1/3

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353	10-38359	OFFICER INVOLVED SHOOTING

☐1. UNFOUNDED ☐3. SUSPENDED ☐5. EXCEPTIONAL ☐2. PENDING ☐4. CLR BY ARREST ☐6. REFERRED

ORIGINAL REPORT DATE/TIME: 051210 / 1821

THIS REPORT DATE/TIME: 052310 / 1200

LOCATION OF OCCURRENCE: NE 6th AVENUE / NE HALSEY STREET

PERSONS **CO**-Complainant **SB**-Subject **SI**-Sick/Injured/Cared For **PE**-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	010485

ADDRESS: 3541 N HOUGHTON AVE ZIP: 97217 PHONE:

SUBJECT OF THIS REPORT: BULLET STOLEN FROM SCENE PROPERTY RECEIPT NO.:

NARRATIVE/PROPERTY ITEM CODE **S**-STOLEN **L**-LOST **F**-FOUND **D**-DAMAGED **K**-SAFEKEEPING **R**-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ Intell
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR ☐ Vehicle
OPR ☐ Crime/ Prop
OPR ☐ Book
OPR

CONNECT INFORMATION

Victim in PPB Case #10-38359:

Officer Chris BURLEY, DPSST #45975
M/W, DOB [redacted]
Work Address: 449 NE Emerson Street
Portland, Oregon 97211
Hotspot Enforcement Action Team (HEAT), Unit 1951

NONCONNECT INFORMATION

Person Interviewed:

[redacted]
M/B, DOB [redacted]
Home Address: [redacted]
The Dalles, Oregon 97058
Cell Phone: [redacted]

Detectives Mentioned:

Detective Mark SLATER, DPSST #27192
Detective Andy MADDEN, DPSST #23577

Other Law Enforcement Mentioned:

Officer Sean Lundry, DPSST #42451
The Dalles Police Department

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE: ☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special
10-38353	OFFICER INVOLVED SHOOTING	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO--List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
ITEM 5: ADDITIONAL PROPERTY--Record no more than four additional items of property in the narrative--and/or use a Special Report and attach as additional pages.
ITEM 6: ADDITIONAL OFFICERS--List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM | CODE

EXHIBITS

1. Portland Police Bureau Property/Evidence Receipt #1203493
2. Copy of Police Report by Officer Lundry

SUMMARY

Officer Burley was shot twice by KEATON OTIS during a traffic stop, and other officers returned fire, fatally wounding KEATON OTIS. One of the fired bullets entered a nearby store. A customer inside the store picked up the bullet and left with it. I later located that customer who returned the bullet to a police officer in The Dalles, who then returned the bullet to me.

NARRATIVE

On May 12th, 2010, Officer Burley was shot twice by KEATON OTIS during a traffic stop. Officers onscene returned fire, and KEATON OTIS was fatally wounded. The scene was processed and several fired bullets and shell casings were recovered and taken as evidence. Several witnesses were also interviewed at the scene. Detective Madden spoke with an employee at the [redacted] directly north of the location of the shooting. The employee told Detective Madden a bullet entered the store and was picked up by an unknown customer, who then left the store with the bullet.

On May 17th, 2010, Detective Slater and I spoke with an employee of the [redacted] and learned the customer had been inside the store for almost two hours trying to return a cell phone he had purchased. The employee stated he heard the bullet enter through the opened west-facing front doors and strike the base of a display shelf. I examined the shelf and could clearly see evidence of a bullet strike on the baseplate of the display shelf. The employee said he saw the bullet on the floor, and the customer then picked up the bullet, made a comment about how the bullet was still warm and he was going to keep it. The employee said the customer then left the store with the bullet. I was able to determine the cell phone account information for the customer.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE: NE 6th AVENUE / NE HALSEY STREET

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO--List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
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ITEM 6: ADDITIONAL OFFICERS--List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM | CODE

In order to determine how a bullet traveling north entered through the west-facing doors, I examined several objects outside the front doors. I located a fire hydrant directly west of the front doors, just to the east of the east curb line of NE 6th Avenue. On the top of the fire hydrant, I could see evidence of a bullet strike on the eastern face of the hexagonal-shaped bolt. I was able to determine a bullet travelling northbound had struck the angular face of the bolt and deflected east through the west-facing front doors of the [redacted] striking the baseplate of a display shelf inside the store.

On May 20th, 2010, I called the cell phone number for the account holder of the [redacted] customer, and spoke to [redacted] who told me he was in possession of the bullet. I explained to [redacted] the bullet was evidence and needed to be returned. [redacted] agreed to return it to me, and explained he was in The Dalles, Oregon, where he lives. I arranged with [redacted] to go to [redacted] Dalles Police Department that day and give the bullet to an officer there. By 2200 hours that evening, [redacted] had still not returned the bullet, so I spoke with The Dalles non-emergency dispatch, and requested an officer go to [redacted] residence and contact him.

On May 21st, 2010, at approximately 1515 hours, I received a phone call from Officer Lundry of The Dalles Police Department, stating [redacted] had just returned the bullet to him. Officer Lundry said [redacted] initially demanded financial compensation to return the bullet, but then voluntarily surrendered the bullet to Officer Lundry. I asked Officer Lundry to ship the bullet to me, and he said he would send it to me via certified mail.

On May 23rd, 2010, I received the bullet from Officer Lundry via certified mail. I receipted the bullet on Portland Police Bureau Property/Evidence Receipt #1203493 as evidence and placed it into the Property Room.

Please see Officer Lundry's report for further details.

This investigation is ongoing.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E.W. Kammerer	29988	DET	M	HOM	

The Dalles Police Dept.

401 Court St.
The Dalles, OR 97058
541-296-2613

Outside Distribution:

Distribution:

Incident Report: D20100971

Current As Of: Friday, May 21, 2010

Rpt Date/ RcvdTime 5/21/2010 3:11 PM ***Offense:*** **AGENCY ASSIST** ***Offense2:***
BeginDate/ DispTime 12:00 AM ***Location:*** LOCAL ***Offense3:***
Officer 42451 ***EndDate/ArvdTime*** 12:00 AM ***Apt:*** ***CityState:*** Portland ***Dispatcher:*** 41021
Lundry, Sean ***Reorder/CirdTime*** 3:11 PM ***Grid:*** 30 ***Disclose:*** Yes
Incident Summary DETECTIVE TOOK CASE NUMBER.

People Involved:

Involvement	Name / Address	Phone	DOB	Citation/Charge	Date Officer
Reporting Per	[redacted]	[redacted]	[redacted]		5/21/2010 Lundry
	The Dalles OR	Scars:			
	Sex: M Race: N Ht: [redacted] Wt: [redacted] Hair: BLK Eyes: [redacted]				

Property Involved:

Tag#	Catagory	Description	Loss / Recovered Amt.	Date Recver
SAL-1	Evidence	Deformed bullet of unknown caliber		
Make:		Model:	SR#	
		Totals —>		

Incident Report: D20100971

Current As Of: Friday, May 21, 2010

Continuation Report

Summary

Received bullet and sent via certified mail to PPB

Mentioned

Detective Kammerer-Portland Police Bureau

Narrative

On 05/21/10 (Friday) I received an email in regards to [redacted] turning in a bullet that was involved in an investigation being conducted by Kammerer. At around 1505 hrs, [redacted] came into the police department and released a deformed bullet of unknown caliber to me. [redacted] would not say anything about the bullet other than he had spoken to a detective in Portland and they knew everything about this. I seized the bullet, labeled it SAL-1, and placed it into a zip lock bag sealed with evidence tape. I contacted Kammerer who asked me to send it to him via certified mail. I prepared this and will ship it out upon completion of this report.

St[illegible]ments

Evidence/Property

Action Recommended

Forward to PPB

Date/ ID: **5/21/2010** **42451** **Lundry, Sean** ***Incident:*** D20100971

Officer's Signature: S.A. Lundry **Date:** 5-21-10

Page of

CITY OF THE DALLES POLICE DEPARTMENT
401 Court Street • The Dalles, OR 97058
(541) 296-2613

COURTS
☐ Muni Crt
☐ Circuit Crt
☐ Juvenile

Case Number: 10-0971

INCI TYPE: Agency Assist

INCIDENT DATE: 5 21 10 1525 (mo. day yr. time)

Related Number:

LOCATION (Where seized, found, surrendered)
Street Address: 401 Court St. City: TD State: OR Zip:

PERSONS

	OWNER NAME Last / First / Middle			SEX	D.O.B.	RES. PHONE
	OWNER ADDRESS Street / City / State / Zip					BUS. PHONE
☒ Finder	NAME Last / Middle			SEX M		RES. PHONE
☐ Suspect	ADDRESS Street / State OR Zip 97058					BUS. PHONE
☐ Suspect	NAME Last / First / Middle			SEX	D.O.B.	RES. PHONE
	ADDRESS Street / City / State / Zip					BUS. PHONE

PROPERTY TYPE CODE — E - Evidence — F - Found — P - Processing — SK - Safekeeping

TYPE	Make	Model	Serial	Value	LOT/BIN
☒E ☐P / ☐F ☐SK	Description/Size/Color: Deformed Bullet				
No. SAL-1					

Date Entered / Initials / Date Released / Initials
FINAL RELEASE
Signature of owner/representative / ID / Date / Initials

TYPE	Make	Model	Serial	Value	LOT/BIN
☐E ☐P / ☐F ☐SK	Description/Size/Color				
No.					

Date Entered / Initials / Date Released / Initials
FINAL RELEASE
Signature of owner/representative / ID / Date / Initials

TYPE	Make	Model	Serial	Value	LOT/BIN
☐E ☐P / ☐F ☐SK	Description/Size/Color				
No.					

Date Entered / Initials / Date Released / Initials
FINAL RELEASE
Signature of owner/representative / ID / Date / Initials

TYPE	Make	Model	Serial	Value	LOT/BIN
☐E ☐P / ☐F ☐SK	Description/Size/Color				
No.					

Date Entered / Initials / Date Released / Initials
FINAL RELEASE
Signature of owner/representative / ID / Date / Initials

TYPE	Make	Model	Serial	Value	LOT/BIN
☐E ☐P / ☐F ☐SK	Description/Size/Color				
No.					

Date Entered / Initials / Date Released / Initials
FINAL RELEASE
Signature of owner/representative / ID / Date / Initials

REPORTING OFFICER Name: S. A. Lundry No. 4245 Date: 5-21-10 DATA ENTRY

WHITE - Case File YELLOW - Property Officer PINK - Owner

BUREAU OF POLICE
2619 NW INDUSTRIAL WAY, STE. B4
PORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No. 1203493	5-23-10 / 1000 AM PM		10-38353

CHECK ONLY ☒ EVIDENCE ☐ FOUND PROPERTY ☐ PRISONER'S PROP GAVE COPY? YES ☐ NO ☒ ☐ SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐ Ofc Lundry, The Dalles Police

HOME ADDRESS CITY STATE ZIP

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

SIGNATURE

HOME ADDRESS CITY STATE ZIP PHONE

TYPE OF INCIDENT: Officer Involved Shooting

DELIVERING OFFICER: Kammerer BPST/ASSIGN: 29988/PC-7

LOCATION WHERE SEIZED, FOUND, SURRENDERED: 401 Court St The Dalles, OR

INVESTIGATOR (IF DIFFERENT) BPST/ASSIGN

☐ DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB

☐ SUSPECT

FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORGIN LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1: One Fired bullet		
ITEM 2:		
ITEM 3:		
ITEM 4:		
ITEM 5:		
ITEM 6:		
ITEM 7:		
ITEM 8:		

DELIVERED TO: ☐ STATE CRIME LAB ☒ ATTENDED PROP ROOM ☐ PED
CHECK ONLY ☐ FED ☐ OTHER

LOCKER: C6 DATE RECEIVED BY

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

INVENTORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION
DATE TIME:

BY

WHITE - RECORDS COPY
YELOW - CITIZENS RECEIPT
PINK - WITH PROPERTY

02-01-10

PORTLAND POLICE BUREAU | CONFIDENTIAL **SPECIAL REPORT** | ☐ INFORMATION ☐ CONTINUATION ☐ CLEARANCE ☐ SUPPLEMENTAL | Page/Of 1/2

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353		OFFICER INVOLVED SHOOTING

☐1. UNFOUNDED ☐2. PENDING ☐3. SUSPENDED ☐4. CLR BY ARREST ☐5. EXCEPTIONAL ☐6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
051210 / 1821	051310 / 0900

LOCATION OF OCCURRENCE: NE 6TH AVE / NE CLACKAMAS ST PORTLAND, OR

PERSONS **CO**-Complainant **SB**-Subject **SI**-Sick/Injured/Cared For **PE**-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	010485

ADDRESS	ZIP	PHONE
3541 N HOUGHTON ST		UNKNOWN

SUBJECT OF THIS REPORT: INTERVIEW OF OFFICER ANTHONY EUGENIO

PROPERTY RECEIPT NO.

NARRATIVE/PROPERTY ITEM CODE **S**-STOLEN **L**-LOST **F**-FOUND **D**-DAMAGED **K**-SAFEKEEPING **R**-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ Cell
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person

OPR ☐ Vehicle

OPR ☐ Crime/ Prop

OPR ☐ Book

OPR

NO CONNECT INFORMATION

NONCONNECT INFORMATION

Officer Interviewed:
Officer Anthony EUGENIO, DPSST #39877
M/W, DOB [redacted]
Work Address: 4735 E Burnside Street
Portland, Oregon 97215
Work Phone: 503-823-2143

Involved Officers Mentioned:

Sergeant Donald LIVINGSTON, DPSST #32588
M/W, DOB [redacted]
Work Address: 4735 E Burnside Street
Portland, Oregon 97215
Work Phone: 503-823-2143

Witness Officers Mentioned:

Officer Brian DALE, DPSST #23726
Officer Aaron DAUCHY, DPSST #30873

Person Mentioned:

Officer Mark Snyder, DPSST #28162
PPA Representing Officer Eugenio

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E. HURLEY	29900	DET	M	SCU	

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Traffic Accident ☐ Custody ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485
LOCATION OF OCCURENCE: NE 6TH AVE / NE CLACKAMAS ST					

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO–List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO–Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO–List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS–Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
ITEM 5: ADDITIONAL PROPERTY–Record no more than four additional items of property in the narrative–and/or use a Special Report and attach as additional pages.
ITEM 6: ADDITIONAL OFFICERS–List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY–A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE–List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM | CODE

Detectives Mentioned:

Detective Erica HURLEY, DPSST #29900
Detective Tony HARRIS, DPSST #27566

EXHIBITS

1. Portland Police Bureau Property/Evidence Receipt #1213384

2. Transcription of interview with Officer Eugenio.

NO SUMMARY

NARRATIVE

On May 12, 2010, KEATON OTIS was killed during a police action at the intersection of NE 6TH Ave and NE Clackamas Street. Officer Anthony EUGENIO responded to the scene after the shooting had occurred. What follows is a summary of the interview with Officer Anthony EUGENIO. Please see the attached transcript for a verbatim account of the interview.

Officer EUGENIO told me he was working with partner Officer Brian DALE when they heard the request for cover at a traffic stop at NE 6th / NE Clackamas street. While enroute Officer EUGNIO heard an update of shots fired and the request for additional cover officers.

Officer EUGENIO told me when he and Officer DALE arrived on the scene he took a position of lethal cover across the street from the suspects car under a backhoe. Officer EUGENIO held this position until OTIS was taken into custody and then remained at the scene to help protect the evidence.

The recording of the interview of Officer EUGENIO was later copied onto a CD-R and placed in the Property Room as evidence on Portland Police Bureau Property/Evidence Receipt # 1213383.

This investigation is ongoing.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E. HURLEY	29900	DET	M	SCU	

UREAU OF POLICE
619 NW INDUSTRIAL WAY, STE. B4
ORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	AM / PM	REFER CASE NO.	PPB CASE NO.
No. 1213384	051710 0800			10-38353

CHECK ONLY ☒ EVIDENCE ☐ FOUND PROPERTY ☐ PRISONER'S PROP. GAVE COPY? YES ☐ NO ☐ ☐ SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐

HOME ADDRESS CITY STATE ZIP

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

SIGNATURE

HOME ADDRESS CITY STATE ZIP PHONE

TYPE OF INCIDENT: OFC Involved shooting

DELIVERING OFFICER BPST ASSIGN

LOCATION WHERE SEIZED, FOUND, SURRENDERED: NE 6th / Clackamas

INVESTIGATOR (IF DIFFERENT) BPST ASSIGN

	LAST NAME	FIRST	M.I.	SEX	RACE	DOB
☐ DEFENDANT ☒ SUSPECT	OTIS	Keaton	D	M	B	010485

	FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1	1 CD of Audio Interview w/witness OFFICER Eugenio		
ITEM 2			
ITEM 3			
ITEM 4			
ITEM 5			
ITEM 6			
ITEM 7			
ITEM 8			

DELIVERED TO: ☐ STATE CRIME LAB ☐ SATELLITE PROP. ROOM ☐ PED CHECK ONE ONLY ☐ FED ☐ OTHER

LOCKER DATE RECEIVED BY

DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY

INVENTORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION
DATE TIME:

BY

WHITE - RECORDS COPY
YELOW - CITIZENS RECEIPT
PINK - WITH PROPERTY

04-01-10

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 13th, 2010

Officer Anthony Eugenio

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

COPY

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

Hurley: Detective Hurley, 05/13 of 2010, it is 12:54 AM, we are at Traffic Division, uh, interviewing Officer Eugenio.

Eugenio: Eugenio.

Hurley: And DPPST?

Eugenio: 39877.

Hurley: I am with, uh, Detective.

Harris: Tony Harris, DPSST 27566.

Hurley: And PPA representative.

Snider: Uh, Mark Snyder, DPSST 28162.

Hurley: We are here tonight to talk about, uh, incident 1772 which is an officer involved shooting at 6th and Clackamas. Um, so first of all, how long have you been a police officer?

Eugenio: Uh, just over nine years.

Hurley: And what, tell me a little about your training and your background?

Eugenio: Uh, well I got hired in the police bureau in September of 2000, um, and, uh, basically went to the, uh, um, State Academy at the Clackamas Training Center, uh, then I went to the Advanced Academy, um, uh, just shortly thereafter, um, I, uh, worked in all the precincts. I ended up a Northeast Precinct in 2002 and I've been there ever since. Um, in November of 2007, um, I was a hired by the Gang Enforcement Team and I've been there ever since. I've done investigations, written search warrants, um, arrested, you know, people, uh, with guns and primarily, uh, uh, targeted, you know, gang members.

Hurley: Are you trained on anything specific, um, like AR?

Eugenio: No.

Hurley: Less Lethal?

Eugenio: Uh, Less Lethal.

Hurley: Um, uh Tazer?

Eugenio: Yes.

Hurley: Anything else that I haven't mentioned that is a specialty that we carry?

Eugenio: No.

Hurley: Okay. Um, I'm going to go over your night a little bit, uh, tonight, okay?

Eugenio: Okay.

Hurley: Um, starting last night, did you get, how much sleep?

Eugenio: Uh, eight hours.

Hurley: Okay, and you woke up about what time?

Eugenio: Um, noon.

Hurley: And your shift starts at?

Eugenio: 4:00

Hurley: Okay, so you got to have some breakfast, some lunch, something in there…

Eugenio: …Right…

Hurley: …Food wise. Started your shift at 4:00?

Eugenio: Yes.

Hurley: Okay, and tell me a little about what occurred, um, on what kind of calls you took in the beginning of the evening before the officer involved shooting.

Eugenio: Um, actually not much, um, we, uh, had the roll call at North and then, uh, we had another roll call for, for GET after that. And then, if you want me to real specific, uh, we went over to our favorite Italian Deli over on, uh, okay, um, and they weren't open, so we went to a different place, um, and then we, uh, start patrolling the area Albina / Killingsworth, uh, when this call came out.

Hurley: Okay, so no other hot calls or, um, large incidents prior to this call?

Eugenio: No.

Hurley: Okay, um, about what time do you remember this call coming out?

Eugenio: Uh, sometime around 6:00.

Hurley: Okay, and tell me about the call, what started it and, and what else…

Eugenio: …Well like I said, we were patrolling the area of Albina / Killingsworth and that's obviously a hot spot for gang activity and then I heard, uh, the, uh, HEAT officers go out on a traffic stop, I don't recall who it was, um, and then shortly thereafter they were saying that the driver was being difficult or non-complainant, so I started heading down that way. Um, the, you know, thinking that maybe there would be problems and, uh, we work pretty closely with them, um, and so I could kind of tell that there was something wrong, um, as we continued down the road, I think there was another update that, that he was non-complainant, um, and then went we got to, well we got to Vancouver and Broadway is when we heard shots fired on the radio and officers screaming for help, um, and so we, we were the first ones to arrive, um, I was driving, my partner, Brian Dale was the passenger, um, we actually drove down Halsey Street. Um stopped at 6th and then realized that's where the traffic stop was, 'cause I think initially it came out at 6th and Clackamas. Um, at that point, um, as I said I was driving Dale was a passenger, um, he got out of the car, he had, um, you know, had grabbed his AR, um, then exited the car, um, I exited on my side went around the back of the car. Um, and then I saw a group of officers on the sidewalk just to the south of, south of the suspect's vehicle, um, I saw gun in Strawn, I don't particularly remember who it was that was, that was, uh, had their guns out. Um, as I ran, uh, southbound on the west sidewalk, um, like I said I saw there was group of officers, Dale had exited the car, as he was on that side he was able to get to the group quicker, um, and he had his AR-15 with him as another Lethal Cover, um, at that point, um, I, I, uh, figured that there was enough officer over there and that if I'd gone over there that there would have been too many people, you know, for me to have an effective position that I would have been able to go somewhere else. Um, and so, um, there was a backhoe that was sitting on the west side of the intersection, um, just south of the, or the west side of the street just south of the intersection of 6th and Halsey. So I used that as, as cover, uh, 'cause there wasn't any cover other than the car it's self and. um, I could see that, that the guy was partially out of the car at that point. Um, so at least I could see clothes, so I assumed that he was partially out. So I, I, um, laid down on the

ground and took a lethal position under, under the, uh, um, the backhoe, you know, waiting for him to move. Then I yelled commands to him, I heard other officers over there yelling commands, um, and not getting any movement, um, and then just waited. And then I heard that there were going to use a bean bag and then several rounds were shot, um, and I walked around towards the, the back of the backhoe and then, uh, Officer, or Sergeant Livingston said that they were going to approach to suspect. Um, and so they did that and then I moved around the back side of the backhoe, um, on the back side of the police cars on the south of them and, uh, they, they were pulling them out as I was, um, crossing the street and he was taking into custody. Um, you know, placed on his side and, um, when then, we called in for medical, um, as soon as he was in custody I called for medical immediately, um, I, I told them to come in from the east on Halsey towards 6th to get them in right away, um, other officers were, um, you know, patting him down for additional weapons and that kind of thing. Um, and then I basically stayed on the scene in, um, you know, provided security for the, for the, the scene. Um, also when medical came in I, um, protected the, uh, evidence that was there, there was shell casings in the street and of course firemen do what they do and we do what we do so there was a, paying particular attention so they didn't kick casings around and that kind of thing. And I marked some of the casings with business cards, just so that they would know where to go in case, in case they, uh, you know, ended up going in towards the street, that there was some, um, some stuff up on the sidewalk too.

Hurley: Okay. Um, I'm going to take you back, uh, to the beginning. What kind of car were you driving?

Eugenio: Um, a, uh, gold Crown Victoria.

Hurley: Slick top?

Eugenio: Um-hm, correct.

Hurley: Uh, you came in the intersection of 6th and Halsey, uh, where abouts did you park in that intersection.

Eugenio: Um, I parked just, uh, just, uh, east of the stop sign.

Hurley: Oh Halsey?

Eugenio: Car still, yeah car still in the same spot.

Hurley: Okay.

Eugenio: We, uh, pulled up to the stop sign and then I proceeded, um, I was proceeding forward to, to find out where they actually at. And then realized there they were right there. So then I stopped right where, right where the car is now.

Hurley: Okay, okay. Um, and your partner Brian Dale, he took out the AR?

Eugenio: Um-hm.

Hurley: So he had, um, rifle?

Eugenio: Correct.

Hurley: Okay. Um, you said that, uh, you guys all took your positions, um, and then someone has less lethal?

Eugenio: Right, well I, they weren't there at the time, um, when I took the position of hard cover behind the backhoe, but yes there was somebody, I think Dauchy was, um, was the less, less lethal operator.

Hurley: Okay, and you said commands were given, what commands were given?

Eugenio: Uh, get your hands up, I gave him, I gave him commands to get his hands up, I heard somebody from, from that group, I don't know specifically who it was, get your hands up.

Hurley: Do you know about how many times that was said?

Eugenio: Uh, several, I said it several times, um, there was also a citizen in the window right behind, um, right behind where the shooting scene was that was pointing there, you know, poking their head out and also had a, um, phone or something. And I was telling them to get out of the window, move away from the window and get out of the room. So yeah, I, several times, I don't know specifically how many.

Hurley: Okay. Um, there was a, the bean bag was deployed?

Eugenio: Um-hm.

Hurley: Is that right, how many bean rounds were deployed?

Eugenio: Um, I think three.

Hurley: Okay. Uh, did you notice any other witnesses or people out there other than the officers?

Eugenio: Um, during that particular time?

Hurley: Yeah, when you were.

Eugenio: Not, not during the actually incident, I was focused on what was going on with the car.

Hurley: Okay, what about when you very first pulled up, did you see any other cars other than the suspect car?

Eugenio: No.

Hurley: Okay.

Eugenio: No, I mean that the, uh, two patrol cars there still in the same position where, uh, both their boxing the, boxing the car in that was something else that I'd heard as we were responding. When of the officer came on the air and asked to, for the next car in to, box in the, the car that they were, um, trying to stop or deal with this hostile subject. And so there was a patrol car sitting just to the north and then one kind of a canted kind of like our high risk stop, um, so that the vehicle would, wouldn't be able to pull from the curb and go out into the street and take off.

Hurley: Okay.

Harris: So there were two cars on the north side?

Eugenio: North of where the car, the vehicle that was stopped for this stop…

Harris: …Of the subject vehicle, right.

Eugenio: Yeah.

Hurley: Um, and you're the one that called medical to come in?

Eugenio: Uh, well, yeah, I, I, uh, as soon as he was in custody, I was the one that asked on the air for him, come in right away.

Hurley: And did you, um, you actually just watched, you didn't actually put hands on him or take him out of the car?

Eugenio: No, I didn't.

Hurley: Put handcuffs or anything like that?

Eugenio: No, I didn't.

Hurley: Okay, um, is there any thing that I haven't asked that you think is pertinent?

Eugenio: No.

Harris: Just, uh, real quick, uh, did Dale keep the AR in the trunk or the, do you have a keeper in the car.

Eugenio: It was in the front seat.

Harris: Okay. That's it.

Hurley: That's it. Okay, uh, we'll be turning off at 1:05 AM.

Transcribed Verbatim With Punctuation Added 051310 at 1400 S. Thoman SDT

PORTLAND POLICE BUREAU | CONFIDENTIAL **SPECIAL REPORT** | ☐ INFORMATION ☐ CONTINUATION ☐ CLEARANCE ☐ SUPPLEMENTAL | Page/Of 1/3

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353		OFFICER INVOLVED SHOOTING

☐1. UNFOUNDED ☐2. PENDING ☐3. SUSPENDED ☐4. CLR BY ARREST ☐5. EXCEPTIONAL ☐6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
051210 / 1821	051310 / 0900

LOCATION OF OCCURRENCE: NE 6TH AVE / NE CLACKAMAS ST PORTLAND, OR

PERSONS CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	010485

ADDRESS	ZIP	PHONE
3541 N HOUGHTON ST		UNKNOWN

SUBJECT OF THIS REPORT: INTERVIEW OF OFFICER MATTHEW DELENIKOS

PROPERTY RECEIPT NO.

NARRATIVE/PROPERTY ITEM CODE — S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev tell
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person
OPR ☐ Vehicle
OPR ☐ Crime/ Prop
OPR ☐ Book
OPR

NO CONNECT INFORMATION

NONCONNECT INFORMATION

Officer Interviewed:
Officer Matthew DELENIKOS, DPSST #21331
M/W, DOB [redacted]
Work Address: 1111 SW 2ND Avenue
Portland, Oregon 97204
Work Phone: 503-823-0097

Involved Officers Mentioned:

Officer Cody BERNE, DPSST #45662
M/W, DOB [redacted]
Work Address: 4735 E Burnside Street
Portland, Oregon 97215
Work Phone: 503-823-2143

Witness Officers Mentioned:

Sergeant Donald LIVINGSTON, DPSST #32588
Officer Brian DALE, DPSST #23726
Officer Aaron DAUCHY, DPSST #30873
Officer Darrell SHAW, DPSST #28923
Officer Brian DALE, DPSST #23726

Person Mentioned:

Officer Tom Perkins, DPSST #21046
PPA Representing Officer Delenikos

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E. HURLEY E.H.	29900	DET	M	SCU	

CASE NO.	CLASSIFICATION	TYPE:			
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident	☐ Traffic Accident	☐ Custody	☐ Special

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE
NE 6TH AVE / NE CLACKAMAS ST

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO--List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
ITEM 5: ADDITIONAL PROPERTY--Record no more than four additional items of property in the narrative--and/or use a Special Report and attach as additional pages.
ITEM 6: ADDITIONAL OFFICERS--List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM | CODE

Detectives Mentioned:

Detective Erica HURLEY, DPSST #29900
Detective Tony HARRIS, DPSST #27566

EXHIBITS

1. Portland Police Bureau Property/Evidence Receipt #1213385

2. Transcription of interview with Officer Delenikos.

NO SUMMARY

NARRATIVE

On May 12, 2010, KEATON OTIS was killed during a police action at the intersection of NE 6TH Ave and NE Clackamas ST. Officer Matthew DELENIKOS responded to the scene after the shooting occurred. What follows is a summary of the interview with Officer DELENIKOS. Please see the attached transcript for a verbatim account of the interview.

Officer DELENIKOS told me he was working with a partner, Officer Darrell SHAW, when they heard the "code 0" request for cover at a traffic stop at NE 6th / NE Clackamas street. While en-route Officer DELENIKOS heard someone broadcast on the police radio that an officer was down, shots were fired and a request for additional cover officers.

Officer DELENIKOS said when he and Officer SHAW arrived on the scene they took a position of lethal cover behind the engine block of a police car. Officer DELENIKOS could see OTIS laying partially out of the car with his lower body in the car and his head down in the gutter.

Officer DELENIKOS told me Sergeant LIVINGSTON asked Officer DAUCHY to utilize a bean bag shotgun to see if OTIS would respond. Officer DELENIKOS said three bean bag rounds were fired at OTIS. He said they saw no response. Sergeant

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6TH AVE / NE CLACKAMAS ST

NARRATIVE: The order of appearance for additional information will be:
ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.
ITEM 2: ADDITIONAL SUSPECT INFO--Report all suspect info on additional Incident Reports. Each suspect must have coded crime analysis descriptors. Detail in the narrative only suspect info not covered in the boxes.
ITEM 3: ADDITIONAL VEHICLE INFO--List additional vehicles in the same fashion as reported in the vehicle section. Include the identifying code.
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS--Record multiple worthless documents on a Multiple Worthless Document form and attach as additional pages. Record in the narrative the number of worthless documents written.
ITEM 5: ADDITIONAL PROPERTY--Record no more than four additional items of property in the narrative--and/or use a Special Report and attach as additional pages.
ITEM 6: ADDITIONAL OFFICERS--List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.
ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM	CODE

LIVINGSTON decided Officer DELINIKOS and Officer SHAW would be the custody team with Officer DALE as lethal cover.

Officer DELENIKOS told me he and Officer SHAW had to pull OTIS out of the car to get his hands out from under his body. He said they handcuffed OTIS and placed him in the post shooting position on his side.

Officer DELENIKOS said the EMT's and firefighters pronounced OTIS dead. The EMT's then took the handcuffs off OTIS and checked his heart with monitors.

Officer DELENIKOS noticed people watching the scene from the apartment widows next to the suspect car. He retrieved some blankets and taped them up on the windows to block OTIS's body from view.

The recording of the interview of Officer EUGENIO was later copied onto a CD-R and placed in the Property Room as evidence on Portland Police Bureau Property/Evidence Receipt # 1213383.

This investigation is ongoing.

UREAU OF POLICE
519 NW INDUSTRIAL WAY, STE. B4
ORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	REFER CASE NO.	PPB CASE NO.
No. 1213385	AM / PM		10-38353

CHECK ONLY ☒ EVIDENCE ☐ FOUND PROPERTY ☐ PRISONER'S PROP. GAVE COPY YES ☐ NO ☐ SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐

HOME ADDRESS CITY STATE ZIP

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

SIGNATURE

HOME ADDRESS CITY STATE ZIP PHONE

TYPE OF INCIDENT: OFC Involved shooting

DELIVERING OFFICER BPST/ASSIGN

LOCATION WHERE SEIZED, FOUND, SURRENDERED: 6th / NE Clackamas

INVESTIGATOR (IF DIFFERENT) BPST/ASSIGN

	LAST NAME	FIRST	M.I.	SEX	RACE	DOB
☐ DEFENDANT ☒ SUSPECT	OTIS	Keaton	D	M	B	010485

FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1: 1 CD of Interview with Officer Delenikos		
ITEM 2:		
ITEM 3:		
ITEM 4:		
ITEM 5:		
ITEM 6:		
ITEM 7:		
ITEM 8:		

DELIVERED FOR: ☐ STATE CRIME LAB ☐ SATELLITE PROP. ROOM ☐ PED
CHECK ONE ONLY ☐ FEED ☐ OTHER

LOCKER	DATE	RECEIVED BY

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DATE TIME:		

04-01-10

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 13th, 2010

Officer Matt Delenikos

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

COPY

Hurley: It is 5/13 of 2010 at 1242 hours, we're at Traffic Division interviewing Officer Delenikos, DPSST 21331 about incident 1772, uh, the officer involved shooting at 6th and Clackamas. Uh, this is Detective Hurley, DPSST 29900 and with me is Detective.

Harris: Tony Harris, DPSST 27566.

Hurley: Officer Delenikos, just do your DPSST right here.

Delenikos: 21331.

Hurley: And PPA representative.

Perkins: Tom Perkins, 21046.

Hurley: Okay, so, uh, we're going to do an interview today about the officer involved shooting that you were involved this evening and you're willing to give me an interview on that?

Delenikos: Yes.

Hurley: Okay. So, um, to start with tell me how long you've been a police officer, some of your basic training that kind of stuff?

Delenikos: I've been a police officer, uh, since 1994 and before that I was parole and probation officer for five years and before I was a counselor in the jail, so, since about '88 I've been in, in the field.

Hurley: Okay. Um, and you've been to basic academy?

Delenikos: Yes.

Hurley: And all the basic training to be a certified police officer?

Delenikos: Correct.

Hurley: Any specialized training, ie, uh, trazer trained?

Delenikos: Tazer trained.

Hurley: AR trained?

Delenikos: Not AR trained.

Hurley: Uh, less lethal?

Delenikos: FM303 and grenadier stuff, not any of the street stuff in here.

Hurley: Okay. Any other specialized training that I didn't mention?

Delenikos: No.

Hurley: Okay. Where are you currently assigned?

Delenikos: Central Precinct, night shift.

Hurley: Okay. And what were you working today?

Delenikos: Uh, the, why, the Service Coordination team walking beat.

Hurley: On an overtime shift?

Delenikos: Yes.

Hurley: Okay. Um, I'm going to take you actually back to last night, so, actually, the night before, does that make sense?

Delenikos: Yeah.

Hurley: Um, how much sleep did you get?

Delenikos: Oh about eight hours.

Hurley: Um, got up about what time, yesterday morning?

Delenikos: I got for court this morning at, about 7:30, or yesterday morning.

Hurley: Okay, yesterday at 7:30?

Delenikos: Yeah.

Hurley: Uh, went to court and got out of court?

Delenikos: About 10:30.

Hurley: Okay, did you have any sleep before you started your shift?

Delenikos: About an hour nap.

Hurley: Okay. And you had to start your shift at what time?

Delenikos: 3:00.

Hurley: Okay, and had food in between there and…

Delenikos: …Um-hm…

Hurley: …Were healthy and no…

Delenikos: …Yes…

Hurley: …Problems or anything.

Delenikos: Yes.

Hurley: Um, during the shift that started at 3:00, uh, what kind of calls did you take up until the shooting call?

Delenikos: Um, well, we, we, it's more of a self initiated…

Hurley: …Um-hm…

Delenikos: …We just go out and, and try to get, so we had a gal at offensive littering, cert, um, livability things.

Hurley: Um-hm.

Delenikos: Drinking, homeless, things like that.

Hurley: Do you remember what the call was, um, directly prior to you taking the.

Delenikos: I believe it was a female that wouldn't give her, us her name, uh, she flicked a cigarette so we ended up arresting her and then she resisted and fought. We just gotten done dropping off at jail.

Hurley: Okay. Um, do you have a partner?

Delenikos: I do.

Hurley: Who is your partner?

Delenikos: Uh, Darrell Shaw.

Hurley: Um, was there any other calls after you dropped her off a jail that you were headed to?

Delenikos: We were headed to a call, um, to assist Willie 26 at detox. To remove some people from their van that wouldn't get out of the van.

Hurley: Oh, okay.

Delenikos: That's what put us on the other side of the river when the other call came out.

Hurley: Did you make it to detox?

Delenikos: We, just made, turned the corner and the call came out and said this proximity so we went right by detox.

Hurley: Okay. Um, in your own words begin to start with what the call was, that your knowledge and understanding and through what you did during the call.

Delenikos: Uh, I remember hearing on, on, on Central radio, that North called for code zero at, uh, NE 6th and Clackamas. That, I'm not real familiar with how far down Clackamas is, but I knew it was somewhere around the Lloyd Center. So I said Bill let's just go down MLK or Grand or whatever it is that goes north. So we just took off there and as we were getting there, um, I heard officer down, three, code three ambulance and it was kind of hectic on the radio, but we, as we got closer, I heard that one of the officer was going to have to drive, um, but down officer to the hospital, himself in a police car.

Hurley: Um-hm.

Delenikos: Then we, when we arrived on scene.

Hurley: And what did you see when you arrived on scene?

Delenikos: Uh, I saw believe it was Officer Dauchy put this, moving his car behind a car that had, uh, it's blown out, uh, back window, several holes in the trunk and, and the doors and, and, uh, so I got behind the car and we got, I, I, better positioning we got Officer Dauchy car up on the curb so it had a good, good angle on the car. And, uh, we all got around to the engine block side, so the engine block was in between us and I could see the passenger side door open and I could see what appeared to be a, uh, a person lying with his head kind of

in the, in the gutter and the rest of his body in the car. And I couldn't really tell if there was anyone else in the car at the time or not, but I was told that it was clear except for that, that person.

Hurley: Okay, and then what happened?

Delenikos: And then, uh, uh, we decided, I could hear with, um, I believe Sergeant Livingston, uh, call for, I think he initially called for SERT and then I heard some talk about do we have a shield. And then talk about bean bagging and, uh, and that's when Officer Dauchy went and got his bean bag and , um, bean bagged, he announced that he was going, show me your hands, show me your hands, uh, no movement from the suspect, they bean bagged them. I believe Sergeant, uh, Livingston said two more times and so they bean bagged him twice, two more times and then we decided myself and Officer Shaw would be the custody team with Officer Dale being lethal cover. So we up and couldn't get the, it's was kind of difficult getting his arms out from underneath his body and we got the arms out, but most of his body was still in the car so we had to kind of pull him out of the car and on to the sidewalk and then we handcuffed him and put him in the recovery position.

Hurley: And then what happened?

Delenikos: Um, called for, well medical was already staging I believe, called for, this few medics as possible to come in there and pronounce that, it was pretty clear that he had been, he was dead. And, uh, couple, couple EMT's came in and are firefighters and they pronounced him, um, they un-handcuffed him, gave me my cuffs back and there was more of a, that point it was more of a, just kind of figure out what needed to be done and by this time, it was right by some windows and people from the apartments were kind from me to you with the body and there were guys up, got a couple blankets from the, uh, um, fire, fire rig and then, um, duct taped them up against the windows so that we kind of cut down on some of the visibility.

Hurley: Um, I'm going to, uh, back you up a little bit and, uh, without leading you anywhere I'm going to ask you to think about training experience and why you do things you do sometimes, okay.

Delenikos: Okay.

Hurley: Um, so, uh, when you first initially got there what did you know about this call?

Delenikos: That an Officer had been shot and shots were fired and exchanged and I could see, you know, visibility I could see that there was a number of gun shots exchanged into the car.

Hurley: Okay, um, and so you said that you brought the car up, who, who was already at the scene and where were they.

Delenikos: Uh, Officer Dauchy was in the car, creeping it up, I know that, uh, I think his name is Cody Berne.

Hurley: Um-hm.

Delenikos: Was there, um, Sergeant Livingston was there, myself and Officer Shaw, that's the only ones I remember, I could look back on here if you like.

Hurley: And why did you, um, take a _____ _____ _____. Why did you take up the location that you did when you got there?

Delenikos: Me personally?

Hurley: All of you, kind of you, you talk, you talked about getting behind an engine block and...

Delenikos: Beca, just to safely clear the car, make sure there's no more threats inside the car and make sure that the person lying there, someone had said, mentioned that he was, the gun was underneath him. So we didn't, we didn't have any idea where the gun was.

Hurley: Okay, okay. Um, you also talked about, um, Dauchy who took the bean bag gun out.

Delenikos: Um-hm.

Hurley: Um, and that they, uh, did, um, was he the one that actually gave verbal commands?

Delenikos: Yes.

Hurley: Okay, and how many times, what did he say?

Delenikos: Uh, I heard him initially say, show me your hands, show me your hands and then bean bag and then someone mentioned hey we better let everyone else know we're going to deploying bean bag so, O, someone over the radio let everyone else know that the next couple of shots were going to be bean bag

shots and then again he said show me your hands and bean bag and then bean bag.

Hurley: And how many bean bags shots total?

Delenikos: Three.

Hurley: Three, okay. Um, what direction did you come in from when you came in to.

Delenikos: Uh, were, over the radio they said approach from the south so, we came north on Grand, Grand is northbound, yeah north on Grand to about, um, one block shy of Clackamas, um, one block, Wasco maybe?

Hurley: Um-hm.

Delenikos: Wasco, Wasco to 6th then 6th and then we could see all the lights when we came up from, from that point.

Hurley: Okay. Anything that I didn't cover with my questions tonight that you think would be pertinent, any thing you saw or heard or something that we need to know?

Delenikos: No.

Hurley: Okay, any questions? Okay.

Harris: No.

Hurley: It is 12:51 and I will be stopping this recording.

Transcribed Verbatim With Punctuation Added 051310 at 0910 S. Thoman

PORTLAND POLICE BUREAU | CONFIDENTIAL | **SPECIAL REPORT** | ☐ INFORMATION ☐ CONTINUATION ☐ CLEARANCE ☐ SUPPLEMENTAL | Page/Of 1/3

CASE NO.	REFER CASE NO.	CLASSIFICATION
10-38353		OFFICER INVOLVED SHOOTING

☐1. UNFOUNDED ☐2. PENDING ☐3. SUSPENDED ☐4. CLR BY ARREST ☐5. EXCEPTIONAL ☐6. REFERRED

ORIGINAL REPORT DATE/TIME	THIS REPORT DATE/TIME
051210 / 1821	051310 / 0900

LOCATION OF OCCURRENCE: NE 6TH AVE / NE CLACKAMAS ST PORTLAND, OR

PERSONS **CO**-Complainant **SB**-Subject **SI**-Sick/Injured/Cared For **PE**-Park Exclusion

CODE	NAME	CRN	SEX	RACE	DOB
SB	OTIS, KEATON DUPREE		M	B	010485

ADDRESS	ZIP	PHONE
3541 N HOUGHTON ST		UNKNOWN

SUBJECT OF THIS REPORT: INTERVIEW OF OFFICER DARRELL SHAW

PROPERTY RECEIPT NO.

NARRATIVE/PROPERTY ITEM CODE — S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED

COPIES
☐ DET
☐ Central
☐ East
☐ SE
☐ North
☐ NE
☐ Traffic
☐ DVD
☐ ID
☐ Prop Room
☐ Crime Prev
☐ Intell
☐
☐
☐
☐

COMPUTER ENTRY
☐ Person

OPR ☐ Vehicle

OPR ☐ Crime/ Prop

OPR ☐ Book

OPR

NO CONNECT INFORMATION

NONCONNECT INFORMATION

Officer Interviewed:

Officer Darrell "Bill" SHAW, DPSST #28923
M/W, DOB [redacted]
Work Address: 1111 SW 2ND Avenue
Portland, Oregon 97204
Work Phone: 503-823-0097

Involved Officers Mentioned:

Officer James DEFRAIN, DPSST #44436
M/W, DOB [redacted]
Work Address: 4735 E Burnside Street
Portland, Oregon 97215
Work Phone: 503-823-2143

Officer Cody BERNE, DPSST #45662
M/W, DOB [redacted]
Work Address: 4735 E Burnside Street
Portland, Oregon 97215
Work Phone: 503-823-2143

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E. HURLEY	29900	DET	M	SCU	

CASE NO.	CLASSIFICATION	TYPE:		
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody	☐ Traffic Accident ☐ Special	

SUBJECT'S NAME	SEX	RACE	DOB
OTIS, KEATON DUPREE	M	B	010485

LOCATION OF OCCURENCE

NE 6TH AVE / NE CLACKAMAS ST

NARRATIVE: The order of appearance for additional information will be:

ITEM 1: ADDITIONAL PERSON INFO--List additional people (not suspects) and identify their involvement with the appropriate code. Additional person info includes contacts.

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ITEM 7: SUMMARY--A short summary is necessary if the narrative is more than one full page in length.

ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation

ITEM | CODE

Witness Officers Mentioned:

Sergeant Donald LIVINGSTON, DPSST #32588
Officer Brian DALE, DPSST #23726
Officer Matthew DELENIKOS, DPSST #
Officer Darrell SHAW, DPSST #28923
Officer Brian DALE, DPSST #23726

Person Mentioned:

Officer Tom Perkins, DPSST #21046
PPA Representing Officer Shaw

Detectives Mentioned:

Detective Erica HURLEY, DPSST #29900
Detective Tony HARRIS, DPSST #27566

EXHIBITS

1. Portland Police Bureau Property/Evidence Receipt #1213385.

2. Transcription of interview with Officer Delenikos.

NO SUMMARY

NARRATIVE

On May 12, 2010, KEATON OTIS was killed during a police action at the intersection of NE 6TH Ave and NE Clackamas ST. Officer Matthew DELENIKOS responded to the scene after the shooting had occurred. What follows is a summary of the interview with Officer DELENIKOS. Please see the attached transcript for a verbatim account of the interview.

PORTLAND POLICE BUREAU — **CONTINUATION REPORT** — Page/Of 3/3

CASE NO.	CLASSIFICATION	TYPE:	SEX	RACE	DOB
10-38353	OFFICER INVOLVED SHOOTING	☐ Incident ☐ Custody ☐ Traffic Accident ☐ Special			
SUBJECT'S NAME: OTIS, KEATON DUPREE			M	B	010485

LOCATION OF OCCURENCE: NE 6TH AVE / NE CLACKAMAS ST

NARRATIVE; The order of appearance for additional information will be:
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ITEM 8: NARRATIVE--List in chronological order all of the relevant details in the incident and/or elements of the crime or violation.

ITEM | CODE

Officer DELENIKOS told me he was working with partner, Officer Darrell SHAW, when they heard the "code 0" request for cover at a traffic stop at NE 6th / NE Clackamas street. While enroute Officer DELENIKOS heard an update of an officer down, shots fired and the request for additional cover officers.

Officer DELENIKOS told me when he and Officer SHAW arrived on the scene they took a position of lethal cover behind the engine block of a police car. Officer DELENIKOS could see OTIS laying partially out of the car with his lower body in the car and his head down in the gutter.

Officer DELENIKOS told me Sergeant LIVINGSTON asked Officer DAUCHY to shoot OTIS with the bean bag shotgun to see if he would respond. Officer DELENIKOS said three bean bag rounds were fired at OTIS. He said they saw no response and decided he and Officer SHAW would be the custody team with Officer DALE as lethal cover. Officer DELENIKOS told me he and Officer SHAW had to pull OTIS out of the car to get his hands out from under his body. He said they handcuffed OTIS and placed him in the post shooting position on his side.

Officer DELENIKOS told me the EMT's and firefighters pronounced OTIS dead. The EMT's then took OTIS's handcuffs off and checked his heart with monitors.

Officer DELENIKOS noticed people watching the scene from the apartment widows next to the suspect car. He retrieved some blankets and taped them up across the windows to block OTIS's body from view.

The recording of the interview of Officer EUGENIO was later copied onto a CD-R and placed in the Property Room as evidence on Portland Police Bureau Property/Evidence Receipt # 1213383.

This investigation is ongoing.

REPORTING OFFICERS	DPSST	PREC/DIV	RLF/SHFT	ASSN/DIST	SUPERVISOR
Detective E. HURLEY	29900	DET	M	SCU	

BUREAU OF POLICE
619 NW INDUSTRIAL WAY, STE. B4
PORTLAND, OREGON 97210

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	DATE/TIME	AM / PM	REFER CASE NO.	PPB CASE NO.
No. 1213386				10-38353

CHECK ONLY ☒ EVIDENCE ☐ FOUND PROPERTY ☐ PRISONER'S PROP. GAVE COPY YES NO ☐ SAFEKEEPING

PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB

DENIED OWNERSHIP ☐

HOME ADDRESS CITY STATE ZIP

I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING

OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB

SIGNATURE

HOME ADDRESS CITY STATE ZIP PHONE

TYPE OF INCIDENT: OFC Involved shooting

DELIVERING OFFICER BPST/ASSIGN

LOCATION WHERE SEIZED, FOUND, SURRENDERED: NE 6th / NE Clackamas

INVESTIGATOR (IF DIFFERENT) BPST/ASSIGN

☐ DEFENDANT ☒ SUSPECT

LAST NAME	FIRST	M.I.	SEX	RACE	DOB
OTIS,	Keaton	D	M	B	010485

FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN LIST ONLY ONE ITEM PER SELECTION	STLN	FOR PED USE ONLY
ITEM 1: 1-CD of Audio Interview w/ Ofc Bill Shaw		
ITEM 2		
ITEM 3		
ITEM 4		
ITEM 5		
ITEM 6		
ITEM 7		
ITEM 8		

DELIVERED TO: ☐ STATE CRIME LAB ☐ SATELLITE PROP. ROOM ☐ PED CHECK ONE ONLY ☐ FED ☐ OTHER

LOCKER DATE RECEIVED BY

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INVENTORIED AND ACCEPTED IN PROPERTY EVIDENCE DIVISION
DATE TIME:

BY

WHITE - RECORDS COPY
YELOW - CITIZENS RECEIPT
PINK - WITH PROPERTY

04-01-10

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 13th, 2010

Officer Darrell Shaw

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

COPY

Hurley: This is Detective Hurley, DPSST # 29900. It is 0513, 2010 at 12:22 am. We are at Traffic Division and we are going to interview Officer Bill Shaw, DPSST # 28923. With me is Detective...

Harris: Tony Harris, DPSST #27566

Hurley: And union representative...

Perkins: Tom Perkins, 21046

Hurley: Okay. Officer Shaw, are you aware that you're being interviewed and aware that this all is being recorded?

Shaw: Yes.

Hurley: Okay and you're still willing to talk to me?

Shaw: Yes.

Hurley: Okay. So let's start out with how long you've been a police officer and your basic training.

Shaw: Uh, approximately 16 years and training typical annual In Service training yearly. I've gone to 80-hour Basic Narcotics Investigator School along with Meth Lab School when I was assigned to the Drugs & Vice Division. Essentially that.

Hurley: Okay. Graduated from the academy obviously and...

Shaw: Yes.

Hurley: Basic DPSST. Are you trained in anything else? Taser trained?

Shaw: Yes, I am.

Hurley: Less Lethal?

Shaw: No.

Hurley: Any other specialized training? AR? Anything like that?

Shaw: I do have an AR-15.

Hurley: Okay any other specialized trainings I forgot to mention?

Shaw: Not that comes to mind.

Hurley: Okay. Let's start with the beginning of your day today. So how much sleep did you get last night?

Shaw: Um, eight hours.

Hurley: Did you have breakfast and eat and all that good stuff?

Shaw: Yes.

Hurley: What time did you start your shift today?

Shaw: Um, started our shift at three o'clock: Three pm. Working a walking beat and actually I had court this morning.

Hurley: So what time was court?

Shaw: Court was at nine o'clock. We got out at approximately 10:30.

Hurley: And what did you do between, did you have off time then?

Shaw: Yeah between 10:30 and three. Just relaxed, went home.

Hurley: Okay. Came back at three o'clock for your shift?

Shaw: correct

Hurley: And walking beat, where is that?

Shaw: Downtown, the Old Town area.

Hurley: Okay. Take me through your night. So what kind of calls you went to starting at three o'clock. What kind of things you did.

Shaw: With the walking beat, everything is self-initiated. We responded to a couple calls to relieve Central Precinct. One was we took a subject to Detox and since everything else was self-initiated, so no calls for service.

Hurley: Any hot calls tonight though? Did you get in any other fights this evening? Did you do anything that would be considered stressful?

Shaw: Um, had a lady throw coffee on me but not seriously stressful. No.

Hurley: About what time did that call happen?

Shaw: That was four, four-thirty-ish.

Hurley: Okay and I apologize. I should have brought the CAD printout with me. I do not have it so do you have an approximate time that this call that you got it and how you ended up coming to this call?

Shaw: We were responding to a call at Hooper Detox. They had a person they wanted out of the Safety Room that had caused problems. As we were coming across the bridge, our net put out that North was calling a Code Zero at 6 and Clackamas. Detox is pretty close to that. So we went up there to assist. When we arrived, as we were responding, we got the information that an officer had been shot and was transported to the hospital by police car. As we arrived, there were three officers and Sergeant Livingston behind cover, behind one of the police cars which was moved up to provide additional cover with the engine block. The suspect was partially out of the car, face down with his hands underneath his body. And they yelled verbal commands, challenges for him to show his hands. There was concern initially that he was lying on the handgun. At one point the decision was made by Sergeant Livingston to deploy the beanbag. I'm trying to remember, I think that was Dauchy. Um, challenges were made letting the individual know if he show his hands, he would be beanbagged. Dauchy let us know and also had Sergeant Livingston put out over the air that he was preparing to fire Less Lethal beanbag round. He fired three rounds. Suspect didn't move. And at that point, we formed a Custody Team. Myself and Delenikos were the hands-on custody and I think it was Dale, I'm not sure who had the AR that went up for lethal cover. And we took him into custody. His hands were crossed up underneath his body. Pulled his hands out. Took him into custody. Pulled him the rest of the way out of the car. I did a quick pat down for the gun and we noticed the gun was on the driver's seat but I still finished my pat down. And then I put him in the post shooting position and stayed with him until medical arrived. Once medical arrived, we let them know that they could come straight in. They

came in and pronounced him dead. And he was unhandcuffed so that medical essentially could make sure with a heart monitor.

Hurley: Let me back you up just a minute. So when you guys pulled him out of the car, you did handcuff him and put him in the post position?

Shaw: Correct.

Hurley: Okay. Then he was unhandcuffed in order for ambulance, for AMR to take a look at him?

Shaw: Correct.

Hurley: Okay.

Shaw: 'Cause they initially pronounced him dead or deceased and then they wanted to use the electronic equipment just to make sure.

Hurley: Okay. You said that there were three officers behind cover when you got there. Do you know who they were?

Shaw: Um, Dauchy was there, Dale was there, actually there was more. I'm sorry. I'm drawing blanks on some of the names.

Hurley: If you want to, we can pause this and I can get the CAD printout if that would help you to know who was there.

Shaw: Sure. Yeah.

Hurley: Okay. I'm going to pause the recording at 12:29 am to get the CAD printout. As soon as I've...

Hurley: It is 12:33 am, 0515 0f 2010. This is Detective Hurley again. We are beginning or continuing our interview with Officer Shaw. I've got a CAD printout for him to refer to so that he can help him remember everything about the details this evening of the officer-involved shooting. Okay, Officer Shaw, who all was there when you got there?

Shaw: Um, Livingston, Dale, Dauchy, I'm still looking through the names. There was two more. I'm drawing, oh, Cody Burn, and I believe Defrain and as we walked up, like I said, they were behind cover. I think it was Defrain, goatee, bald head, okay. He made comment that he was involved officer and so I told him to step back 'cause I knew that he had, assumed that he had had enough stress at that point that we could kind of take over for him. To give him a little

break. And after the decision was made to fire the Less Lethal, we went in as Custody Team. And as I said, pulled him out, took him into custody.

Hurley: And were you given any direction by any of those people when you first got there about the, what had already happened, where the weapon was or anything like that?

Shaw: Um, we knew that based on the radio traffic, that the suspect had shot an officer. One officer, I'm not sure who, said they believed the way he was lying, we couldn't see his hands. They were concerned that he was lying on the handgun. Livingston had activated SERT. I heard him put that out over the air but we organized a Custody Team and after the beanbag was fired, we decided that we could safely approach him and take into custody and get the suspect any medical attention that he might need.

Hurley: Okay. Is there anything else that you remember when you went up to take him into custody that would be of something that you think we need to know in the sense of evidence or anything of value?

Shaw: Nothing that I'm sure you guys didn't see out there, nothing that I thought that you guys might have missed. So no.

Hurley: And have you talked to anybody else about this, other than your union representative?

Shaw: No.

Hurley: Any questions?

Harris: Just real quick, so you guys approached in a marked car or a slick top?

Shaw: That I was driving?

Harris: Yeah.

Shaw: We were driving a marked Dodge Charger.

Harris: Okay. And where did you come in?

Shaw: Pardon me?

Harris: Where did you come in at? How did you get there?

Shaw: We came up Grand took eastbound turn, I think it's Clackamas, northbound on 6 'cause they had put out over the air that guns were facing northbound.

Harris: Okay.

Shaw: So we made the approach from the south.

Harris: Okay.

Shaw: And I think the way the car…

Harris: The car was on the front of the car? Off Halsey then

Shaw: Say again?

Harris: Were the cars on the front side?

Shaw: Um, I didn't initially notice at the time. I was focused on suspect car and the suspect. Later looking at it, I saw two other cars but I'm not sure…

Harris: When they arrived

Shaw: …at what point they arrived, no.

Hurley: And this actually will have already been covered but I forgot to ask you. You were in uniform, the uniform you're wearing now, the same uniform that you took photographs of earlier?

Shaw: That's correct.

Hurley: Okay. Allright. Anything else you want to add or tell us about?

Shaw: No.

Hurley: Okay. We will end the recording then at

Transcribed Verbatim With Punctuation Added 051310 at 0830 B Geltzeiler

PORTLAND POLICE BUREAU
CASE NUMBER 10-38353

May 13th, 2010

Officer Brian Dale

TAPED STATEMENT TRANSCRIPTION

CONFIDENTIAL

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL
TAPED STATEMENT TRANSCRIPTION

DISTRICT ATTORNEY

MICHAELSON: Alright, this is Sergeant Michaelson DPSST is #23060. I'm conducting an interview with, uh, Detective Sponhauer DPSST # is

SPONHAUER: 16089

MICHAELSON: And we are interviewing Officer Brian Dale, uh, #23726. Is that correct?

DALE: That's correct, yes.

MICHAELSON: Okay. And also in the room is

ROBERTSON: Scott Robertson, PPA rep, #31290

MICHAELSON: Alright, time is, uh, 0040 on May 13, 2010. Officer Dale could you tell us about, uh, how your shift started today and what led up our officer involved shooting incident this afternoon.

DALE: Uh, I attended roll call at North Precinct at 1600, then after roll call we went and got coffee, uh, the five of us that work afternoon GET, went and coffee over by Boise Elliott and then, uh, from there drove over to Woodlawn Park, conducted a traffic stop, did some just some patrol stuff and then started drifting south, uh, when this came out. They asked for another car so we started heading down to the HEAT units that were out with the car. Um, while en route they updated that the next car in, I believe they said, uh, box-it-in or come to the front of it or stop it or something to that effect so that effect so it, it sounded like it was getting, um, a little more, uh, I don't know uncontrolled and so, um, Officer Eugenio was driving I was the passenger and we drove, um, actually heard them call out, uh, shots fired at about somewhere in the area of 3rd and Weidler going eastbound on Weidler and then calling Code 0 between there and the corner of I guess it would be Halsey and, uh, Grand or MLK. So we arrived eastbound on Halsey and 6th and that's where the stop was and stopped our car almost in the middle of the intersection. Um, I deployed an AR-15 and went around to the side of the car the passenger's side of the car they had stopped. I

could see that the windows looked like they had been shot out and, uh, went to the right of Officer Berne who had his, uh, handgun pointed at the passenger side so I went to his right side and I believe Defrain was initially to my right and I could hear somebody ask if he's okay or something to that effect and then they pulled him back, I don't know who that was so I just stayed to the right of Berne and provided, uh, long gun coverage to the guy that was laying, uh, partially in the passenger's seat and then laying out onto the actual curb portion. Um, couldn't see his hands so, uh, we just set it from there. Um, Berne I covered that portion of the car until I believe it was Officer Dauchy came in a marked patrol car. I initially came up, uh, and provided a, um, the cover of the engine and after a little bit of an adjustment, um, we, uh, used the engine for cover and then set up a game plan to have a custody team go in and deal with him. Um, after Dauchy parked the car he came to my right and provided cover with a beanbag, um, and I believe there was mention of a, of a shield at some point in there. Um, deployed he deployed beanbag three times, um, and then, uh, Officer Shaw and Delenikos at some point had arrived in there and Shaw, um, went to my left and Delenikos to my right and then we set up a plan to take him into custody after he didn't respond after he didn't respond after being bean bagged three times. We just went in and I provided cover as the, uh, one hands on put him in handcuffs.

MICHAELSON: Alright, what, Officer Eugenio is your, uh, partner?

DALE: Yep and he was driving.

MICHAELSON: Are you guys, what's, what was your unit number?

DALE: Uh, 1657 Afternoons.

MICHAELSON: Part of the gang team?

DALE: Yes sir, I am.

MICHAELSON: So what, you were up near Woodlawn Park you said, up off like 13th and Dekum?

DALE: Not when this came out, but initially we were up there right after coffee. We went up there and started working 18th Dekum down to Woodlawn Park, that kind of area.

MICHAELSON: And what, what did you first hear? Where, where about were you at when the, uh, when you first, what did you first hear on the radio about this specific call?

DALE: Um, we were eastbound on Alberta and, uh, I-I don't remember what they said something to the effect of another, get us a couple more cars or something to that effect you could just tell on the radio and so we just immediately started heading, uh, from there we, uh, I want to say it's just to the west of Williams or I'm sorry Vancouver on Alberta is where I think we initially started going. But that's when they were asking for another couple cars or something to that effect.

SPONHAUER: Who's they? Who was asking for additional cars?

DALE: You know I couldn't tell, I couldn't tell by the voice but it sounded like you know 1955 or 195 or I don't know what they were. I couldn't tell which voice. I was kind of multi tasking, but I could tell they were asking for a couple more cars and Eugenio even said there asking for more cars.

MICHAELSON: And, uh, you said Eugenio was driving?

DALE: Yes.

MICHAELSON: Okay.

SPONHAUER: And who deployed the beanbag three times?

DALE: Uh, Dauchy, Officer Dauchy. He was given his warnings, I think give, show me your hands, show me your hands and that went on I don't know for how long, several times and then the and then that was deployed. I think it was two then a pause and then one more something to that effect.

SPONHAUER: Who gave the commands to show your hands, do you know?

DALE: Uh, I could hear Dauchy yelling it, I don't know who else but Dauchy was yelling.

SPONHAUER: Okay. And when you first got there you said that these, uh, windows broken out of the, of the suspect's or gentleman's car.

DALE: Yes. I came up from the street side because we had actually worked our way into the intersection, I worked my way up the street side and I could see where they were on the corner, the right rear area. Um, and so I came up that way and as I went past the car I could see that there was glass and it looked like the windows were broken.

SPONHAUER: Did you hear any commands being issued at that point?

DALE: I don't remember any commands at that point. There was a lot of yelling because people, I mean it was chaotic there was people coming through the scene to the north and people driving and it was just a, it was a mess. And so different people were yelling at different people and I was just standing next to Berne making sure that we were dealing with this guy and, uh, I don't know what commands that way, but there was a lot of communication behind me because I know, uh, Defrain initially was right there and I could just, I heard and don't know specifically that are you injured or something to that effect and then he was pulled back and I didn't see where he went. And, um, and when we were arriving actually, I actually saw a foot in a car going southbound, I think they were actually backing up leaving when I got there. So I just took the position with Berne.

SPONHAUER: You saw a car backing up leaving…

DALE: …yes, and it looked, it looked like Foote was driving. I saw flash looking at Foote and figuring out why, why are they backing out south and then it started making sense.

SPONHAUER: Did you…

MICHAELSON: …_____, go ahead.

SPONHAUER: Did you see, uh, any pedestrians?

DALE: No. I wasn't focused. I did see that there were, there was a square body like a mid-nineties Caprice that was just to the north of us, it was blue and that worked it's way up and it was, I could just tell people were screaming at that car and a bunch of other people, but it had worked it's way up and then it looks like it's trying to figure out what to do and then it just stopped and I do remember that. And there were a handful of people walking around to the north of us and I could hear other officers, you know, yelling and telling them to move.

SPONHAUER: Okay.

MICHAELSON: You said you arrived, um, you guys come, well how, how did you arrive and where specifically did arrive at?

DALE: We came in eastbound on Halsey

MICHAELSON: Okay.

DALE: And so we went south on, uh, MLK from 3rd and Weidler we basically came around the corner from Weidler and then I think it's an immediate left, yes, immediate left to the north of Wendy's I believe it is on Halsey and went east on Halsey.

MICHAELSON: So basically east on Halsey from Grand.

DALE: From Grand, yes then went across MLK.

MICHAELSON: Okay.

DALE: To 6th. We initially, or at least I did, I don't know we didn't communicate this, um, I had thought it was at Clackamas so I was anticipating working our way one more to the south, but we had just pulled into the intersection and it was there and so we just dumped the car.

MICHAELSON: And then you were passenger, you said, do you remember exactly specifically like where you guys parked your car in that intersection, in the 6th and Halsey intersection?

DALE: 6th, yes, 6th and, uh, Halsey angled almost directly at the stop but back so it's probably three quarters of the way in the intersection.

MICHAELSON: And you were passenger, right?

DALE: Yes.

MICHAELSON: And you said you grabbed your AR

DALE: Yes

MICHAELSON: and then you worked your way, like south?

DALE: Yes, south in the street.

MICHAELSON: In the street and then

DALE: Around to where Berne and those guys were at. And I believe, uh, Livingston was there as well initially. There was a group, but I just remember Defrain, Berne and I'm almost positive, um, Livingston was there.

MICHAELSON: And you said you came up on the right hand side of the vehicle where of this gentleman's vehicle or

DALE: Just back from it, but the right hand side. It was like offset in the street kind of sidewalk area. I know, we were, Berne and I backed up a little bit to try to get a little bit of distance, there was a small tree and we were backed just a hair, not enough of a cover for the tree, um, and that's why it was decided the car, bring the car in when Dauchy arrived. Um, but we were back just a little bit, not on top of the car but back enough where if you were to line us up for the car we were back in the right rear kind of area but to the south of it.

MICHAELSON: Of the gentleman's car or of the police car, of a police car that was there?

DALE: The gentleman's car.

MICHAELSON: Okay. So then you and you said I believe Officer Berne

DALE: Yes.

MICHAELSON: Were standing right there

DALE: Yes

MICHAELSON: At, what, what happened? Tell me what happened then. Fill _____.

DALE: Um, Berne and I backed up a little bit to get to try to get a little bit of distance, um, and then, uh, you know there people were trying behind us were kind of formulating a plan and that's where there was, uh, reference made to the bringing the shield and then SERT was, was mentioned and then kind of a couple seconds later, I'm sure it was only a couple seconds, uh, a marked patrol car pulled up which I believe was Dauchy and we kind of adjusted initially stop and got out and it wasn't enough so we, couple times Berne was yelling at them "move further,

move further, hit the curb" so I pulled it up to the curb and we used the car a as cover.

MICHAELSON: The, Dauchy's police car?

DALE: Dauchy, yes Dauchy's patrol car.

MICHAELSON: And then who, what happened next?

DALE: Um, Dauchy came out and he was on my right side and I don't know who was behind me but, uh, Dauchy gave out, you know told him to show me your hands several times, um, bean bagged him but then after that didn't work, um, I think it was Shaw that grabbed my left, we actually communicated I'll be, uh, cover and then I could hear him explain that we're going to go up and take him into custody and I'll be cover for, uh, I think it was Delenikos and Shaw, Shaw was on the left hand side, then we moved up and took him into custody.

MICHAELSON: Where was, when Dauchy deployed the bean bag, um, where was this gentleman at?

DALE: He was still lying kind of partially in the car not seated all the way but it looked as though he had been seated on the passenger's side, flopped over half way in the car and then half way resting on the curb and his hands...

MICHAELSON: ...so the passenger door was open?

DALE: Yes.

MICHAELSON: Okay.

DALE: His hands were tucked up underneath, you couldn't see his hands.

MICHAELSON: Do you know how the passenger door, uh, was opened at that time?

DALE: I don't. When I got there that's how it was, it hadn't changed.

MICHAELSON: Okay.

SPONHAUER: When you got there what officers were already there, do you recall?

DALE: Well I know Berne, Defrain, and Foote was backing out and then, uh, I believe Sgt. Livingston was right there at the, as a matter of fact now he

was back there because I actually moved over towards him and he moved behind me.

MICHAELSON: So, _____ he's, he's laying basically across the passenger seat partially out of the passenger door.

DALE: Yes, he's yes. It's as though he was seated on the passenger seat but had flopped over and just fallen onto the ground into the curbside. So he wasn't like laying from the driver to the passenger he's actually in the passenger from the passenger onto the ground laying there.

MICHAELSON: And the passenger door was open, correct?

DALE: Yes.

MICHAELSON: Alright, and then Dauchy gives the commands?

DALE: Yes.

MICHAELSON: And fires three times, beanbags three times?

DALE: Yes, he fired two and then somebody yelled, uh, I don't know "deploy one more or shoot one more," a slight pause and then one more was shot, um, and then that was it. There was no movement from him, nothing.

MICHAELSON: Do you know what location of the body the, uh, the rounds hit?

DALE: No, I want to say it was the torso but I couldn't say for sure.

MICHAELSON: And then what happened then, next?

DALE: There was a, a slight pause and it sounded like we were kind of come up with another plan and I think that's when SERT was mentioned and then a little bit longer and then, uh, I just remember say I'll be lethal and then, the Delenikos and Shaw were there and then we just moved in and took him into custody, put him in handcuffs.

MICHAELSON: So you provided lethal cover for Shaw and Delenikos...

DALE: ...yes...

MICHAELSON: ...as you guys moved

DALE: Yes, we moved up together all three of us together.

MICHAELSON: Alright. Who came up with the plan?

DALE: You know I couldn't say. I could just hear, I mean I don't know.

MICHAELSON: Okay.

DALE: A lot, a lot was going on behind me so I don't, I don't know but there was a lot of stuff going on behind me.

MICHAELSON: So it was you, Shaw and Delenikos that approached

DALE: Yep. Yes.

MICHAELSON: Correct?

DALE: Yes

MICHAELSON: And placed him in handcuffs

DALE: Yes they did. Yes.

MICHAELSON: Okay. And do you know what time that, uh, medical was called?

DALE: I do not, no.

MICHAELSON: Okay.

DALE: They were there pretty quick on scene, but I don't know what time they were called.

MICHAELSON: Okay, do you have anything else?

SPONHAUER: I don't. No, I'm good.

MICHAELSON: Do you have anything?

??? No.

MICHAELSON: No. Do you have anything you'd like to add or think that we forgot or think that's important that, uh,

DALE: Um, I saw a gun on the driver's seat.

MICHAELSON: Okay.

DALE: Like a black base and a silver top, some type of semi-auto on the driver's seat. Aside from that, no.

MICHAELSON: You said, like black handle

DALE: Yes, it looked like that palimer bottom and a standard like silver colored top slide, semi-auto of some type.

MICHAELSON: Okay?

SPONHAUER: That's it.

MICHAELSON: Anything else?

SPONHAUER: I don't think so.

MICHAELSON: Alright, _____ end this interview with Officer Dale. Time is 0057 on May 13, 2010.

Transcribed Verbatim with Punctuation Added at 1017 on May 19, 2010, S. Maier. SM