

Portland Police Bureau
PUBLIC RECORD RELEASE
CONFIDENTIAL

CASE NUMBER
GO 42 2018-347005

CONFIDENTIAL CASE



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GENERAL OFFENSE										
REPORTED DATE/TIME 10/10/2018 0911		OCCURRED DATE/TIME 10/10/2018 0911			REPORTING OFFICER/DEPUTY NAME & # OFFICER, UNKNOWN (C99999)					
LOCATION OF INCIDENT 7622 SE 82ND AVE, Apt. 16, PORTLAND								PLACE DEL RANCHO MOTEL		
COUNTY MULTNOMAH		DISTRICT EA			BEAT 990			GRID 47590		
SEVERITY FELONY		FAMILY VIOLENCE No		GANG INVOLVEMENT		SPECIAL STUDY				
RELATED INCIDENT NUMBERS CP 42 2018-347005, GO 42 2018-681478, GO 42 2018-803168										
TOTAL LOSS		TOTAL RECOVERED			DAMAGED TOTAL			DRUG TOTAL		
INTERNAL STATUS OPEN (UNDER INVESTIGATION)					APPROVED BY				APPROVED ON	
OFFENSES [4]										
OFFENSE AGGRAVATED ASSAULT				STATUTE		PREMISE TYPE Hotel/Motel/Etc.				
CRIMINAL ACTIVITY GANG - NONE/UNKNOWN				WEAPON/FORCE USED KNIFE/CUTTING INSTRUMENT						
OFFENSE KIDNAP HOSTAGE/SHIELD				STATUTE		PREMISE TYPE Hotel/Motel/Etc.				
CRIMINAL ACTIVITY GANG - NONE/UNKNOWN				WEAPON/FORCE USED KNIFE/CUTTING INSTRUMENT						
OFFENSE DOMESTIC VIOLENCE				STATUTE		PREMISE TYPE Hotel/Motel/Etc.				
OFFENSE FORCE USED				STATUTE		PREMISE TYPE Hotel/Motel/Etc.				
PERSON - SUSPECT #1										
NAME (LAST, FIRST MIDDLE) RICE, SAMUEL EDWARD				SEX MALE		RACE WHITE		DOB 12/05/1987		AGE 30
HOME ADDRESS - STREET, CITY ZIP						HEIGHT	WEIGHT	HAIR COLOR		EYES
HOME PHONE		CELL PHONE		WORK PHONE		EMAIL ADDRESS				
DRIVERS LICENSE (STATE)		SOCIAL SECURITY NUMBER		POB			ETHNICITY UNKNOWN			
ALL OTHER ID TYPES AND NUMBERS FBI: REDACTED SID: REDACTED										
PERSON - VICTIM #1										
NAME (LAST, FIRST MIDDLE) OCHOA, TALON TIARA				SEX FEMALE		RACE UNKNOWN		DOB 09/07/1988		AGE 30
HOME ADDRESS - STREET, CITY ZIP						HEIGHT	WEIGHT	HAIR COLOR		EYES
HOME PHONE		CELL PHONE		WORK PHONE		EMAIL ADDRESS				
DRIVERS LICENSE (STATE)		SOCIAL SECURITY NUMBER		POB			ETHNICITY UNKNOWN			
PERSON - WITNESS #1										
NAME (LAST, FIRST MIDDLE) LIVINGSTON, DONALD				SEX MALE		RACE WHITE		DOB		AGE
HOME ADDRESS - STREET, CITY ZIP						HEIGHT	WEIGHT	HAIR COLOR		EYES
HOME PHONE		CELL PHONE		WORK PHONE (503) 823-4192		EMAIL ADDRESS				

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DRIVERS LICENSE (STATE)	SOCIAL SECURITY NUMBER	POB	ETHNICITY			
EMPLOYER CITY OF PORTLAND		WORK OR SCHOOL ADDRESS - STREET, CITY ZIP NORTH PRECINCT			OCCUPATION POLICE SGT	
PERSON - WITNESS #2						
NAME (LAST, FIRST MIDDLE) DAKIN, JAMES HENRY			SEX MALE	RACE WHITE		DOB [REDACTED]
HOME ADDRESS - STREET, CITY ZIP			HEIGHT	WEIGHT	HAIR COLOR	EYES
HOME PHONE	CELL PHONE (503) 793-8237	WORK PHONE (503) 823-0458	EMAIL ADDRESS			
DRIVERS LICENSE (STATE) REDACTED	SOCIAL SECURITY NUMBER	POB	ETHNICITY			

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NARRATIVE**AUTHOR**

DOLBEY, PAUL G (29984)

DATE/TIME

10/11/2018 0830

SUBJECT

INTERVIEW OF SGT. PETER MCCONNELL

Summary

Interview of witness Sgt. McConnell.

Persons interviewed and present during the interview

Sgt. Peter McConnell
DPSST #28715
SERT Sergeant - Inner Perimeter Detail

Officer Jason Walters
DPSST #33522
PPA Union Representative for Sgt. McConnell

Detective Jeff Sharp
DPSST #34582
Detective Division - Partner during Sgt. McConnell's interview

Narrative

On October 10, 2018, Detective Sharp and I responded to NE Precinct where we conducted interviews of PPB personnel who were witnesses to the officer involved shooting which occurred at 7622 SE 82nd Avenue, room # 16. I interviewed Sgt. McConnell who was a witness to the shooting which took place at the Del Rancho Motel; located at the above listed address. Sgt. McConnell's interview was recoded and a copy of his interview has been included in the case file. Following is brief summary of Sgt. McConnell's interview.

On October 10, 2018, at approximative 0915 hours, Sgt. McConnell received a consultation call from Acting Lt. Nice regarding a hostage situation which was unfolding at the Del Rancho Motel. Sgt. McConnell then directed members of SERT to the location of the Del Rancho Motel in anticipation of a SERT activation. Once staged with other SERT members near the Del Rancho Motel, Sgt. McConnell received an official notification of a "full" SERT activation. Sgt. McConnell was in charge of [REDACTED]. [REDACTED] Sgt. McConnell then helped deliver equipment to other members of SERT and consulted with Sgt. Livingston regarding the need for additional resources. While engaged in these activities, Sgt. McConnell heard a single gun shot come from the south side of the motel. Sgt. McConnell was on the west end of the motel when he heard the shot and then immediately assisted the [REDACTED] make entry into room #16 of the Del Rancho Motel. Sgt. McConnell did not enter room # 16 as the scene was made safe by members [REDACTED]

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Sgt. McConnell then went to the south side of the motel to check on Officers Vanblokland and Harris. Sgt. McConnell found these two officers standing in the bed of a truck and he determined who was the involved officer (Vanblokland) and who was the witness officer (Harris). Sgt. McConnell instructed the Officers not to discuss the incident with each other or anyone else. Sgt. McConnell also assigned Officer Mele to guard Officer Vanblokland's AR-15 rifle, which Officer Vanblokland had placed on his "go bag." Sgt. McConnell then had Officer Harris and Officer Vanblokland separate and he also ensured they were each paired with one of the responding officers. Sgt. McConnell noted that Officers Vanblokland and Harris were placed into separate patrol vehicles while the scene at the Del Rancho Motel was processed.

For further details of Sgt. McConnell's interview refer to his recorded statements.

NARRATIVE

AUTHOR SANTOS, JOSEPH P (29573)	DATE/TIME 10/11/2018 0852
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SUBJECT (SUSPECT #1) RICE, SAMUEL E (DOB: Dec-05-1987)
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On October 10th, 2018 I was tasked with assisting with an Officer involved shooting investigation. I drove to North Precinct to "greet" Officers who witnessed the event. The following Officers arrived at the North Precinct conference room. Once in the room Sergeant Roberts and I ensured they did not discuss the incident with fellow witness officers prior to being interviewed by detectives. After their interview I issued each officer a Communication Restriction Order (CRO). I gave each Officer the pink copy of the CRO and provided the white and yellow copies to Sergeant Hughes with the homicide detail. The times next to each Officer indicate the time they arrived to the North Precinct Community room and the time they were issued a CRO. Once the CRO's were issued each Officer was released to their respective responsibility units.

Officer**Arrival/CRO:**

Lieutenant Jay Bates # 31070	1330/1533
Lieutenant Jim Dakin #25235	1319/1500
Officer Jon Dalberg #33528	1300/1412
Officer Damien Dale #58314	1245/1502
Medic Jay Fink (PFB)	1311/1427
Detective Todd Gradwahl #29981	1311/1410
Officer Jerry Higginbotham #28713	1245/1442
Officer Kenneth Huntinghouse #52689	1234/1437
Sergeant Don Livingston #32588	1302/1424
Sergeant Pete McConnell #28715	1429/1539
Sergeant Kyle Nice #26853	1234/1429
Assistant Chief Jami Resch #37142	1330/1550
Officer Thomas Snitily #42016	1313/1406

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FOLLOWUP REPORT #1

ASSIGNED TO SPARLING, AARON A (45515)		RANK		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY SPARLING, AARON A	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY WHATTAM, KEN N

NARRATIVE

AUTHOR SPARLING, AARON A (45515)	DATE/TIME 10/10/2018 1355
SUBJECT SERT ACTIVATION TO 7622 SE 82ND AVE	

As a member of the Portland Police Bureau SERT team I was part of a full team activation to 7622 SE 82nd avenue room 16 to a report of male armed with a knife holding a female against her will inside location. While enroute to the call it was broadcasted that the male suspect had stated that he would kill the female. At the scene I was assigned to the SERT [REDACTED], which was to the right of the man door marked #16. Patrol was able to evacuate the surrounding rooms of occupants and hotel staff provided SERT with key cards and physical keys to the rooms. The SERT [REDACTED] was able to move inside room #17, which if looking at side one, is one room to the left of the target location (room#16). While inside room #17 I heard what sounded like furniture and or large heavy objects being moved inside room #16. From my training and experience I reasonably believe that the sounds I heard coming from inside room #16 were consistent with a person barricading or fortifying the location. It was broadcasted over the [REDACTED] net that the suspect had made statements to police that he would "slice her throat". While in position inside room #17 I heard what I recognized to be a single gunshot, and a execute order was given to make a crisis entry. [REDACTED]. [REDACTED] see that a mattress from a bed had been set up to block or barricade the window. I was able to see that large items had been placed in the path of the main entry (front door) and that it would not allow the door to swing completely open. I transitioned from the window port and made entry into the location and removed a metal bedframe that had been wedged in behind the main door, and pushed back a dresser to help clear a path for other SERT members to gain access. I pushed deep into the location and saw a male laying on the floor holding a knife. I located the female hostage, quickly checked her condition for injuries, asked her if she could walk, guided her out of the location and delivered her to SERT medics. I stayed on scene until released by detectives.

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FOLLOWUP REPORT #2				
ASSIGNED TO KING, TROY D (28652)		RANK		
ORG UNIT TOD: TACTICAL OPERATIONS DIVISION		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY KING, TROY D	SUBMITTED ON 10/10/2018	APPROVED ON	APPROVED BY

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FOLLOWUP REPORT #3

ASSIGNED TO KING, TROY D (28652)		RANK		
ORG UNIT TOD: TACTICAL OPERATIONS DIVISION		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY KING, TROY D	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY WHATTAM, KEN N

NARRATIVE

AUTHOR KING, TROY D (28652)	DATE/TIME 10/10/2018 1452
SUBJECT CNT ROLES ON SCENE OF INCIDENT	

This narrative describes CNT positions as they were assigned during this incident (see below). Additionally, audio recordings of the CNT radio traffic (Radio net [REDACTED]), SERT radio traffic (Radio net [REDACTED]), and telephone conversations with the subject by CNT negotiators were collected by CNT Technical Officer Watts and submitted into evidence.

CNT Roles:

Lt. Chris Lindsey: CNT Team Commander

[REDACTED]

Lt. Art Nakamura: CNT Team Commander "coach"

[REDACTED]

Sgt. Troy King: CNT Intelligence Coordinator

[REDACTED]

Sgt. Richard Steinbronn: Negotiation Sergeant

[REDACTED]

Officer Benson Weinberger: Primary Negotiator

[REDACTED]

Officer Karl Klundt: Negotiation Coach

[REDACTED]

Officer Jon Dalberg: SERT Negotiation Liaison Officer

[REDACTED]

Detective Erik Kammerer: SERT Intelligence Liaison Officer

[REDACTED]

Lt. Jay Bates: Negotiation monitor

[REDACTED]

Officer Ryan Foote: CNT Intelligence Boards

[REDACTED]

Detective Hilary Scott: Talked with 7-11 employee who saw confrontation

Detective Nathan Sheppard: Interviewed Officer Higginbotham and Huntinghouse

Detective Shaye Samora: Computer intelligence - located warrant for subject

Sgt. Todd Tackett: Requested BHU Officer Hefley respond to scene

Sgt. John Holbrook: Deployed in armor as negotiator- did not witness force

[REDACTED]

Sergeant John Birkinbine: No role due to timing of arrival

Officer Joshua Silverman: Computer intelligence none gathered due to timing

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Officer Ron Frashour: CNT Technical Officer no role performed

Officer Peter Taylor: CNT Technical Officer no role performed

Officer Sean Macomber: CNT Technical Officer no role performed

Officer Chris Watts: CNT Technical Officer - responded to the scene post-event to collect the below-listed evidence.

Evidence:

CNT Digital Server Recording of [REDACTED] radio net audio

CNT Digital Server Recording of [REDACTED] radio net audio

CNT Digital Server Recording of video of intelligence boards

CNT Digital Server Recording of calls to subject

EDIROL recording of phone calls to subject

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ASSIGNED TO NAKAMURA, ARTHUR J (36820)		RANK		
ORG UNIT DVD: DRUGS AND VICE		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY NAKAMURA, ARTHUR J	SUBMITTED ON 10/10/2018	APPROVED ON	APPROVED BY

NARRATIVE

AUTHOR NAKAMURA, ARTHUR J (36820)	DATE/TIME 10/10/2018 1508
SUBJECT CNT COMMANDER ACTIONS AT SCENE	

On 10/10/18 I was ordered by the Detective Division to submit a written report of my actions during this incident. The following a brief summary and narrative of my actions during this activation.

On 10/10/18 I was assigned to the Crisis Negotiations Team (CNT) as the team Commander. On this date at approximately 0923 I received a text/page from BOEC stating "CNT PAGE,3907 NICE ASKING FOR CNT TO RESPOND, PPB 18-347005, DEL RANCHO MOTEL, 7622 SE 82ND AVE#16. SERT CONSULT BEING DONE NOW."

I then responded to the Del Rancho Motel and met with the on-scene Incident Commander (IC) Sergeant Kyle Nice. After conferring with Sergeant NICE he related to me that it was his decision to activate SERT/CNT. I then requested via BOEC to activate SERT/CNT per IC Sergeant NICE and provided a safe route in and staging location.

As CNT was responding and enroute I learned that Officer Jordan Zaitz was the communication officer being utilized by uniform patrol, based upon this I directed her to provide all the information she had to Sergeant Troy King as soon as he arrived.

When the Critical Incident Commander (CIC) arrived, Assistant Chief Jami Resch, I met with her and Lieutenant Chris Lindsey. At this point, I apprised Lt. Lindsey of my actions listed above, I transferred team commander duties to Lt. Lindsey, and I entered the role of coach to Lt. Lindsey.

As role of coach I monitored the radio net CNT was operating on () and was present to coach and observe Lt. Lindsey perform the role as CNT Team Commander.

AS CNT progressed through normal protocol for a call out, I heard what sounded like a single gunshot followed by a radio transmission that the subject was down.

This report is only a summary report.

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ASSIGNED TO DAVIDSON, BENJAMIN J (38108)		RANK		
ORG UNIT TOD: CANINE UNIT		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY DAVIDSON, BENJAMIN J	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

MENTIONED OFFICERS

AUTHOR DAVIDSON, BENJAMIN J (38108)	DATE/TIME 10/10/2018 1309
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SUBJECT
ADDITIONAL OFFICERS

Officer Asheim #46067- Assisting/SERT //

Officer Hoerauf #51230- Assisting/SERT //

Officer VanBlokland #26660- Assisting/SERT //

Sgt. McConnell #28715- Immediate SERT Supervisor

NARRATIVE

AUTHOR DAVIDSON, BENJAMIN J (38108)	DATE/TIME 10/10/2018 1311
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SUBJECT
ASSISTED ON IP AS SERT K9

I responded on a SERT Call-Out to the area of the Del Rancho Motel at 7622 SE 82nd Avenue. A male suspect had attempted to stab a subject nearby then forced a female into a hotel room, while threatening her with a knife. He then yelled to police that if they came in, he would kill the female.

Upon arrival, Officer Asheim, Officer Hoerauf, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] My role was as a SERT K9 Handler, assigned to prevent the suspect from escaping if he fled out the back.

As I stood by in my position, I heard officers update that they were hearing noises inside that sounded like the suspect was barricading the hotel room. They advised also that the suspect had cracked the front door briefly, then slammed it shut. I also heard an officer radio that they could see a mattress propped up against one of the back windows. From my position, I could see the windows, but could not see inside due to my angle and distance.

I heard SERT members in the front advise that [REDACTED]
[REDACTED] A short time later, I heard what sounded like a rifle shot east and south of me. I knew there was an additional [REDACTED] team set up in that position, so I assumed a shot had been taken. A few seconds later, I heard Officer VanBlokland radio that a shot had been taken and the suspect appeared to be down.

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I then heard [REDACTED] out front and the entry team advised they were entering the room. They then advised the suspect was down and the female was unharmed.

I remained on-scene until I was advised I could clear the scene by Sgt. McConnell. See additional Officers' reports for further details.

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ASSIGNED TO ASHEIM, CHARLES B (46067)		RANK		
ORG UNIT TOD: GANG ENFORCEMENT TEAM		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY ASHEIM, CHARLES B	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR ASHEIM, CHARLES B (46067)	DATE/TIME 10/10/2018 1321
SUBJECT SERT CALL-OUT TO 7622 SE 82ND	

8 On 10/10/18 at approximately 0911 hrs I was working as a member of the Special Emergency Reaction Team. We were deployed in North Precinct to serve a search warrant when a request was made for a SERT consult by East Precinct. We completed our search warrant service and drove to the location of the call, the Del Rancho Motel at 7622 SE 82nd Ave. A disturbance was reported in which is was reported a man armed with a knife had taken a woman against her will in to room #16 at this location.

I arrived at approximately 0943 hrs and I was first assigned to [REDACTED] near the front door of room #16. I was then relieved from this position and sent with Officers Hoerauf and Davidson to the backside of the location as a containment team. We had a 40mm less lethal launcher, a halligan tool, and our rifles. Ofc. Davidson also had his police K-9 with him. We were on the southwest corner of the motel, behind the offices of the location. Room #16 was to our east and we were watching the windows in case anyone came outside. [REDACTED]

After being in this position I heard radio traffic that there was probable cause to arrest the suspect for Assault II. He was described as bald white male, in a camouflage shirt, blue jeans and shoes. I never saw this suspect from my position. At another point I heard that the suspect was threatening to kill the woman in his motel room.

I heard a single shot from a weapon to our south and then one of the windows break on the back of the suspect room. I then heard over the radio that another operator had shot the suspect. I could then hear operators on the front of the motel room performing a rescue and updating that the woman hostage was okay. They quickly requested medical for the suspect also. I did not enter the room at any time. Sgt. McConnell then came to our position and I briefed him on what I saw and did. We were later relieved by a uniform officer from East Precinct and told that we could secure our gear. Eventually we were told to secure from the scene and returned to the Tactical Operations Division offices. I returned there and completed this report prior to leaving. Nothing further at this time. Refer to reports from other officers for further information.

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CONFIDENTIAL**FOLLOWUP REPORT #7**

ASSIGNED TO YOUNG, JOSEPH D (33646)		RANK		
ORG UNIT EAST: NRT		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY YOUNG, JOSEPH D	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR YOUNG, JOSEPH D (33646)	DATE/TIME 10/10/2018 1733
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SUBJECT
ASSIST ON

Ofc. Higginbotham

Ofc. Brown #42549 partner

Sgt. Hansen

Sgt. Nice

Ofc. Ramic #51049

Ofc. Mele #50232

Det. Kammerer #29988

Ofc. Lyons #57831

My partner and I responded to 7622 SE 82nd Ave to assist other officers onscene with a disturbance involving a weapon and possible hostage. On arrival I assisted as cover for my partner who was less lethal operator. We were across the parking lot to the north. The subject in #16 came to door and was yelling and screaming and acting very erratic. Ofc. Higginbotham from a distance was trying to speak with him and deescalate the situation but he kept yelling and slamming the door.

I wasn't able to make out exactly what subject was saying, but something similar to , I'll kill her. It appeared the last time he shut the door he was likely barracading himself inside. Sgt. Hansen and Sgt. Nice were onscene and I was assigned to stay with my partner as cover and be part of a custody team if needed.

Sgt. Nice had us move back and shortly after SERT arrived and relieved us.

I exited the parking lot. I was reassigned to take the northeast side of the complex for containment along with my partner and Ofc. Ramic. I stayed at location and heard a noise similar to a gunshot but was not sure. Shortly after we were cleared from our position to help with outside perimeter. I assisted with outside perimeter until resassigned to the south end of the building to relieve Ofc. Mele and Ofc. Ramic with crime scene protection and log. Ofc Lyons assisted me on this post at 1228. I kept the log until releived by Det. Kammerer and gave him the crime scene log for the south end location. I assited with breaking down the scene per Sgt. Hansen and exited location.

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ASSIGNED TO BROWN, ROBERT C (42549)		RANK		
ORG UNIT EAST: NRT		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY BROWN, ROBERT C	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR BROWN, ROBERT C (42549)	DATE/TIME 10/10/2018 1732
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SUBJECT
SUSPECT STATEMENTS

On listed date and time I responded with Officer Young to this location after the primary officer asked for a less lethal certified officer to respond. We arrived to find the primary and his partner in the parking lot of this location attempting to deescalate the suspect. The suspect was yelling at the officers, making nonsense statements about things such as the primary officer going to prison. The suspect would emerge slightly from the room and yell to us, then reenter the room and slam the door with great force.

At one point he stated that if we came closer he was going to kill "her". I broadcast this information to dispatch.

At another point the suspect reentered the room and we could hear loud sounds that indicated to me he was barricading the door to the room from the inside. I broadcast this information to dispatch.

Sgt Nice was on scene and directed us all to fall back and take positions of cover, then moved officers without a specific task to a location outside of sight of the suspect in an attempt to deescalate the situation.

SERT arrived quickly and we were removed from the immediate area. Soon after, SERT requested myself and Officers Young and Ramic take a less lethal and move to a position on the southeast corner of the north building of the complex. We were to act as containment should the suspect break out and flee to the east. We were in this location when the shot was taken.

Shortly after we moved to the west end of the parking lot and began to assist in establishing the crime scene. I started a crime scene log and handed it off to Officer Reando as he had also started one. I then moved to the south side of the motel, assisted with securing Officer Mele's AR15, then took over the access of the south alley behind the motel from SERT officers. I remained at this post until the crime scene was broken down.

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ASSIGNED TO CORNO, RUSSELL J (26712)		RANK		
ORG UNIT TOD: GANG ENFORCEMENT TEAM		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY CORNO, RUSSELL J	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR CORNO, RUSSELL J (26712)	DATE/TIME 10/10/2018 1338
SUBJECT OFFICER INVOLVED SHOOTING	

On 101018 at 0942 SERT was activated to assist East Precinct with a hostage situation at the Del Rio Motel, 7622 SE 82nd. While enroute we learned that a male subject who was involved in a assault with a knife had fled to the Del Rio, grabbed a woman and forced her into a room with a knife.

On scene I was part of the [REDACTED] and assisted in organizing the plan to rescue the victim if the needed. We monitored the radio for updates as we continued to work on our plan and evacuate near by units. During this time I heard a officer state that he had shot the suspect and we then initiated our rescue plan into the location.

I was one of the last to the door and as I began to enter I heard that the victim was safe and the suspect was down not moving. I then stepped back out and directed our PFB SERT medics up to the front to render aid to the suspect.

I took no further action at the scene and was released by detectives.

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ASSIGNED TO FRANKUS, NICHOLAS P (37943)		RANK		
ORG UNIT EAST		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY FRANKUS, NICHOLAS P	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR FRANKUS, NICHOLAS P (37943)	DATE/TIME 10/10/2018 1326
SUBJECT ROLE IN SERT CALLOUT	

On 10/10/18, I was assigned to the Special Emergency Reaction Team. We had just completed a search warrant when we were requested at the scene of a disturbance at 7622 SE 82nd Ave #16. When I arrived, I was assigned to lead [REDACTED] rescue team. After assembling the [REDACTED] team, we moved to hotel room #17 which was adjacent to the target room where we continued planning and organizing a rescue if it became necessary.

I heard a gunshot and it was broadcasted on the police radio that a shot was taken at the suspect by an officer. Upon hearing this, I moved with the rescue team to the door to #16. Two officers used a door ramming device to force open the front door. The front door was barricaded with a mattress, boxspring, bed frame, and small dresser. An officer deployed a FSDD inside the door.

We pushed our way through the barricades and made our way into the room. I was second through the door. I saw that Officer Townley, who was first through the door, went directly to a female who was standing in the back right corner of the room. Seeing that the female was safe, I moved toward the bathroom which was in the back left corner. As I arrived in the bathroom, I observed the suspect on the floor of the bathroom. It appeared the suspect had been shot in the head. It appeared to me that he was dead. In his right hand he was holding a knife. A PFB SERT Medic later declared the suspect deceased. I then left the room along with everyone else.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #11**

ASSIGNED TO REANDO, JASON A (57759)		RANK		
ORG UNIT CENTRAL		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY REANDO, JASON A	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY WILLARD, TYRONE D

NARRATIVE

AUTHOR REANDO, JASON A (57759)	DATE/TIME 10/10/2018 1654
SUBJECT CRIME SCENE LOG/SCENE TAPE	

I responded to the scene at 7622 se 82nd Ave.

I hanged crime scene tape across the entrance of the driveway to the Del Rancho Motel. I also hanged crime scene tape from SE Malden St North to SE Flavel St and West across SE 82nd Ave.

I also kept the crime scene log and turned it in to Sgt. Hughes #36818 at 163hrs.

Nothing further at this time.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #12**

ASSIGNED TO ZAITZ, JORDAN S (42391)		RANK		
ORG UNIT EAST		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY ZAITZ, JORDAN S	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR ZAITZ, JORDAN S (42391)	DATE/TIME 10/10/2018 1153
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SUBJECT
NARRATIVE

On 10/10/18 at 0911hrs I heard dispatch send officers to a fight call at the 7-11 located at SE 82nd and Flavel St. As officers arrived onscene they watched the suspect from the fight appear to take a hostage and go into Room 16 of the Del Rancho Motel.

I started to make my way to the area to assist. Upon arrival I saw several officers in the parking lot of the Del Rancho Motel. The suspect's room was facing north. I did not see the suspect, identified as Sam Rice, as a car was blocking the doorway but I could hear him yelling and slamming the door repeatedly.

I went to the Motel Office to try and find a phone number for Sam Rice or his girlfriend and suspected hostage, Talon Ochoa-Bailey. I tried calling two numbers in RegJin and was not successful.

Inside the office I called the room number from the office phone. Someone picked up but said nothing. I could hear Rice yelling from what sounded like across the room. He screamed orders to hang up the phone. I tried several times to get Talon to just tell me she was okay and she wouldn't answer the question. I made the assumption she was the one who answered. I heard a click and was disconnected. I called back again and after a few rings it started making funny noises. The office manager told me that means they either have the phone off the hook or unplugged from the wall.

Next I texted the phone number documented on their paperwork. That number was 971-292-0106. At 0936hrs I texted, "Talon are you okay?". At 0937hrs I said, "we need to know you are safe and we'll take a huge step back". I waited several minutes with no response. At 0949hrs I received "yes go away". I didn't respond and was with CNT in their van when I received another text saying "Go away".

I was offering what I knew to CNT when I was told the suspect was down. At that point I stayed on the perimeter, drove officers to retrieve cars and assisted by delivering information when asked. I took a screen shot of the text messages and placed them into DIMS.

I cleared once command told me I was okay to do so.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #13**

ASSIGNED TO GRADWAHL, CHAD E (35226)		RANK		
ORG UNIT TOD: GANG ENFORCEMENT TEAM		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY GRADWAHL, CHAD E	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR GRADWAHL, CHAD E (35226)	DATE/TIME 10/10/2018 1450
SUBJECT SERT CALLOUT OFFICER INVOLVED	

I responded to a SERT Callout from the Columbia County gun range. While enroute, I learned that a male had attempted to stab someone and had taken a female hostage.

I arrived and parked just south of Flavel on 82nd Ave. I was one of the last officers to arrive. I arrived and put my gear on. I started walking towards the Motel parking lot when I heard a gunshot. I heard over the radio officer Vanblokland indicate that a SERT officer had taken a shot. I ran through the parking lot and joined SERT officers as they made entry to the motel room. I assisted Officer Sparling in an attempt to pull the curtains down through the broken window.

I did not see the male who was shot. I did not step into room #16.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #14**

ASSIGNED TO OCKUNZZI, JOEL M (49841)		RANK		
ORG UNIT TRAINING		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY OCKUNZZI, JOEL M	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR OCKUNZZI, JOEL M (49841)	DATE/TIME 10/10/2018 1347
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SUBJECT -

Responded to 7622 SE 82nd Ave apartment 16 as part of a SERT activation. While enroute I heard a male who was armed with a knife had pulled a female into his hotel room.

While driving I heard Sergeant Livingston state he needed members that were arriving to supplement the team [REDACTED] and the [REDACTED] IP team.

As I was arriving I heard updates that the suspect had tried to stab an individual, who was willing to press charges, and that the suspect stated he would kill the female if police tried to go in the room.

Upon arrival I began to head towards the Side 1 team. While walking I heard a shot and then [REDACTED] and an entry execute command.

I made it to the front door, to assist, but was advised no more were needed inside at which time the female was escorted out. I was advised to complete a report.

Nothing further at this time.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #15**

ASSIGNED TO THURMAN, JUSTIN A (48255)		RANK		
ORG UNIT TOD: TACTICAL OPERATIONS DIVISION		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY THURMAN, JUSTIN A	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR THURMAN, JUSTIN A (48255)	DATE/TIME 10/10/2018 1346
SUBJECT SERT MEMBER STATEMENT	

.08 Responded to the location of 7622 SE 82nd Ave to the Del Rancho Hotel regarding a call of a male who took a female hostage with a knife. I responded as a SERT operator. While enroute I was informed that the male and the female were in room #16. Upon my arrival, I was informed that room #16 was facing to the north and I was tasked with taking up a sniper position [REDACTED]

[REDACTED].

I then heard an indicator that a sniper shot had been taken, followed by a radio transmission that a sniper shot had been taken. This did not happen from my sniper position. I then saw other SERT members that were in a neighboring room next to #16 make entry into that room. I saw the female get escorted out of the room by SERT members. I was informed that the male was deceased. Shortly after, I then stayed with Ofc. Vanblokland while a TIC team member and a Union Representative could meet with Ofc. Vanblokland. Please see additional officers report for more information.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #16**

ASSIGNED TO FOXWORTH, DERRICK L (43483)		RANK		
ORG UNIT CENTRAL		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY FOXWORTH, DERRICK L	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR FOXWORTH, DERRICK L (43483)	DATE/TIME 10/10/2018 1325
SUBJECT SERT CALLOUT	

On October 10, 2018 I was assigned to the Special Emergency Reaction Team (SERT).

At 0942, we received an activation to respond to the Del Rancho Motel. There had been a disturbance involving a knife where the subject had taken his wife hostage and retreated into room number 16. In addition, just prior to taking his wife hostage the subject had tried to stab someone in a nearby parking lot.

When I arrived on-scene I [REDACTED] to side one of the location. We had received information that the subject was barricading the door. CNT made phone contact with the subject who said that if the police did not leave he would kill the woman inside.

Shortly thereafter I heard a gunshot and the side three sniper team indicate they had taken a shot and the subject was down inside the room. I saw the [REDACTED] moving up to make entry to perform a hostage rescue. My [REDACTED] was no longer needed so I ran up to assist the [REDACTED] make entry.

I did not make entry into the room as there were enough operators. I did see the subject was down. The subject was down on his back and appeared to be bleeding from his head area. The subject still had a large knife in his right hand. The knife appeared to be a butcher style kitchen knife, with the blade approximately six inches in length.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #17**

ASSIGNED TO HOERAUF, TIMOTHY N (51230)		RANK		
ORG UNIT TOD: TACTICAL OPERATIONS DIVISION		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY HOERAUF, TIMOTHY N	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR HOERAUF, TIMOTHY N (51230)	DATE/TIME 10/10/2018 1348
SUBJECT RESPONSE TO SERT CALLOUT	

On 10/10/2018 at approximately 0930. I was assigned as a member of the Special Emergency Reaction Team and became aware of a SERT consultation in East precinct. I responded to the area of the call from North precinct during the consultation. At 0942, I received a page through BOEC that advised of the callout location, Del Rancho Motel located at 7622 SE 82nd ave. # 16. Details were that an armed and high Subject took a hostage.

Upon arrival I consulted with Sgt. Mcconnell and was [REDACTED] with Ofc. Asheim, and Ofc. Davidson who had his Canine partner on the 3/4 side of room #16 between the south door or the managers office and suspects "3" side windows. I brought a 40mm Less Lethal Multi-Launcher and halligan tool

Over the course of the incident, I heard numerous radio updates that the suspect had threatened to kill the woman inside. I learned there was PC to arrest the suspect for an assault involving a knife. Ofc. Asheim and I discussed how to define the event considering the suspects mindset, DV component and other factors that would influence our decision making and use of force.

A short time later, I heard a single gunshot come from Ofc. Vanblokland and Ofc. L. Harris position. I could not see them based on obstructions between us. I observed some glass from the suspects window shatter outward in conjunction with the shot. I heard Ofc. Vanblokland indicate they had taken a Sniper shot.

Other SERT members secured the woman from the Hotel Room. I stayed at that location until I was directed out of the scene.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #18**

ASSIGNED TO MELE, RYAN M (50232)		RANK		
ORG UNIT EAST		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY MELE, RYAN M	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR MELE, RYAN M (50232)	DATE/TIME 10/10/2018 1242
SUBJECT SCENE SECURITY / INNER PERIM.	

06. Ofc Ramic #51049 - Partner

Sgt Hansen #31459

Sgt Nice #26853

08. At listed time and date myself and my partner self dispatched to the listed call to respond to a disturbance. See primary report for details regarding incident.

Prior to arrival we were asked to respond to the scene with an AR-15 which I am currently certified on. I arrived and took up a position in the Del-Rancho Motel parking lot on the North side of the lot looking South at room #16 where a male was standing in the doorway. The male was later identified and I could see he was a white possibly late twenties to early thirties, bald and wearing a hoody type sweatshirt with jeans.

The male was in the doorway and was yelling directly towards us. I couldn't make out all what was being said but by the tone of his voice he was very angry. I took a place of concealment where I was able to position myself with my rifle and acted as lethal cover. Once I got in place the male retreated back into the room. This was the last time I saw the male.

After a few minutes I could hear sounds coming form inside the room which sounded like slamming and could see the door getting slammed from the inside and then the sounds could be heard again and banging on the inside of the window. It seemed at this moment the male was fortifying or barricading himself and the female who was inside.

SERT was paged out and arrived and relieved us from our current position. I then was re-staged to the street on SE 82nd Ave just south of the location. While in this position I could hear one gun shot. I was advised that it was an officer who shot.

At this point I then began to place red police tape around the inner perimeter and was asked by Sgt Mcconnell #28715 to stay at a location inside the crime scene

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(1030HRS) with my partner Ofc Ramic until I was relieved at 1230HRS by Ofc Lyons #57831.

Nothing further at this time. See primary report for further details regarding this incident.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #19**

ASSIGNED TO GORE, SHAWN A (27836)		RANK		
ORG UNIT TOD: CANINE UNIT		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY GORE, SHAWN A	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR GORE, SHAWN A (27836)	DATE/TIME 10/10/2018 1312
SUBJECT OFFICER INVOLVED SHOOTING	

NARRATIVE

AUTHOR GORE, SHAWN A (27836)	DATE/TIME 10/10/2018 1314
SUBJECT OFFICER INVOLVED SHOOTING	

I, and my canine partner Jasko, a pure bred German Shepherd responded as members of the SERT team to assist East Precinct with a hostage situation at 7622 SE 82nd ave rm 16.

The suspect reportedly attempted to stab a random citizen and then took his girlfriend hostage and barricaded his room.

Jasko and I were part of a containment team [REDACTED]
[REDACTED] My job was to use Jasko as a less than lethal option on the suspect if he left the room to prevent him from getting back inside the room.
Other SERT members contained the rest of the target location and plans were being made to do a hostage rescue if necessary.

It sounded like negotiations were going poorly and he again threatened to kill his girlfriend. I heard a gunshot from the rear of the Motel and then heard on the radio that a sniper shot had been taken. SERT team members initiated a hostage rescue and I stayed outside with Jasko, and never entered the room. The female was rescued and the male suspect was reportedly deceased according to the radio traffic.

I had no further involvement after entry was made.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #20**

ASSIGNED TO DAUL, CHAD R (25075)		RANK		
ORG UNIT TOD: TACTICAL OPERATIONS DIVISION		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY DAUL, CHAD R	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

MENTIONED OFFICERS

AUTHOR DAUL, CHAD R (25075)	DATE/TIME 10/10/2018 1310
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SUBJECT
ADDITIONAL OFFICERS

Ofc. Snitily-42016-SERT

Ofc. Parker-49837-SERT

NARRATIVE

AUTHOR DAUL, CHAD R (25075)	DATE/TIME 10/10/2018 1314
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SUBJECT
NARRATIVE

On this date I responded to 7622 SE 82nd Ave. #16 as part of a SERT activation.
The page indicated that a "Armed and high subject took a hostage."

Upon arrival, I along with Ofc. Snitily were assigned to formulate [REDACTED]
[REDACTED]. [REDACTED]
[REDACTED]. Ofc. Parker was also in the room [REDACTED]
[REDACTED] I could hear sounds through the
adjoining wall that sounded like items were being moved around in the suspects
room. At one point someone inside the suspects room knocked 3-5 times on the
adjoining wall to our room.

While preparing [REDACTED] a radio transmission indicated that a inner
perimeter SERT member had fired a shot at the suspect. An execute was given for
the hostage rescue entry plan. Ofc. Snitily, Ofc. Parker, and I retreated to
the door of our motel room and Ofc. Snitily [REDACTED] Ofc.
Parker and Ofc. Snitily provided lethal cover in to the suspects room from the
[REDACTED] until entry was made.

We stood by while the rooms were secured then returned to North Precinct to write
reports.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #21**

ASSIGNED TO PARKER, NEIL A (49837)		RANK		
ORG UNIT NORTH		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY PARKER, NEIL A	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR PARKER, NEIL A (49837)	DATE/TIME 10/10/2018 1319
SUBJECT SERT RESPONSE TO 7622 SE 82ND	

As a member of Special Emergency Reaction Team (SERT) I responded on a full team callout for a hostage situation at 7622 SE 82nd Ave, room #16. When I arrived on scene I was assigned to grab the [REDACTED]
[REDACTED]
[REDACTED]

I went to room #15, the room adjacent to room #16 where the hostage situation was. Ofc. Snitily and Ofc. Daul were also in room #15 with me. [REDACTED]

[REDACTED] I heard what sounded like a gun shot and heard over the radio that a sniper shot had been taken. Ofc. Snitily [REDACTED] that was in our room so we could cover the entry team as they tried to get into the room. [REDACTED]

[REDACTED] I could see into the hotel room for only a couple seconds, I did not readily see the suspect pr the victim. A [REDACTED] went off in the room indicating the entry team was coming inside. [REDACTED]

[REDACTED] I stepped down and Ofc. Snitily took over covering the room.

I remained on scene until I was directed to leave by detectives.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #22**

ASSIGNED TO GRYPHON, CHRISTOPHER L (50500)		RANK		
ORG UNIT FAMILY SERVICES: DOMESTIC VIOLENCE REDUCTION UNIT		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY GRYPHON, CHRISTOPHER L	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR GRYPHON, CHRISTOPHER L (50500)	DATE/TIME 10/10/2018 1311
SUBJECT SERT HRT CALL OUT	

On 10/10/18 I was assigned to SERT and responded to a SERT activation at 7622 SE 82nd Ave apt #16.

I was aware this SERT activation was in response to a woman being held hostage in a motel room by a man with a knife.

My role during this SERT activation was as a member of the [REDACTED] team. I was assigned to operate [REDACTED] with Officer Churella 27249. The [REDACTED] team was stage in room #17.

While acting as a member of the [REDACTED] team I was aware of a sniper shot being taken. Upon the sniper shot being taken the [REDACTED] team was given an "execute command" to launched and make entry into motel room #16. I assisted Officer Churella with hitting the door to room #16 with [REDACTED] It was necessary for Officer Churella and I hit the door to #16 multiple times in order for our team to gain access to the room.

After the door to room #16 was [REDACTED] I believe I was the 4th man to enter the room. While in the room I saw a woman in the corner of the room who looked frightened and a man laying on the ground holding a knife in his right hand who appeared to be dead. The woman was lead out of the room by other SERT Operators while the scene was made secured.

Once this incident was over and the scene was secure the members of SERT who were present during this event were told to standby and remain at the scene.

End of report.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #23**

ASSIGNED TO TOWNLEY, JAMES M (49848)		RANK		
ORG UNIT TOD: TACTICAL OPERATIONS DIVISION		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY TOWNLEY, JAMES M	SUBMITTED ON 10/10/2018	APPROVED ON 10/10/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR TOWNLEY, JAMES M (49848)	DATE/TIME 10/10/2018 1317
SUBJECT SERT CALLOUT / HOSTAGE INCIDENTEN	

On the listed date and time I was assigned to the Tactical Operations Division, Special Emergency Reaction Team (SERT). I was serving an unrelated search warrant when I received information that there was a hostage situation at the Del Rancho Motel (7622 SE 82nd Ave). Due to the situation, SERT responded to the incident directly from the warrant we were serving.

I was [REDACTED]
[REDACTED]. We received a callout page at 0943.

While enroute to the incident I learned the following information. I learned that a white male subject had been at a 7-11 threatening someone with a knife. The same subject then retreated to the Del Rancho Motel, room #16, and pulled a female into the room with him. Responding Officers were reporting that the subject was threatening to kill the female if the Officers attempted to come into his room. Officers on scene were reporting that the male was very agitated and that he made multiple threats to kill the woman. The male was identified as Samuel Rice; the female was identified as Talon Ochoa.

Once on scene, my assignment was to enter the room and save the hostage if it was determined that her life was in immediate danger. While onscene we continued to build our plan in an effort to increase our chances of success. I knew that other team members were surrounding the location in an attempt to see inside; I knew that team members [REDACTED] in an effort to increase our ability to make entry into the room and I knew that the Crisis Negotiation Team was attempting to speak to the subject in an effort to resolve the situation. As this was taking place, we formulated our entry plan to include the following: I was to be the first person in the door, SGT Frankus was to be the second person in the door, and Detective Gradwahl was to be the third person in the door. Additionally, Detective Gradwahl [REDACTED] [REDACTED] prior to our entry. [REDACTED] while we get safely into the room. [REDACTED]

As we formalized this plan, we moved into the room adjacent to Rice's room. As we stood in the adjacent room, I could hear noises inside Rice's room that sounded consistent with barricading. I heard over the radio multiple times that Rice was on and off the phone with CNT; my impression of those interactions was that negotiations were not progressing in a positive manner. I then heard over the radio that Rice was threatening to cut the female's throat and kill her.

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The next thing I heard was what sounded like a gun shot. I then heard the command to initiate our entry plan. I heard an [REDACTED] as I approached the door to room 16. [REDACTED] got it open approximately 1 foot. Rice had barricaded the door with a mattress, box springs, and a dresser. I pushed through the barricade and could see the female hostage to the back right of the room. I believed that she was the only hostage in the room. I went directly to her in an effort to protect her from Rice. As I moved to her I asked her where Rice was and she pointed to the bathroom entrance. I looked in that direction and could see that he was laying on the bathroom floor. I could see blood on the floor.

I stayed with the hostage for approximately 1 minute and then handed her off to Officer Sparling who escorted her out of the room. Medics responded to the scene and determined that Rice was deceased. I could see that he was holding a large knife in his hand.

I went outside the room and waited for Detectives to arrive.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #24**

ASSIGNED TO GREENLEE, MICHAEL J (50623)		RANK		
ORG UNIT DETECTIVE: SEX CRIMES UNIT		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/11/2018	ASSIGNED BY GREENLEE, MICHAEL J	SUBMITTED ON 10/11/2018	APPROVED ON 11/06/2018	APPROVED BY WHATTAM, KEN N

NARRATIVE

AUTHOR GREENLEE, MICHAEL J (50623)	DATE/TIME 10/11/2018
SUBJECT (SUSPECT #1) RICE, SAMUEL E (DOB: Dec-05-1987)	

Police Personnel:

Detective Prosser, Todd, DPSST #30501
Detective Gradwahl, Todd, DPSST #29981
Detective Myers, Jeffrey, DPSST #39608
Sergeant Frankus, Nicholas, DPSST #37943
Officer Huntinghouse, Kenneth, DPSST #52689
Officer Townley, James, DPSST #49848
Officer Gryphon, Christopher, DPSST #50500
Officer Churella, Joseph, DPSST #27249
Officer Sparling, Aaron, DPSST #45515
Officer Corno, Russell, DPSST #26712
Sergeant Nice, Kyle, DPSST #26853

Exhibit:

1. Portland Police Property Evidence Receipt (PER) #A084099

1. (1) CD copy of Detective Gradwahl's interview
2. (1) Photograph of SE 82nd Avenue / SE Flavel Street
3. (1) Diagram drawn by Detective Gradwahl of room #16
4. (1) CD copy of Officer Huntinghouse's interview

NARRATIVE:**Detective Gradwahl interview:**

On October 10, 2018, at 1342 hours, Detective Prosser and I interviewed Detective Gradwahl in the small conference room at North Precinct. Portland Police Bureau Union representative Detective Myers was present during the interview. The interview was audio recorded with Detective Gradwahl's permission, and I have placed a CD copy of the interview into evidence, as noted on exhibit 1, item 1. The following is a summary of the interview. Refer to transcripts for full details.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL**

On October 10, 2018, Detective Gradwahl and additional Special Emergency Response Team (SERT) operators responded to Del Rancho Motel, which is located at 7622 SE 82nd Avenue, Room #16, Portland, Oregon, in response to a full team SERT notification. Upon arrival from the South on Northbound SE 82nd Avenue, Detective Gradwahl made contact with supervisors on scene. Gradwahl and additional SERT operators were assigned to a team and began evacuating guests from rooms at the motel. Detective Gradwahl assisted with evacuating occupants from the room to the west of room #16, and then met with additional SERT operators. [REDACTED]

Detective Gradwahl and additional SERT operators staged a [REDACTED] in the event they needed to make entry into room #16, if called upon. The SERT personal on the [REDACTED] with Detective Gradwahl were Officer Townley, Sergeant Frankus, Officer Churella, Officer Sparling, and Officer Corno. Officer Townley was assigned as #1, Sergeant Frankus was assigned as #2, Detective Gradwahl was assigned as #3, Officer Churella and Officer Gryphon were assigned as a two person team [REDACTED] to make entry. Officer Sparling was assigned to bring [REDACTED] and Officer Corno was assigned to assist Officer Sparling.

While in room #17, Detective Gradwahl could hear loud sounds coming from room #16. Detective Gradwahl believed the subject in room #16 was barricading the front door. Detective Gradwahl heard an [REDACTED], that they observed a mattress being placed against a window in room #16. Detective Gradwahl heard a deep sound coming from inside room #16.

Detective Gradwahl then heard what sounded like a gun shot from the south and then shortly after, it was broadcast that a sniper shot was taken. The command "execute" was then broadcast. Detective Gradwahl along with the [REDACTED] began entry into room #16. Officer Churella and Officer Gryphon began [REDACTED] to make entry into room #16. It took three strikes on the door before they could make entry. Upon the third strike, the door was open enough that Detective Gradwahl could [REDACTED] into room #16, and the team made entry.

Upon entry, Detective Gradwahl was the third SERT operator into the room and he observed a female to the back right of the room in the southwest corner and he observed a male lying on the floor in the bathroom. Detective Gradwahl observed blood in the ear area of the male and observed a knife clutched in the male's hand. Detective Gradwahl said the knife was silver in color with a black handle. Detective Gradwahl believed the knife was in the male's right hand and he stayed with the male until medical personal arrived.

We concluded the interview at 1407 hours.

Officer Huntinghouse Interview:

On October 10, 2018, at 1421 hours, Detective Prosser and I interviewed Officer Huntinghouse in the small conference room at North Precinct. Portland Police Bureau Union representative Detective Myers was present during the interview. The interview was audio recored with Officer Huntinghouse's permission, and I have placed a CD copy of the interview into evidence, as noted on exhibit 1, item 4. The following is a summary of the interview.

On October 10, 2018, Officer Huntinghouse responded to The Del Rancho Motel, which is located at 7622 SE 82nd Avenue, Portland, Oregon, to assist. Upon arrival he was tasked by Sergeant Nice to go to the 7-11, which is located at 7501 SE 82nd Avenue, Portland, Oregon, to review video to see if a weapon was involved on the previous disturbance. Officer Huntinghouse spoke with the 7-11 employee "Awan", who gave him permission to review the video surveillance. Officer Huntinghouse reviewed the video surveillance. Awan told Officer Huntinghouse the suspect attempted to stab a victim with a knife and he described the knife to Officer Huntinghouse.

Officer Huntinghouse then contacted the victim "Peason" at his residence located 80102 SE Malden Ct, Portland, Oregon. Peason told Officer Huntinghouse that while waiting in line at the 7-11, a female "cut" in front of him. Peason told the female to go to the end of the line. The female's boyfriend became upset and said, "I will gut you." Peason told Officer Huntinghouse the male had a knife and tried to stab him and Peason defended himself. Peason punched the male's hand which caused him to drop the knife. He said the male then ran from the store and Peason picked up the knife and placed it on the counter near the clerk. Peason told Officer Huntinghouse the male then came back and grabbed the knife and left the store.

Officer Huntinghouse contacted Sergeant Nice at the Del Rancho and gave him the information he learned. Officer Huntinghouse also broadcast the information on the radio through BOEC. SERT operators arrived and he was moved back away from the Del Rancho. Officer Huntinghouse said he then heard "a pop." Officer Huntinghouse was then tasked to secure the scene with red crime scene tape. Officer Huntinghouse will be uploading the surveillance video from 7-11 onto DIMS, and will be writing a report, see PP18-681478.

We concluded the interview at 1429 hours.

CONFIDENTIAL

IMAGE ATTACHMENT (2733266) PER A084099

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

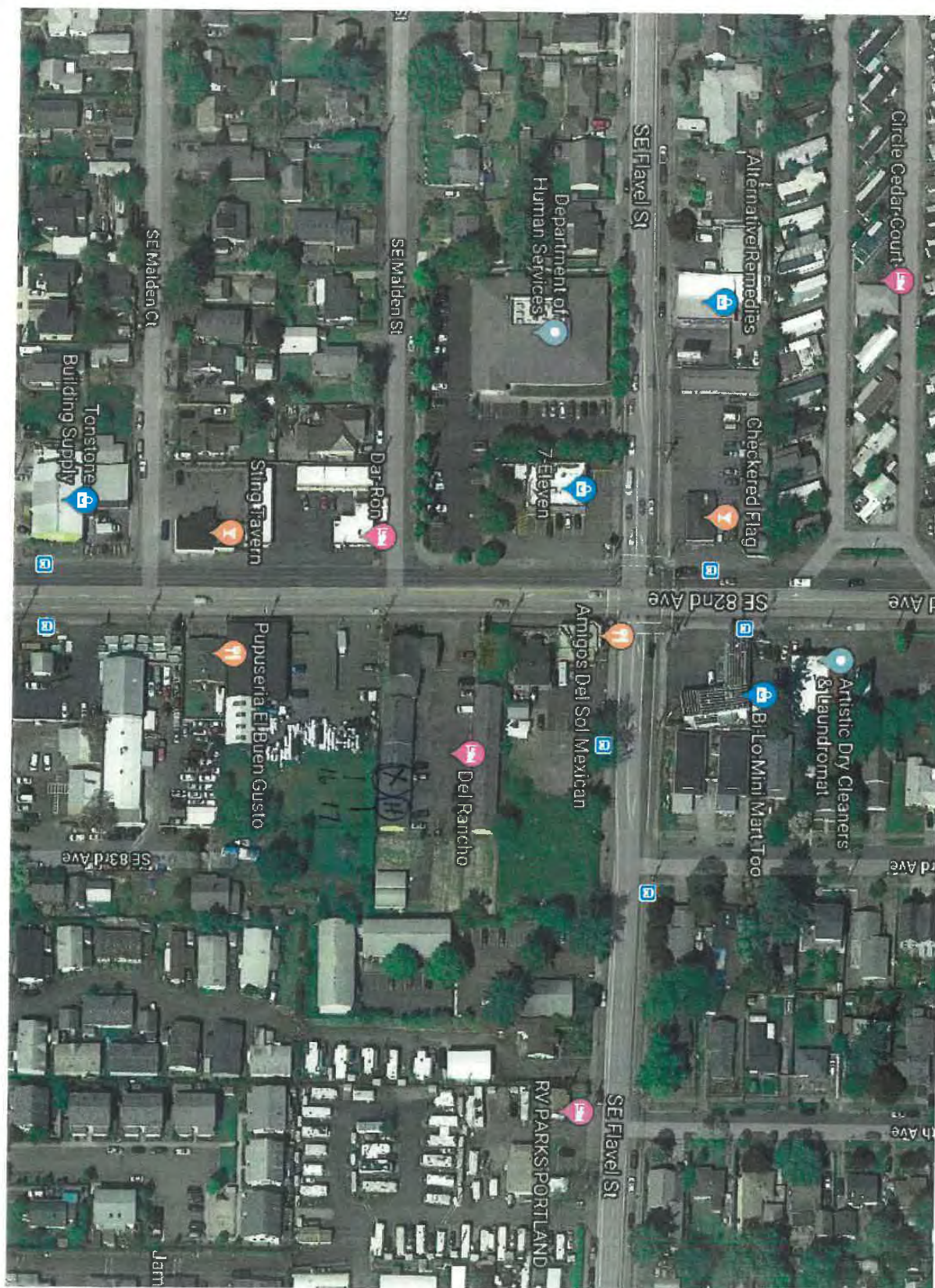
RECEIPT NUMBER No. A084099		DATE/TIME 10/10/2018		AM <input type="checkbox"/> PM <input type="checkbox"/>		REFER CASE NO.		PPB CASE NO. 18-347005	
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE		<input type="checkbox"/> FOUND PROPERTY		<input type="checkbox"/> PRISONER'S PROP.		<input type="checkbox"/> SAFEKEEPING			
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB		GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>							
DENIED OWNERSHIP <input type="checkbox"/>								I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING	
HOME ADDRESS CITY STATE ZIP									
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB								SIGNATURE	
HOME ADDRESS CITY STATE ZIP								PHONE	
TYPE OF INCIDENT O/S		DELIVERING OFFICER Greenlee		DPSST/ASSIGN 50623/50623					
LOCATION WHERE SEIZED, FOUND, SURRENDERED 1111 SW 2nd Ave, Portland		INVESTIGATOR (IF DIFFERENT)		DPSST/ASSIGN					
<input type="checkbox"/> DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB									
<input type="checkbox"/> 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 (1) CD copy of Detective Gradwahl's interview									
ITEM 2 (1) Photograph of SE 82nd Ave / SE Flavel Street									
ITEM 3 (1) Diagram drawn by Det Gradwahl of RM #16									
ITEM 4 (1) CD copy of Officer Huntingtonhouse's interview									
ITEM 5									
ITEM 6									
ITEM 7									
ITEM 8									
DELIVERED TO <input type="checkbox"/> STATE CRIME LAB <input checked="" type="checkbox"/> SATELLITE PROP ROOM <input type="checkbox"/> PED		PRECINCT & LOCKER# 016		DATE 10/11/18		RECEIVED BY			
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER									
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY									
RECEIVED BY PED		BY		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT					
DATE:		TIME:							

07/12

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005

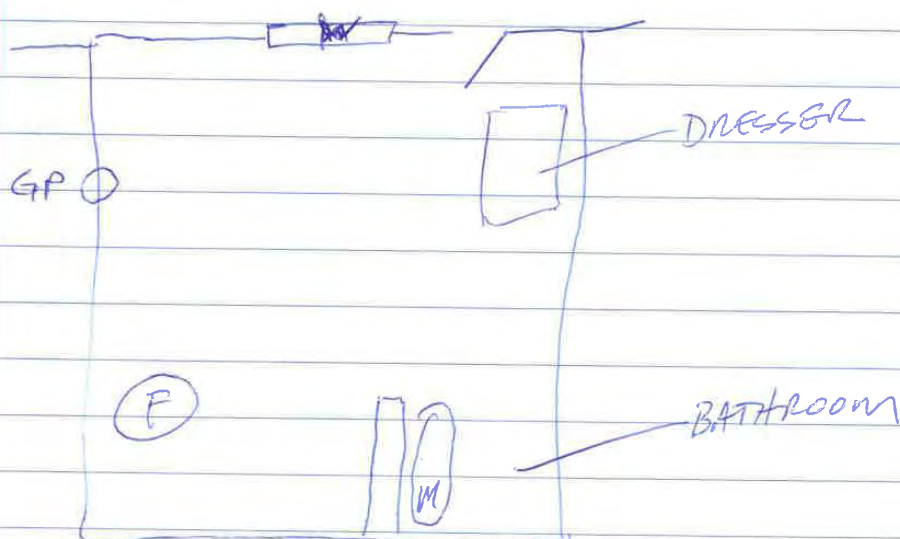
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IMAGE ATTACHMENT (2733268) MAP, DIAGRAM



Portland Police Bureau
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CASE NUMBER
GO 42 2018-347005



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Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #25**

ASSIGNED TO DORMADY, ROSS H (45813)		RANK DETECTIVE		
ORG UNIT DETECTIVE: SEX CRIMES UNIT		CAPACITY 4-INTERVIEW WITNESS		
ASSIGNED ON 10/11/2018	ASSIGNED BY DORMADY, ROSS H	SUBMITTED ON 10/16/2018	APPROVED ON 10/16/2018	APPROVED BY WHATTAM, KEN N

NARRATIVE

AUTHOR DORMADY, ROSS H (45813)	DATE/TIME 10/11/2018 0830
SUBJECT SNITILY INTERVIEW	

Officer Interviewed

Snitily, Thomas #42016
Special Emergency Reaction Team (SERT)
Portland Police Bureau

Exhibits

-
-

1. Property/Evidence Receipt A084374

Item #1: Aerial map of scene written on by Officer Snitily #42016.

This item was placed into locker CE-016 in the property room at Central Precinct by writer.

Police Personnel Mentioned

Detective Scott Broughton #40218
Homicide Unit
Portland Police Bureau
(Primary Investigator)

Detective Rico Beniga #36906
Homicide Unit
Portland Police Bureau
(Primary Investigator)

Detective William Crockett #29985
Sex Crimes Unit
Portland Police Bureau
(Assisted in interview)

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL**

Officer Zachary Kenney #44439
Central Precinct
Portland Police Bureau
(Portland Police Association, Union Representative)

Officer Chad Daul #25075
Special Emergency Reaction Team (SERT)
Portland Police Bureau
(Mentioned in interview)

Officer Neil Parker #49837
Special Emergency Reaction Team (SERT)

Portland Police Bureau
(Mentioned in interview)

Narrative

-
-
On October 10, 2018, Detective Crockett and I were assigned to interview Officer Snitily. Officer Snitily witnessed an officer involved shooting that occurred at the Del Rancho Motel located at 7622 SE 82nd Avenue, #16, Portland, Oregon. Detectives Broughton and Beniga are the primary investigators, Portland Police Bureau (PPB) case number 18-347005.

Interview with Officer Thomas Snitily

-
-
On October 10, 2018, at 1349 hours, Detective Crockett and I interviewed Officer Snitily in the presence of Officer Kenney, who was Officer Snitily's union representative. I recorded the interview on my digital recorder. The recording was transcribed and the transcript was attached to this report. The recording was placed into the PPB Digital Image Management System (DIMS) as evidence. The following is a summary of the interview. The summary does not cover every topic discussed and is not in sequential order of the interview. For a complete record please refer to the recording and transcript.

Officer Snitily is a member of the Portland Police Bureau's Special Emergency Response Team (SERT). Officer Snitily was inside room #15, which is one room to the west of room #16 at the Del Rancho Motel located at 7622 SE 82nd Avenue, Portland, Oregon. [REDACTED]

[REDACTED] Officer Snitily heard a male voice yelling, furniture being moved and a knocking sound from inside room #16. Officer Snitily heard a gunshot go off. Officer Snitily [REDACTED] a view into the room. [REDACTED]

[REDACTED] Officer Snitily [REDACTED]. Officer Snitily directed the entry team to the bathroom where he saw a hand of someone on the floor. Officer Snitily did not enter room #16.

During our interview, Officer Snitily wrote on a printout of an aerial map of the scene. Officer Snitily signed and dated the back of the map. A copy of the map is attached to this report. On October 12, 2018, I placed the original map into the property room at Central Precinct. Please see receipt number A084374, item #1.

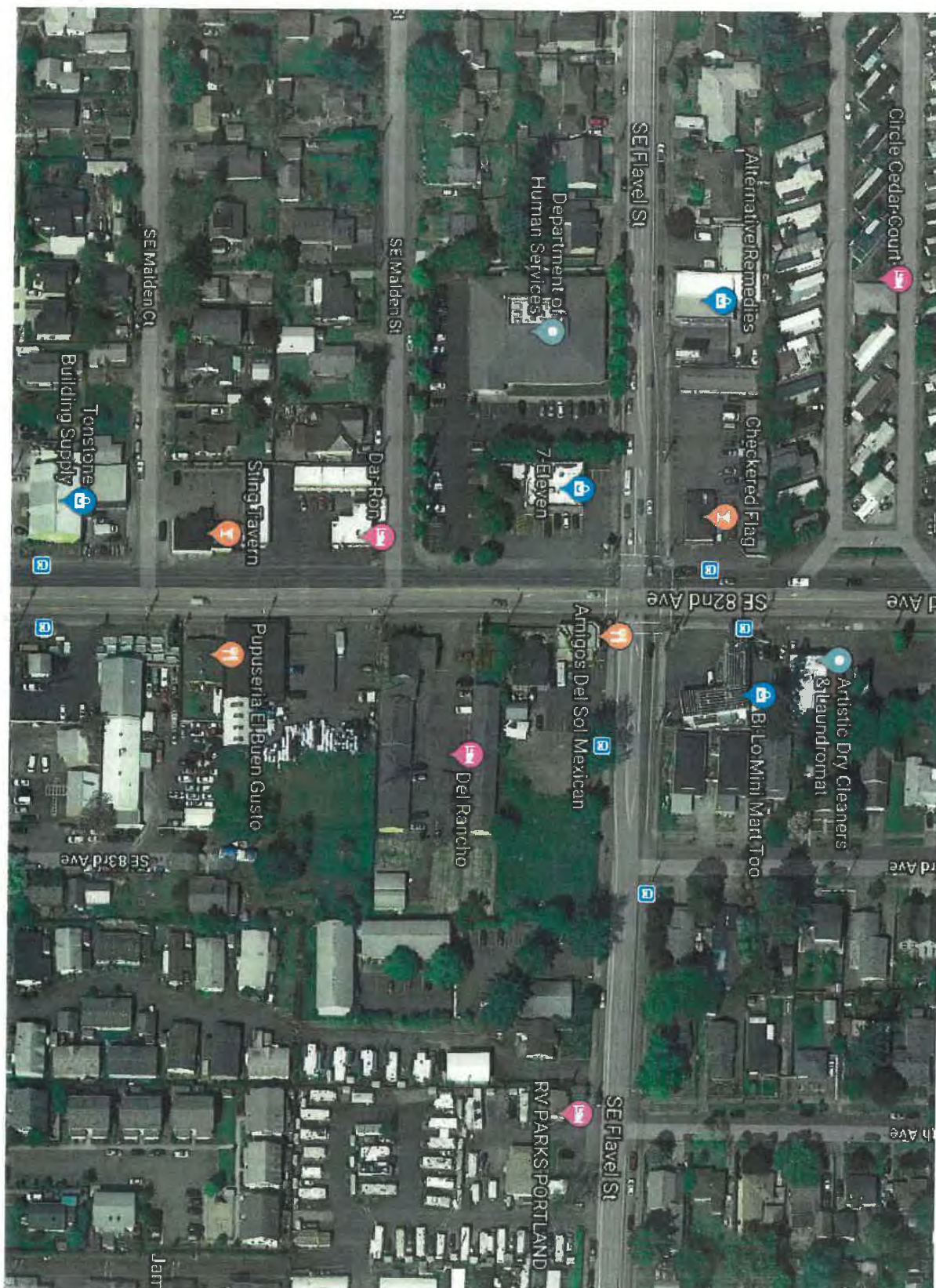
Portland Police Bureau
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CASE NUMBER
GO 42 2018-347005

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005

CONFIDENTIAL

IMAGE ATTACHMENT (2733666) MAP - FRONT



Portland Police Bureau
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CASE NUMBER
GO 42 2018-347005

CONFIDENTIAL

IMAGE ATTACHMENT (2733667) MAP - BACK

T-S= 42016

10/10/18

Portland Police Bureau

PUBLIC RECORD RELEASE

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CASE NUMBER
GO 42 2018-347005

IMAGE ATTACHMENT (2736235) A084374

BUREAU OF POLICE 2619 NW INDUSTRIAL ST., STE. B4 PORTLAND, OREGON 97210 503-823-2179		PROPERTY/EVIDENCE RECEIPT		HOURS OF OPERATION: 9:00 AM TO NOON & 1:00 PM TO 4:00 PM, M-F	
RECEIPT NUMBER No. A084374		DATE/TIME 10/01/18 / 1349 <small>AM PM</small>		REFER CASE NO.	
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE		<input type="checkbox"/> FOUND PROPERTY		<input type="checkbox"/> PRISONER'S PROP.	
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB		GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>		<input type="checkbox"/> SAFEKEEPING	
DENIED OWNERSHIP <input type="checkbox"/>		HOME ADDRESS CITY STATE ZIP		I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING	
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB					
HOME ADDRESS CITY STATE ZIP		SIGNATURE		PHONE	
TYPE OF INCIDENT Officer Involved Shooting		DELIVERING OFFICER DORMADY		DPSST/ASSIGN 45813/DET	
LOCATION WHERE SEIZED, FOUND, SURRENDERED		INVESTIGATOR (IF DIFFERENT) Broughton		DPSST/ASSIGN 40218/DET	
<input type="checkbox"/> DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB		<input type="checkbox"/> 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	1- Aerial MAP of scene written on				
ITEM 2	By Officer Snitily #42016				
ITEM 3					
ITEM 4					
ITEM 5					
ITEM 6					
ITEM 7					
ITEM 8					
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input checked="" type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED		PRECINCT & LOCKER# CE 016		DATE 10/12/18	
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER		RECEIVED BY			
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY					
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DATE:		TIME:			

07/12

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #26**

ASSIGNED TO HARRIS, TONY A (27566)		RANK DETECTIVE		
ORG UNIT DETECTIVE: ASSAULT DETAIL		CAPACITY 4-INTERVIEW WITNESS		
ASSIGNED ON 10/10/2018	ASSIGNED BY ROBERTS, CORY R	SUBMITTED ON 10/11/2018	APPROVED ON 10/16/2018	APPROVED BY ROBERTS, CORY R

STATEMENT

AUTHOR HARRIS, TONY A (27566)	DATE/TIME 10/11/2018 0900
SUBJECT RECORDED INTERVIEW WITH SGT. DON LIVINGSTON	

On 10/10/2018 at about 1030 hours, Detective Sergeant Cory Roberts requested I assist the Homicide Detail with an Officer Involved Shooting Investigation. I was directed to respond to North Precinct where I was later tasked with interviewing Portland Police Sergeant Don Livingston. At about 1325 hours, Detective Arjay Dran and I met with Sergeant Livingston in the North Precinct roll call room for the interview. Also present was Union Representation, Officer Jason Walters. The following is a summary of the interview and not intended to be verbatim. Review the audio recording for further details and the full record.

Sergeant Livingston advised he worked as a full time SERT Sergeant. He explained earlier, he and his team were finishing up with an unrelated search warrant assignment when he learned East Precinct patrol officers were requesting a SERT consultation. He told me Portland Police Sergeant Pete McConnell conducted the phone call consultation, and they ended up responding to stage as events and details were unfolding. At some point after arrival, Sergeant Livingston said he spoke directly with Portland Police Acting Lieutenant Kyle Nice and learned they had a hostage situation. Sergeant Livingston advised he learned that a man, later identified as SAM RICE, had attempted to stab another male at the nearby 7-11 and then retreated to the Del Rancho Hotel, Room #16. He told me he learned RICE had forced his girlfriend, later identified as TALON OCHOA-BAILEY into the room and learned RICE had threatened to harm her with a knife.

Sergeant Livingston explained his role and responsibilities. In summary, he told me he was working on setting up a [REDACTED] team," which would allow for quick and immediate entry to the dwelling to try and rescue potential victim(s) if they learned there was an imminent attack. Sergeant Livingston said he was working on getting additional resources to include the Washington County "TNT" equivalent SERT team, along with tools from their own vehicles. While working to get a piece of equipment to one of his teams, he told me he heard a single muffled shot. He told me moments later he heard via radio a SERT member state he had taken a shot. Sergeant Livingston stated this action required his team to immediately make entry so they can render aid to potentially any victim(s). He said they tried to enter through the front door, but it was barricaded with a mattress and furniture. He believed he was the fourth person to enter the room. He told me he found RICE on the floor with what appeared to be a severe wound to his head. He told me he saw another officer assisting OCHOA-BAILEY out of the room. Sergeant Livingston stated he requested a medic to examine RICE and ascertain his condition. The medic pronounced RICE deceased. Sergeant Livingston said he and his team exited the room, and he separated his team members for investigatory purposes.

I asked Sergeant Livingston if he ever heard, seen, observed and/or witnessed anything regarding RICE or OCHOA-BAILEY's actions. Sergeant Livingston said no. I asked him if he gave or heard anyone give any orders in regards to authorizing a "shot of opportunity." Sergeant Livingston said he never gave the order, nor ever heard the order given. During the interview, a Google Ariel Map was used as reference. Sergeant Livingston circled where he believed the referenced room was. He placed a "1" where he believed he initially spoke with Acting Lieutenant Nice and a "2" where he spent much of this time coordinating resources, etc. He placed a box where his vehicle was parked. Sergeant Livingston initialed the map. I later submitted the CD with the interview recording and the ariel map into evidence under Property and Evidence Receipt #A083812.

Portland Police Bureau

PUBLIC RECORD RELEASE

CASE NUMBER
GO 42 2018-347005

CONFIDENTIAL**IMAGE ATTACHMENT (2733112) CD WITH LIVINGSTON INTERVIEW A083812**

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

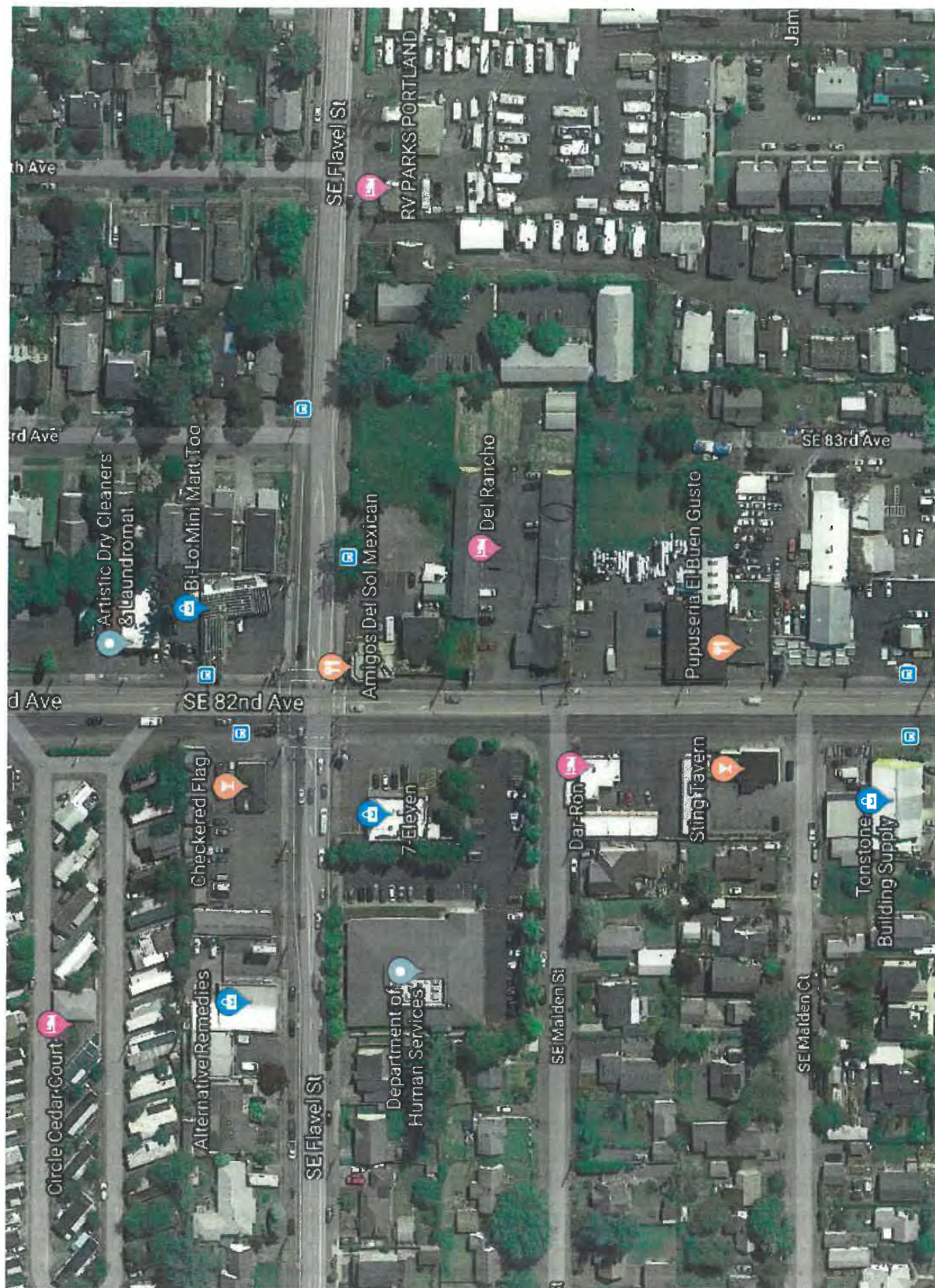
THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER No. A083812	DATE/TIME 10/10/2018 1325 PM	AM <input checked="" type="checkbox"/>	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE	<input type="checkbox"/> FOUND PROPERTY	<input type="checkbox"/> PRISONER'S PROP.	<input type="checkbox"/> SAFEKEEPING	
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB			GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>	
DENIED OWNERSHIP <input type="checkbox"/> N/A			I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING	
HOME ADDRESS CITY STATE ZIP			SIGNATURE	
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB				
HOME ADDRESS CITY STATE ZIP			PHONE	
TYPE OF INCIDENT OIS		DELIVERING OFFICER Det. Tony Harris		DPSST/ASSIGN 27561/DET
LOCATION WHERE SEIZED, FOUND, SURRENDERED NORTH Precinct		INVESTIGATOR (IF DIFFERENT) Det. Scott Broughton		DPSST/ASSIGN 40218/DET
<input type="checkbox"/> DEFENDANT	LAST NAME FIRST M.I. SEX RACE DOB			
<input type="checkbox"/> 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	CD-R : Sgt Don Livingston Interview (4253)			
ITEM 2	Google ARIEL MAP			
ITEM 3				
ITEM 4				
ITEM 5				
ITEM 6				
ITEM 7				
ITEM 8				
DELIVERED TO	<input type="checkbox"/> STATE CRIME LAB	<input type="checkbox"/> SATELLITE PROP ROOM	<input type="checkbox"/> PED	PRECINCT & LOCKER#
CHECK ONE ONLY	<input type="checkbox"/> FED	<input type="checkbox"/> OTHER		
DATE				
RECEIVED BY				
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY				
RECEIVED BY PED	DATE:	TIME:	BY	WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT

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Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL**

IMAGE ATTACHMENT (2733115) GOOGLE ARIEL MAP INITIALED BY SGT. LIVINGSTON



#32588

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #27**

ASSIGNED TO SHARP, JEFFREY P (34582)		RANK DETECTIVE		
ORG UNIT DETECTIVE: ASSAULT DETAIL		CAPACITY 4-INTERVIEW WITNESS		
ASSIGNED ON 10/11/2018	ASSIGNED BY SHARP, JEFFREY P	SUBMITTED ON	APPROVED ON	APPROVED BY

STATEMENT

AUTHOR SHARP, JEFFREY P (34582)	DATE/TIME 10/10/2018
SUBJECT STATEMENT FROM OFC. DALBERG	

Summary

On 10-10-18, there was an officer involved shooting near the area of 7622 SE 82nd Avenue. For details about this incident refer to previously completed reports. I assisted the investigation into the officer involved shooting. I was directed by Sergeant Roberts to conduct an interview with Officer Dalberg. Officer Dalberg was working as a SERT Intelligence Officer during the aforementioned call and was tasked with relaying information gathered from the CNT team members to the SERT team members. This report will detail the interview with Officer Dalberg.

Interview of Officer Dalberg

On 10-10-18, Detective Dolbey and I spoke with Officer Dalberg. Officer Dalberg was accompanied with Officer Habkirk as his union representative. The interview was audio recorded and for complete details refer to the transcript of the interview. In summary, Officer Dalberg explained he was working as a SERT Intelligence Officer. He stated part of his duties related to the aforementioned incident was to provide SERT Officers with information gathered from CNT. Officer Dalberg positioned himself with the CNT team which was staged blocks from where the suspect was located at. Officer Dalberg said he provided members of the SERT team a cell phone photo of the suspect. Officer Dalberg further stated he was able to hear portions of phone calls between a CNT member and the suspect. Officer Dalberg stated he relayed information from those conversations to SERT members. Officer Dalberg said heard the suspect make threats and that he was screaming and yelling.

For further details of Officer Dalberg's interview refer to the transcript.

A CD containing the interview of Officer Dalberg (and Officer McConnell which was completed by Det. Dolbey) will be placed into evidence under Property / Receipt #A106296.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #28**

ASSIGNED TO MCDANIEL, ERIC B (41372)		RANK DETECTIVE		
ORG UNIT DETECTIVE: COLD CASE DETAIL		CAPACITY 4-INTERVIEW WITNESS		
ASSIGNED ON 10/11/2018	ASSIGNED BY MCDANIEL, ERIC B	SUBMITTED ON 10/11/2018	APPROVED ON 10/16/2018	APPROVED BY WHATTAM, KEN N

NARRATIVE

AUTHOR MCDANIEL, ERIC B (41372)	DATE/TIME 10/11/2018 1134
SUBJECT INTERVIEW WITH LT. BATES	

On October 10, 2018, I assisted the Portland Police Bureau's Homicide Detail with regard to an Officer Involved Shooting (OIS) at the Del Rancho Motel, located at 7622 SE 82nd Avenue, Portland, Oregon. Sergeant Roberts, DPSST #29901 requested that I partner with Detective McCormick, DPSST #28717 and respond to North Precinct in order to conduct witness officer interviews.

Sergeant Roberts assigned Detective McCormick and me to conduct interviews with witness officers, Lieutenant Bates, DPSST #31070 and Acting Lieutenant Nice, DPSST #26853. I was the primary interviewer for Lieutenant Bates and Detective McCormick was the primary interviewer for Acting Lieutenant Nice. It should be noted that Detective McCormick and I used two audio recorders for our interviews in the event one of the recorders failed we would have the interview captured on the secondary recorder.

Please refer to Detective McCormick's report for details about Acting Lieutenant Nice's interview.

Interview with Lieutenant Bates:

At about 1510 hours (on 10/10/18), Detective McCormick and I interviewed Lieutenant Bates at the Portland Police Bureau's North Precinct, in the Detective Coordination Team's office. Lieutenant Morgan, DPSST #38846 was also present as Lieutenant Bates' Portland Police Commanding Officers Association representative.

I notified Lieutenant Bates that the interview would be recorded audibly in its entirety. I also notified Lieutenant Bates that I would be recording the interview with a secondary device in case one of the recording devices failed. The duplicate recordings were copied for the case file and a copy from my iPhone recorder was placed into evidence at the Central Precinct satellite property room, on PER #A054471/Item #1. It should be noted that details of the interview were summarized for this report. When appropriate, quotes are used. However, for specific information with regard to the exact wording refer to the typed transcription and/or the recording of the interview.

Lieutenant Bates told me that he heard the negotiation between SAMUEL RICE and the Portland Police Bureau's negotiator, Officer Weinberger, DPSST #47656. Lieutenant Bates felt that he heard important information verbalized by SAMUEL RICE that Officer Weinberger did not hear. Lieutenant Bates told me that SAMUEL RICE stated something similar to, "I'm gonna cut her throat." Lieutenant Bates suggested that Officer Weinberger did not hear the statement because he (Officer Weinberger) was talking at the same time as SAMUEL RICE made the statement.

Lieutenant Bates told me he relayed the information to Sergeant Steinbronn, DPSST #32940, who in turn broadcasted the information on the CNT radio net.

Portland Police Bureau
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CONFIDENTIAL

CASE NUMBER
GO 42 2018-347005

Lieutenant Bates said the conversation between SAMUEL RICE and Officer Weinberger was recorded and they played the recording back once the incident was over. Lieutenant Bates confirmed that the recording documented the same information that he had relayed to Sergeant Steinbronn. Lieutenant Bates indicated that he believed SAMUEL RICE was shot with in one to two minutes from when he (Lt. Bates) relayed the information to Sergeant Steinbronn.

It was also noted in the interview that Lieutenant Bates merely passed on the information he heard and that he did not give any orders to take action as a result of SAMUEL RICE'S comment.

This concludes my report.

Portland Police Bureau
PUBLIC RECORD RELEASE
CONFIDENTIALCASE NUMBER
GO 42 2018-347005

IMAGE ATTACHMENT (2733180) PER #A054471

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER No. A054471	DATE/TIME 10/10/18, 1510 PM	AM <input type="checkbox"/>	PM <input checked="" type="checkbox"/>	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE	<input type="checkbox"/> FOUND PROPERTY	<input type="checkbox"/> PRISONER'S PROP. GAVE COPY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		<input type="checkbox"/> SAFEKEEPING	
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB		I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING			
DENIED OWNERSHIP <input type="checkbox"/>		SIGNATURE			
HOME ADDRESS CITY STATE ZIP		PHONE			
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB					
HOME ADDRESS CITY STATE ZIP					
TYPE OF INCIDENT OCS - 7622 SE 82ND AVE #16		DELIVERING OFFICER E. McDANIEL		DPSST/ASSIGN 41372/CCU	
LOCATION WHERE SEIZED, FOUND, SURRENDERED DETECTIVE DIVISION		INVESTIGATOR (IF DIFFERENT) S. BROUGHTON		DPSST/ASSIGN 40218/Henriksen	
<input type="checkbox"/> DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB					
<input type="checkbox"/> 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	(1) CD - CONTAINING AUDIO OF AN INTERVIEW WITH LT. BATES.				
ITEM 2					
ITEM 3					
ITEM 4					
ITEM 5					
ITEM 6					
ITEM 7					
ITEM 8					
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input checked="" type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED		PRECINCT & LOCKER# C-16		DATE 10/11/18	
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER		RECEIVED BY			
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY					
RECEIVED BY PED DATE:		TIME:		BY	
WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT					

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Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #29**

ASSIGNED TO LINDSEY, CHRISTOPHER S (42661)		RANK		
ORG UNIT DETECTIVE: SEX CRIMES UNIT		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/11/2018	ASSIGNED BY LINDSEY, CHRISTOPHER S	SUBMITTED ON 10/11/2018	APPROVED ON 10/11/2018	APPROVED BY DAUL, MOLLY M

NARRATIVE

AUTHOR LINDSEY, CHRISTOPHER S (42661)	DATE/TIME 10/11/2018 1232
SUBJECT (SUSPECT #1) RICE, SAMUEL E (DOB: Dec-05-1987)	

ADDITIONAL PERSONS INVOLVED:

-
-
Ochoa, Talon F/U 09-07-1988 - VI

ADDITIONAL OFFICERS:

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-
Sgt Troy King # 28652
Sgt Richard Steinbronn # 32940

NARRATIVE:

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On the listed date and time I responded to the listed location as a member of the Crisis Negotiation Team.

Upon arrival I acted as the CNT Commander for the event while Sgt King acted as the intelligence coordinator, and Sgt Steinbronn acted as the negotiation sergeant. The duties of the CNT Commander include providing direction for the negotiation team, provide intelligence and options to the SERT Lieutenant and Critical Incident Commander. The information I provided to LT Dakin and A/C Resch was being provided to me by Sgt King and Sgt Steinbronn. LT Dakin and Assistant Chief Resch and I then established a command post and I began providing information to A/C Resch and LT Dakin.

The negotiation team established communication with RICE, whom they described as being very agitated while talking excessively. At one point during the event, it was relayed to me from Sergeant Steinbronn that RICE had made a threat to harm OCHOA by cutting her throat. I informed LT Dakin and A/C Resch of the statement made by RICE.

As we were still gathering information, a member of the SERT inner perimeter fired a shot at RICE. See case file for additional information.

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GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #30**

ASSIGNED TO STENZEL, CORY W (45663)		RANK		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 2-FORENSIC UNIT PROCESSING		
ASSIGNED ON 10/11/2018	ASSIGNED BY STENZEL, CORY W	SUBMITTED ON 10/11/2018	APPROVED ON 10/11/2018	APPROVED BY WHATTAM, KEN N

NARRATIVE

AUTHOR STENZEL, CORY W (45663)	DATE/TIME 10/10/2018
SUBJECT MOBILE DATA EXTRACTION/VIDEO COLLECTION	

On October 10th, 2018, I received a page regarding a shooting that occurred at 7622 SE 82nd Avenue in Portland. Upon my arrival, Portland Police Detective Brad Clifton requested assistance with obtaining video from the Del Rancho Hotel at that location and the 7-11 located at 7501 SE 82nd Avenue.

I met with Mr. Haren Patel at the Del Rancho Hotel who allowed me to download the recorded video surveillance cameras at the location. I verified that the timestamp was accurate. I then was able to obtain video surveillance footage from the 7-11 and also verified the timestamp was accurate.

I observed north-facing external cameras on the building to the south bearing the sign "VM Indoor Garden Supply" located at 7720 SE 82nd Avenue. I knocked on the door but received no response. I called the number on the building (503-774-2300) and received a recording informing that the voice mailbox was full. I sent an email to an email address on the sign (vmhydroponics@gmail.com) and received a call back the following day from the owner, Heidi Huyen. Ms. Huyen allowed me to download what recorded video the business had. The timestamp on the video was 28 minutes faster than actual time.

I observed north-facing external cameras on the building to the south bearing the sign "The Sting Pub" located at 7737 SE 82nd Avenue in Portland. I knocked on the door but received no response. I called the number listed for them on a google.com search (503-771-0096) but received no response. I noticed a small sign hung in a east facing window that stated the business was closed for remodeling.

Detective Clifton requested assistance with extracting data from the following device he informed me belonged to Ms. Talon Ochoa-Bailey and provided to him with her consent:

Motorola Moto E5 Plus

I loaded the device into UFED4PC/Cellebrite Physical Analyzer, which parsed the following phone identifiers:

OS Version: 8.0

ICCID: 8901260341905899419

IMEI/MEID/ESN: 354138092442490

IMSI: 310260340589941

MSISDN: 19712920106

Device timestamp:10/10/2018 11:49 -07:00

Extraction timestamp:10/10/2018 11:48 -07:00

Extraction type: Logical, File System

Portland Police Detective Sgt. Hughes requested assistance with extracting data from the following device found inside room #16 of the Del Rancho Hotel:

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Motorola Moto E5 Plus

I loaded the device into UFED4PC/Cellebrite Physical Analyzer, which parsed the following phone identifiers:

OS Version: 8.0

ICCID: 8901260342975354913

IMEI/MEID/ESN: 354138092054915

IMSI: 310260347535491

MSISDN: 19712920111

Device timestamp: 10/10/2018 4:24:20 PM -07:00

Extraction timestamp: 10/10/2018 4:22:53 PM -07:00

Extraction type: Logical, File System

Multnomah County Sheriff's Office Detective Odil directed me to a Mr. Andrew English who was staying in room #206 at the Dar-Ron Hotel located at 7707 SE 82nd Avenue in Portland. According to Mr. English, he captured a section of time of police activity using his Snapchat video camera. Mr. English provided me his smartphone for downloading of the contents and video.

I identified Mr. English's device as:

LG Stylo 4

I loaded the device into UFED4PC/Cellebrite Physical Analyzer, which parsed the following phone identifiers:

OS Version: 7.0

ICCID: 89011202000247303206

IMEI/MEID/ESN: 089472692102564112 (HEX: 35547309272010)

IMSI: 310120072033254

MSISDN: 9716012004

Device timestamp: 10/10/2018 14:09 -07:00

Extraction timestamp: 10/10/2018 14:08 -07:00

Extraction type: Logical, File System

I located the Snapchat video on Mr. English's phone he was referencing (Snapchat-622932278.mp4).

I have performed thousands of mobile data extractions/analysis for investigators assigned to the Portland Police Bureau's Homicide Unit as well as Assault, Robbery, Sex Crimes, Child Abuse, Internal Affairs, Human Trafficking, Drugs & Vice, Gun Task Force, and Metro Gang Task Force. I have assisted partner agencies such as the Washington County/Multnomah County Sheriff's Office, Sandy Police, Salem Police, PF&R Arson investigators, US Forest Service, the Federal Bureau of Investigations (FBI), and Homeland Security Investigations (HSI).

I have received the following forensic industry training/certifications:

- Mobile Device Forensics (Training) from the International Association for Computer Information Systems (IACIS)
- GIAC Advanced Smartphone Forensics (GASF) from the SANS Institute for Computer Information Security Training & Certification (Analyst #83).
- Cellebrite Advanced Smartphone Analysis (CASA) from Cellebrite.
- Chip-Off Forensics for Mobile Devices from H-11 Digital Forensics.
- Python for Advanced Mobile Forensics from H-11 Digital Forensics.
- SQLite Forensics from TEEL Technologies.
- Blacklight and Mobilyze (Vendor Certifications) from Blackbag Technologies.
- Cellebrite advanced extraction and analysis (Vendor Certification) from Sumuri Forensics.

In addition to traditional forensic extraction methods, I have training and experience with advanced data extraction techniques that include adb Fastboot, Qualcomm EDL, and ODIN/ENG boot flashing.

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Data was extracted and/or analyzed using Cellebrite's UFED4PC/ Physical Analyzer or Grayshift's GrayKey forensic tools. Cellebrite supports operating systems such as Android, Blackberry OS, Symbian, Windows Mobile, Palm OS/Garnet OS, and Apple iOS. Their Physical Analyzer software is designed to extract, decrypt, parse, and analyze mobile data such as contact lists, SMS/MMS, phone logs, photos, videos, internet activity, and GPS data from both non-volatile (embedded Multimedia Controller (eMMC)) and volatile (Random Access Memory (RAM)) memory. [REDACTED]
[REDACTED]

The Portland Police Bureau's Digital Forensic Unit's training and equipment follow mobile device forensic best practices. The primary forensic tools utilized by the lab are non-intrusive and are designed to prohibit data from being altered or deleted during extraction. These forensic tools have been validated by the National Institute of Standards and Technology (NIST) Computer Forensics Tool Testing (CFTT) program. The CFTT is a joint project of the Department of Homeland Security (DHS), the National Institute of Justice (NIJ), and the National Institute of Standards and Technology Special Program Office (SPO) and Information Technology Laboratory (ITL).

Terms (as applicable):

- IMEI (International Mobile Equipment Identity) - A 15 digit decimal number assigned to the device by the manufacturer for use on GSM networks.
- ESN (Electronic Serial Number) - A unique 11 digit decimal or 8 hexadecimal number assigned to the device by the manufacturer for use on AMPS, TDMA, and CDMA networks.
- MEID (Mobile Equipment Identifier) - A unique 14 hexadecimal number assigned by the manufacturer that identifies a device for use on a CDMA2000 network.
- ICCID (Integrated Circuit Card ID) - Number assigned to the SIM card by the manufacturer.
- IMSI (International Mobile Subscriber Identity) - Number assigned by the network operator to the SIM card that identifies and authenticates a subscriber on the network.
- MSISDN (Mobile Directory Number) - (Mobile Station International Subscriber Directory Number) - Internationally used mobile phone number. Assigned to the user by the carrier.
- MDN (Mobile Directory Number) - Mobile phone number assigned to the user by the carrier. Also referred as MIN (Mobile Identification Number).

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GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #31**

ASSIGNED TO MERRILL, ANTHONY J (35227)		RANK		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/11/2018	ASSIGNED BY MERRILL, ANTHONY J	SUBMITTED ON 10/11/2018	APPROVED ON 10/11/2018	APPROVED BY WHATTAM, KEN N

NARRATIVE

AUTHOR MERRILL, ANTHONY J (35227)	DATE/TIME 10/11/2018 1300
SUBJECT INTERVIEW WITH LT. JAMES DAKIN	

CONNECT INFORMATION

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Deceased Subject(s):

-

-

RICE, SAMUEL EDWARD

M/W, DOB 120587

Address: 7622 SE 82nd Ave

Room #16

Portland, OR 97266

Phone: NA

Victim(s):

-

-

OCHOA-BAILEY, TALON

F/W, DOB 090788

Address: 7622 SE 82nd Ave

Room #16

Portland, OR 97266

Phone: NA

NONCONNECT INFORMATION

-

-

Witness Officer(s) Interviewed:

-

-

Lieutenant James Dakin - DPSST #25235 - Tactical Operations Division - (SERT)

Officer Leo Harris - #39655 - Training Division - (SERT)

Person(s) Mentioned/Interviewed:

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Lieutenant Craig Morgan - #38846 - Professional Standards Division - (PPA Union Rep for Lt. James Dakin)

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Officer Ryan Reagan - #36623 - North Precinct Patrol - (PPA Union Rep for Officer Leo Harris)

Exhibit(s):

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1. Property/Evidence Receipt #A106334: (Placed in the Property Room)

Item #1: (1) CD-R of audio recorded interview with Lieutenant James Dakin

Item #2: (1) Overhead Google map of overall scene

2. Transcript: (Maintained with Records & primary investigator's case file)

Police Personnel:

-
-

Detective Scott Broughton - #40218 - Homicide Detail - Primary Investigator
Detective Rico Beniga - #36906 - Homicide Detail - Primary Investigator's partner
Detective Vince Cui - #36881 - Homicide Detail - Partner
Detective Sergeant Ken Whattam - #24582 - Homicide Detail - Supervisor
Detective Sergeant Michele Hughes - #36818 - Homicide Detail - Supervisor
Sergeant (Acting Lieutenant) Kyle Nice - #26853 - East Precinct Patrol
Detective Sergeant Cory Roberts - #29901 - Assault Detail
Sergeant Don Livingston - #32588 - Tactical Operations Division - (SERT)
Sergeant Pete McConnell - #28715 - Central Precinct - (SERT)
Sergeant Troy King - #28652 - Tactical Operations Division (Crisis Negotiation Team)
Lieutenant Chris Lindsey - #42661 - Detective Division - (Crisis Negotiation Team)
Lieutenant Art Nakamura - #36820 - Drugs and Vice Division (Crisis Negotiation Team)
Lieutenant Jason Pearce - #29904 - Traffic Division (SERT)
Lieutenant Jay Bates - #31070 - Professional Standards Division (CNT)
Lieutenant Jacob Clark - #43501 - Training Division
Lieutenant Michael Leasure - #38997 - Tactical Operations Division
Acting Commander Rick Deland - #24581 - Detective Division
Commander Mike Frome - #22827 - Transit Division
Assistant Chief Jamie Resch - #37142 - Investigations/Critical Incident Commander
Commander Michael Krantz - #29269 - Central Precinct (Acting Assistant Chief)
Deputy Chief Robert Day - #23474 - Chief's Office

Summary

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This report details my response to assist in an Officer Involved Shooting incident. I assisted by responding to the scene, sitting in a briefing with initial responding patrol officers, briefing additional investigators at North Precinct to conduct follow up interviews with witness officers, and interviewing two witness police officers. Refer to all additional police reports for additional details.

Narrative

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On October 10th, 2018 at approximately 1040 hours, Detective Sergeant Ken Whattam directed Detective Vince Cui and I to respond to the "Del Rancho Motel" located at 7622 SE 82nd Ave concerning an Officer Involved Shooting incident that had just occurred associated with room #16. Detective Cui and I responded and arrived at the scene at approximately 1102 hours. I saw that SE 82nd Avenue in the area of the "Del Rancho Motel" was taped off with crime scene tape. Detective Cui and I observed the scene from the outer crime scene area and conferred with our supervisors. I saw the mobile command precinct was staged on SE 82nd Ave in front of the motel. At about 1144 hours, Detective Cui and I sat in on a briefing inside the mobile command precinct along with several other investigators assisting in this investigation.

During this briefing, I learned from Acting Lieutenant Kyle Nice that SAM RICE allegedly threatened another male subject inside the 7-11, (Refer PPB Case #18-681478), with a knife and subsequently left the store with his girlfriend, TALON OCHOA-BAILEY, and walked toward their room #16 at the "Del Rancho Motel" across SE 82nd Ave. I learned that uniformed patrol responded and contacted both RICE and OCHOA-BAILEY near their room. RICE was uncooperative with patrol, forcibly took OCHOA-BAILEY with him into room #16, and barricaded himself and OCHOA-BAILEY inside their room. I learned SERT and CNT were later activated and subsequently an officer involved shooting occurred resulting in RICE being shot by SERT and being pronounced deceased at the scene inside room #16.

Detective Sergeant Michele Hughes directed Detective Cui and I to respond to North Precinct to conduct a briefing with Detective Sergeant Cory Roberts to several additional investigators so they could conduct interviews with witness officers. Detective Sergeant Hughes then directed Detective Cui and I to both interview Lieutenant James Dakin and Officer Leo Harris at North Precinct along with their PPA Union representatives. I conducted the interview with Lieutenant James Dakin and Detective Cui conducted the interview with Officer Leo Harris. Refer to Detective Cui's report for details of Officer Leo Harris' interview.

Interview with Lieutenant JAMES DAKIN

On October 10th, 2018 at about 1354 hours, Detective Cui and I contacted Lieutenant James Dakin and his Portland Police Association Union Representative Lieutenant Craig Morgan in the North Precinct Community Conference Room. We escorted them to the North Precinct lobby, front small conference room to conduct an audio recorded interview with Lieutenant Dakin as a witness officer to this Officer Involved Shooting. Both Lieutenants Dakin and Morgan verbally consented to a recorded interview. I recorded this interview with my digital recorder and later down-loaded the recording onto a CD-R, (Exhibit 1, Item #1) and had it transcribed, (Exhibit 2). Refer to the audio recording and or transcript for this interview in its entirety. The following is a summary of the key points of this interview.

Lieutenant Dakin told us he is assigned to the Tactical Operations Division and SERT. Lt. Dakin told us on October 10th, 2018 he was assigned to assist on two search warrants in the early morning hours with SERT. Lt. Dakin told us he later returned to North Precinct for a break when he learned about a hostage/kidnap incident at knife point at the "Del Rancho Motel". Lt. Dakin told us SERT Sergeants Don Livingston and Pete McConnell were coordinating a SERT consult with East Precinct Acting Lieutenant Kyle Nice concerning this incident. Lt. Dakin told us Sgt. Livingston assigned Sgt. McConnell to conduct the consult with Acting Lieutenant Kyle Nice. Lt. Dakin told us the Crisis Negotiation Team (CNT) began to respond to this incident and Lt. Dakin and SERT accompanied CNT as this incident sounded like a legitimate hostage/kidnap at knife point and both of their teams frequently deploy together. Lt. Dakin told me he called and notified Assistant Chief Jamie Resch, who was also assigned to the earlier morning search warrants, and that she responded to this incident also from North Precinct.

Lieutenant Dakin told us he initially responded at approximately 0930 hours to the Johnson Creek Fred Meyer's parking lot as an initial staging location, but realized there was not enough space. Lt. Dakin told us he next learned this incident had escalated from a SERT consultation to an actual SERT call out/page at approximately 0943 hours. Lt. Dakin told us [REDACTED]

[REDACTED] Lt. Dakin told us Lt. Chris Lindsey/CNT and Assistant Chief Jamie Resch who assumed the Critical Incident Commander (CIC) role responded to his location and this became their command post. Lt. Dakin told us the

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initial CIC, Acting Lieutenant Kyle Nice, responded to their location and briefed them on the incident. Lt. Dakin told us he [REDACTED]. Lt. Dakin told us Sergeant Troy King/CNT and Lieutenant Art Nakurmura/CNT joined them at the command post. It should be noted, I furnished Lt. Dakin with a color overhead Google map printout of the overall scene and asked him to mark it to illustrate their location, (Exhibit 1, Item #2). Lt. Dakin marked their command post location with an X on the map. Lt. Dakin also told us Lieutenants Jason Pearce/SERT and Jay Bates/CNT who were training also were in the area of the command post, along with Transit Commander Mike Frome who was in CIC training.

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Lieutenant Dakin told us at about 1003 hours, Assistant Chief Jamie Resch authorized CNT to call into the suspect, RICE. Lt. Dakin told us Sgt. Livingston notified them at about 1008 hours that all the motel rooms had been evacuated. Lt. Dakin told us at about 1009 hours, the [REDACTED] Team was ready with the exception of [REDACTED] to be completed. Lt. Dakin told us at about 1009 hours, Sgt. Livingston radioed that due to this being a legitimate hostage at knife point situation his [REDACTED]

[REDACTED] At about 1009 hours, Lt. Dakin told us he asked CIC Assistant Chief Resch if she heard Sgt. Livingston's advisement and Assistant Chief Resch replied yes and approved Sgt. Livingston's advisement to Lt. Dakin. Lt. Dakin told us he could not broadcast this on the air because it was tied up with other communications.

Lieutenant Dakin told us he was monitoring two different radio nets, including SERT Intel and CNT and he recalled hearing on one of these radios at about 1013 hours that they had an open phone line with RICE and he was rambling about, "Stacking" and or "Formations". Lt. Dakin also recalled hearing at about 1013 hours on one of the radio nets that the phone line was still open and RICE was saying something similar to, "If you don't leave I will cut her throat". Lt. Dakin told us he recalled hearing this a couple of times.

Lt. Dakin told us Acting Lieutenant Kyle Nice briefed them at about 1014 hours regarding prior history and interaction with the suspect, SAM RICE, and the victim, TALON OCHOA-BAILEY, his girlfriend. Lt. Dakin told us Acting Lt. Nice told them in the past during domestic violence incidents involving these two subjects that when police backed off RICE would usually calm down, however as they backed off during this incident, Lt. Nice told them they could hear RICE quickly barricaded the hotel room door. Additionally, Lt. Dakin told us Acting Lt. Nice told them probable cause for Attempt Assault in the Second Degree existed for RICE associated with the earlier incident at the 7-11 and RICE had an outstanding warrant for Criminal Mischief in the Second Degree. Lt. Dakin told us he radioed out this information to SERT. At about 1014 hours, Lt. Dakin also told us Acting Lt. Nice told them the victim, TALON OCHOA-BAILEY, would usually talk to the police during previous domestic violence incidents between she and RICE, but she did not during this incident after being barricaded inside room #16.

[REDACTED]
[REDACTED] Lt. Dakin described to us "appropriate initiative", where SERT operatives on the "IP" team are allowed to take certain steps as police officers observing the incident directly when there is no time to radio out their observations, but potentially need to react by using force to protect others from violence, assault, or possible death. Lt. Dakin also told us Sgt. Livingston requested over the radio that Lt. Dakin get them more resources from Washington County Sheriff's Office. Lt. Dakin described how he was distracted by this task at one point as he made phone calls to WCSO Commander John Coch with TNT.

At about 1015 hours, Lt. Dakin told us he heard one single gunshot. Lt. Dakin told us he next immediately heard Sgt. Don Livingston radio, "Execute, execute, execute!" Lt. Dakin told us he almost simultaneously heard the "boom" sound of the [REDACTED]

[REDACTED] Lt. Dakin told us at about 1016 hours, he heard on the Radio the SUBJECT was down and Medical was ordered in. Lt. Dakin told us he instantly saw Medic 99 truck move in toward the motel room. Lt. Dakin told us he also heard the Radio transmission that the hostage was safe. Lt. Dakin told us, at about 1017 hours medics were on the scene with RICE and he was subsequently pronounced deceased. Lt. Dakin told us at about 1017 hours, Sgt. Livingston radioed he was moving the [REDACTED] out to the parking lot.

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Lt. Dakin told us at about 1018 hours, Assistant Chief Resch radioed Acting Assistant Chief Michael Krantz and Deputy Chief Robert Day to notify them of the Officer Involved Shooting. Lt. Dakin also told us at about 1018 hours, he heard Sgt. Pete McConnell radio that he was moving to the sniper team to check on them. Lt. Dakin told us at about 1018 hours, he and Assistant Chief Resch moved up to check on the SERT Team, but that they remained in the outer crime scene and did not enter the inner crime scene. Lt. Dakin told us he checked with Sgt. Don Livingston to see if they needed any resources and Sgt. Livingston requested water, which they had delivered to them. Lt. Dakin also ensured the SERT officers stayed in the immediate area and did not discuss the incident with one another. Lt. Dakin told us that Acting Assistant Chief Krantz ensured that Lt. Dakin and Assistant Chief Resch did not discuss this incident also. Lt. Dakin also assigned Lieutenant Jason Pearce to assign a member to the [REDACTED] to observe them and ensure they did not discuss the incident. Lt. Dakin told us that Lieutenant Mike Leasure responded and replaced Lt. Dakin as Lt. Dakin was removed from the incident. Lt. Dakin told us that Lieutenant Jacob Clark was assigned to all the lieutenants and that Acting Commander Rick Deland next directed them to all respond to North Precinct for interviews.

In conclusion, Lieutenant Dakin told us this was a very fast moving incident. Lt. Dakin also confirmed there was no order given by any command staff to shoot the suspect.

We ended our interview at approximately 1456 hours.

Officer Leo Harris interview

At about 1507 hours on October 10th, 2018, Detective Cui and I interviewed Officer Leo Harris in the same North Precinct front lobby conference room along with his PPA Union Representative Officer Ryan Reagan. Refer to Detective Vince Cui's report for further details.

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GO 42 2018-347005**CONFIDENTIAL****IMAGE ATTACHMENT (2736457) PER A106334 & GOOGLE OVERHEAD MAP OF SCENE**BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179**PROPERTY/EVIDENCE RECEIPT**HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER No. A106334	DATE/TIME 10-10-18 2000 PM	AM	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND PROPERTY <input type="checkbox"/> PRISONER'S PROP. <input type="checkbox"/>	GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/> <input type="checkbox"/> SAFEKEEPING			
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB	I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING			
DENIED OWNERSHIP <input type="checkbox"/>	SIGNATURE			
HOME ADDRESS CITY STATE ZIP	PHONE			
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB				
HOME ADDRESS CITY STATE ZIP				
TYPE OF INCIDENT Officer Involved Shooting	DELIVERING OFFICER Det. Anthony Merrill #35227	DPSST/ASSIGN		
LOCATION WHERE SEIZED, FOUND, SURRENDERED Detective Division	INVESTIGATOR (IF DIFFERENT) Det. Scott Broughton #40218	DPSST/ASSIGN		
<input type="checkbox"/> DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB				
<input type="checkbox"/> SUSPECT N/A				
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 interview with Lieutenant James Dakin			
ITEM 2	- (1) Overhead Google Map of Overall scene			
ITEM 3				
ITEM 4				
ITEM 5				
ITEM 6				
ITEM 7				
ITEM 8				
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input checked="" type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED	PRECINCT & LOCKER# CE	DATE 10-11-18	RECEIVED BY	
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER				
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY				
RECEIVED BY PED	BY	WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT		
DATE:	TIME:			

07/12



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ASSIGNED TO MCCORMICK, DAVID (28717)		RANK DETECTIVE		
ORG UNIT DETECTIVE: SEX CRIMES UNIT		CAPACITY 4-INTERVIEW WITNESS		
ASSIGNED ON 10/10/2018	ASSIGNED BY MCCORMICK, DAVID	SUBMITTED ON 10/12/2018	APPROVED ON 10/30/2018	APPROVED BY DAUL, MOLLY M

NARRATIVE

AUTHOR MCCORMICK, DAVID (28717)	DATE/TIME 10/11/2018 1358
SUBJECT INTERVIEW: A/LT KYLE NICE	

OFFICERS MENTIONED

Detective Eric McDANIEL (#41372) // assisted with interview
A/Lt. Kyle NICE (#26853) // interviewed: supervisory role
Officer Scott ROBERTSON (#31290) // union rep during A/Lt. NICE interview

PERSONS MENTIONED

Sam RICE // decedent
TALON Bailey // hostage, associated with decedent

NARRATIVE

On Wednesday (10/10/18) at approximately 1100 hours, I was informed of an officer involved shooting and was told to report to North Precinct for investigative support where I partnered with Detective Eric McDaniel. At North Precinct, we were assigned to interview A/LT Kyle NICE, who was accompanied by his PPA union representative, Officer Scott ROBERTSON. We met in the North Precinct DCT/Community Room where both Detective McDANIEL and I recorded the interview.

What follows is a brief summary of the interview and does not include every topic of discussion mentioned, and may not reflect the precise chronology of conversational progression. A/LT NICE also annotated a provided map (attached in RMS, **submitted on Property/Evidence Receipt #A084239.**)

A/LT NICE told me he was the acting lieutenant and responded to a disturbance call at the Del Rancho motel. Upon arrival, A/LT NICE assessed the situation, activated SERT, managed resources, and oversaw initial attempted communication attempts with TALON and RICE. A/LT NICE expressed concern over the safety of TALON based on her unwillingness to speak with the police during the Del Rancho incident.

A/LT NICE told me he was familiar with both TALON and RICE from a disturbance call two weeks earlier (refer case #18-311315). Officers effectively communicated with TALON on the prior call. TALON assured the police she was safe and A/LT NICE wrote a "Supervisory Disengagement Report" (attached in RMS) at the conclusion of that call.

A/LT NICE attempted to de-escalate the Del Rancho incident by pulling back officers to give RICE space to calm down. When communication officers were unable to reach TALON, A/LT NICE adjusted the plan to include resources which may be needed for hostage rescue. SERT personnel arrived and deployed a short time later.

For a complete account of A/LT NICE's involvement, read the transcript (attached in RMS) or listen to the audio recording (**submitted on Property/Evidence Receipt #A084239.**)

Portland Police Bureau
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CONFIDENTIAL

CASE NUMBER
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Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****IMAGE ATTACHMENT (2735622) SUPERVISORY DISENGAGEMENT REPORT****SUPERVISORY DISENGAGEMENT REPORT**

- 1) CASE NUMBER: 18-311315
- 2) DATE OF CALL: 9/11/18
- 3) TIME OF CALL: 1800
- 4) Was this call associated with a prior call on the same subject within the last 24hrs? **N**
If yes, provide case/incident number.
- 5) Was a report written? (Y/N) **Y**

- 6) What were the actions of the person(s) related to the call that led to disengagement?

Subject (Sam Rose) was extremely agitated and armed with a knife but was not threatening anyone. We attempted to communicate with him and his girlfriend to no avail. Our presence seemed to increase his agitation so we backed off and he immediately calmed down. Officers were aware of a past history with him where he later calmed down when officers left and there was no history of assaultive

- 7) Who made the decision to disengage? (Rank Only)

Sergeant

- 8) Did anyone on the call contact or consult any of the following?

(Check all that apply)

- | | |
|--|---|
| <input type="checkbox"/> Supervisor | <input type="checkbox"/> SERT |
| <input checked="" type="checkbox"/> ECIT | <input type="checkbox"/> BHU |
| <input type="checkbox"/> Project Respond | <input type="checkbox"/> CNT |
| <input type="checkbox"/> Social service provider's | <input type="checkbox"/> Mult. County Crisis Line |
| <input type="checkbox"/> Care Taker | <input type="checkbox"/> Family member |

- 9) What was the plan put into place for the disengagement?

Primary officer (Haagenson) and ECIT officer (Kemple) were directed to complete the ROADMAP items and follow up with Mr. Rose and Project Respond the following day. The address was flagged for 3 car response to include ECIT and a Sgt.

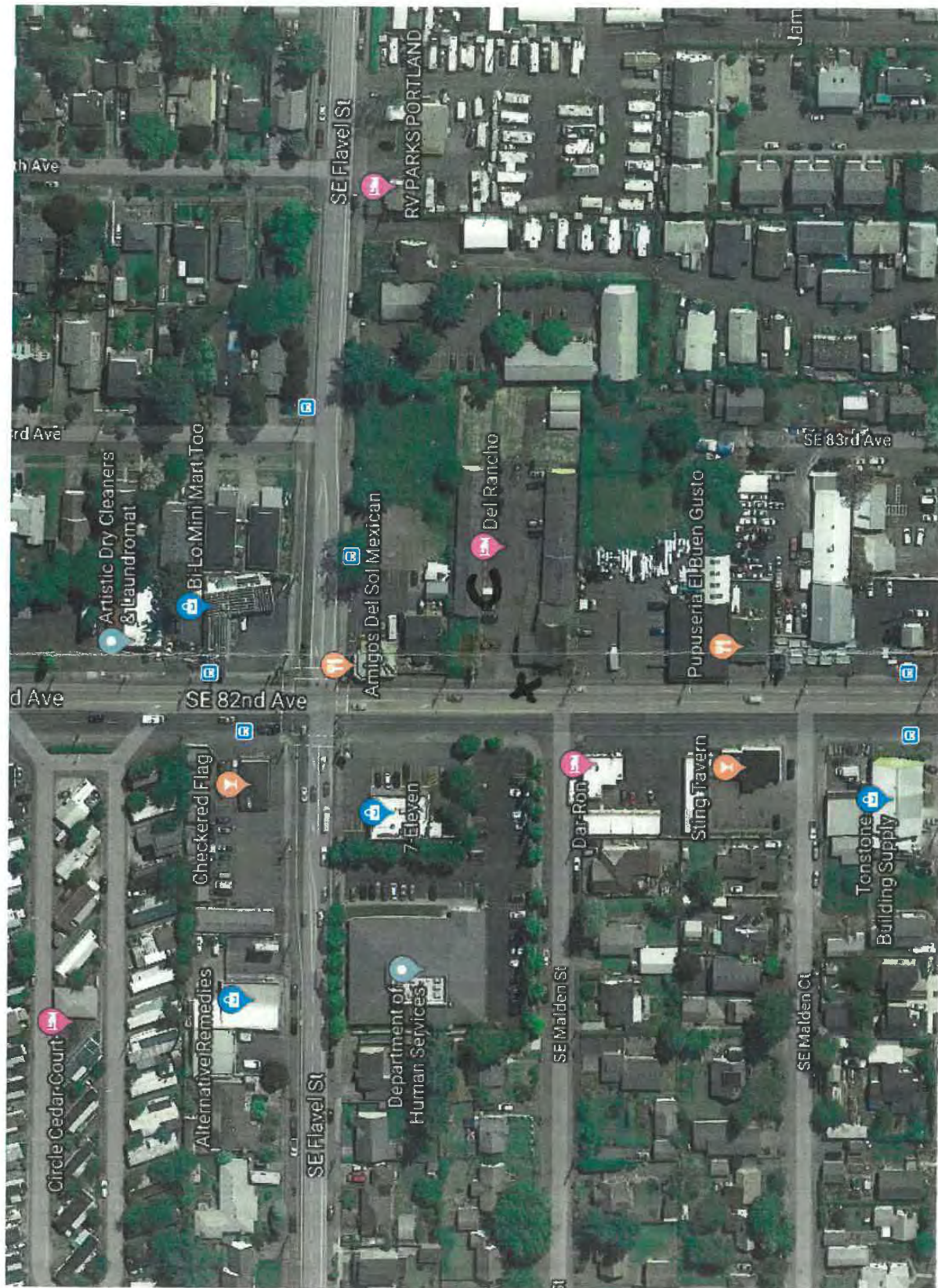
*Once completed email as an attachment to the shift lieutenant.

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CONFIDENTIAL

IMAGE ATTACHMENT (2735754) ANNOTATED MAP BY A/LT NICE



18-347005 10/10/18 e ^{KYLE} ^{NICE} X Kyle

Portland Police Bureau

PUBLIC RECORD RELEASE

CASE NUMBER
GO 42 2018-347005

CONFIDENTIAL**IMAGE ATTACHMENT (2735756) INTERVIEW AUDIO AND ANNOTATED MAP PER #A084239**

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER No. A084239	DATE/TIME 10/10/18 @ 1700	AM PM	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND PROPERTY <input type="checkbox"/> PRISONER'S PROP.	GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>			
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB				I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING SIGNATURE
DENIED OWNERSHIP <input type="checkbox"/>				
HOME ADDRESS CITY STATE ZIP				
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB				PHONE
HOME ADDRESS CITY STATE ZIP				
TYPE OF INCIDENT OFFICER INVOLVED SHOOTING		DELIVERING OFFICER MCCORMICK		DPSS/ASSIGN 28117/DET.
LOCATION WHERE SEIZED, FOUND, SURRENDERED NORTH PRECINCT		INVESTIGATOR (IF DIFFERENT)		DPSS/ASSIGN
<input type="checkbox"/> DEFENDANT	LAST NAME FIRST M.I.	SEX	RACE	DOB
<input type="checkbox"/> 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 (1) disc containing A/LT. NICE recorded interview (two parts)			
ITEM 2	One (1) map annotated by A/LT NICE			
ITEM 3				
ITEM 4				
ITEM 5				
ITEM 6				
ITEM 7				
ITEM 8				
DELIVERED TO:	<input type="checkbox"/> STATE CRIME LAB <input checked="" type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED	PRECINCT & LOCKER#	DATE	RECEIVED BY
CHECK ONE ONLY	<input type="checkbox"/> FED <input type="checkbox"/> OTHER	CE/016	10/12/18	
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY				
RECEIVED BY PED	DATE:	TIME:	BY	WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT

07/12

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #33**

ASSIGNED TO SHEARER, JEFFREY G (29992)		RANK CRIMINALIST		
ORG UNIT FORENSICS:		CAPACITY 2-FORENSIC UNIT PROCESSING		
ASSIGNED ON 10/11/2018	ASSIGNED BY SHEARER, JEFFREY G	SUBMITTED ON 10/11/2018	APPROVED ON 10/22/2018	APPROVED BY MCMURRAY, SHAWNDA L

NARRATIVE

AUTHOR SHEARER, JEFFREY G (29992)	DATE/TIME 10/11/2018 1451
SUBJECT POLICE SHOOTING	

Property/Evidence Receipt #A109104:

- 1) Placard 1 cellular telephone Motorola purple and gray case (moved to PER #A109105)
- 2) Placard 2 dark blue glass pipe
- 3) Placard 3 knife-black plastic handle

Property/Evidence Receipt #A109105:

- 1) Placard 1 cell phone from #A109104 item 1 (transferred to Detective Stenzel)

Property/Evidence Receipt #A109106:

- 1) Placard 5 (1) cartridge casing

Criminalist McMurray (supervisor), Criminalist Tsukimura, Criminalist Nebling, Criminalist Outhaythip, Criminalist Becker, and Criminalist Greaves

On 101018 at 1044 Tsukimura and I arrived at SE 82nd and Flavel to assist in the investigation of a police shooting. Tsukimura made digital photographs of the overall scene and I made digital video recording. As directed I made videos outside of 7622 SE Flavel #16 until we were asked to enter with the Deputy M.E. at 1236 hours. With the assistance of Detective Kammerer we marked evidence to be collected with number placards and items to reference/document with letter placards.

Numbered items: 1-cell phone inside room sixteen, 2-pipe inside room sixteen, 3-knife inside room sixteen, 4-M4/M16A2E rifle in the back of the truck at 7720 SE 82nd (collected by Nebling), & 5-cartridge casing behind truck at 7720 SE 82nd.

Lettered items:

[REDACTED]

I forwarded all evidence collected on receipts #A109105 and A109106 to the property room via the FED out-going locker. Detective Stenzel took custody of the phone on receipt #A109105 to gather digital evidence. I transferred the video recording to DIMS for archiving.

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PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #34**

ASSIGNED TO TSUKIMURA, LANCE H (32308)		RANK		
ORG UNIT FORENSICS:		CAPACITY 2-FORENSIC UNIT PROCESSING		
ASSIGNED ON 10/12/2018	ASSIGNED BY TSUKIMURA, LANCE H	SUBMITTED ON 10/12/2018	APPROVED ON 10/29/2018	APPROVED BY MCMURRAY, SHAWNDA L

NARRATIVE

AUTHOR TSUKIMURA, LANCE H (32308)	DATE/TIME 10/12/2018 0927
SUBJECT SCENE PHOTOS	

Officer Mentioned:

Criminalist Shearer #29992
Multnomah County Deputy Medical Examiner
Donielle Augustson

On 101018 at 1044 hrs Criminalist Shearer and I responded to 7622 SE 82nd Ave to assist Portland Police Bureau Homicide Detectives in a police shooting. We met with A/Sgt. Criminalist Nebling who briefed us on the incident. I was directed to make overall scene photographs. I made initial digital color photographs of the scene without entering room 16. At 1236 hrs with the assistance of the Multnomah County Deputy Medical Examiner Donielle Augustson I entered room 16 and made digital color photographs. Criminalist Shearer and I with the assistance of Detective Kammerer went through the scene and marked evidence with placards. After the evidence was marked I made additional digital color photographs of the evidence and placards. I transferred the photographs to DIMS for archiving.

Criminalist Shearer made video recordings of the scene and collected the evidence. The evidence located at 7720 SE 82nd Ave was collected by Criminalist Nebling and Criminalist Greaves.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #35**

ASSIGNED TO TSUKIMURA, LANCE H (32308)		RANK		
ORG UNIT FORENSICS:		CAPACITY 2-FORENSIC UNIT PROCESSING		
ASSIGNED ON 10/12/2018	ASSIGNED BY TSUKIMURA, LANCE H	SUBMITTED ON 10/12/2018	APPROVED ON 10/24/2018	APPROVED BY MCMURRAY, SHAWNDA L

NARRATIVE

AUTHOR TSUKIMURA, LANCE H (32308)	DATE/TIME 10/12/2018 0939
SUBJECT AUTOPSY	

People Mentioned:

Criminalist Shearer #29992

Pathology Assistant Tommy Bottom

Medical Examiner Rebecca Millius

On 101118 at 0900 hrs Criminalist Shearer and I responded to the Oregon State Medical Examiner's Office for an autopsy in a police shooting. On arrival we contacted Medical Examiner Rebecca Millius and Pathology Assistant Tommy Bottom. I took digital color photographs of the deceased subject RICE, Samuel Edward (M/W, 120587) before and during the autopsy. I transferred the photographs to DIMS for archiving.

Criminalist Shearer took custody of the DNA sample and other items of evidence. Refer to Criminalist Shearer's report of his processing of the evidence.

We made inked impressions of the fingers and palms from the deceased. I completed a death notification and forwarded it to the Oregon State Police, Bureau of identification.

Portland Police Bureau
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GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #36**

ASSIGNED TO SHEARER, JEFFREY G (29992)		RANK CRIMINALIST		
ORG UNIT FORENSICS:		CAPACITY 2-FORENSIC UNIT PROCESSING		
ASSIGNED ON 10/12/2018	ASSIGNED BY SHEARER, JEFFREY G	SUBMITTED ON 10/12/2018	APPROVED ON 10/22/2018	APPROVED BY MCMURRAY, SHAWNDA L

NARRATIVE

AUTHOR SHEARER, JEFFREY G (29992)	DATE/TIME 10/12/2018 0953
SUBJECT POLICE SHOOTING	

Property/Evidence Receipt #A109107:

- 1) camo sweatshirt
- 2) black bandana
- 3) blue jeans, brown belt, & black boxers
- 4) pair fray DC shoes and salmon-colored socks
- 5) bag from right hand
- 6) bag from left hand
- 7) fingernail clippings from right & left hand with clippers
- 8) piece of plaster/sheetrock from under sweatshirt (right side)

Property/Evidence Receipt #A109108:

- 1) projectile fragments from left neck
- 2) projectile fragments from brain stem
- 3) buccal swab from deceased
- 4) blood standard on blotter paper

Criminalist Tsukimura and I responded to the morgue on 10/11/18 at 0830 to assist the medical examiner and PPB investigators in a post-mortem examination of RICE, Samuel E M/W 120587. Tsukimura made digital color photographs and I collected evidence during the autopsy. After the autopsy we made inked impressions of the palms and fingers of the deceased for verification of identification and for the case file. We delivered the items of evidence collected to the property room so that the wet bloody items could be placed in drying cabinets.

Portland Police Bureau
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GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #37**

ASSIGNED TO BENIGA, RICO T (36906)		RANK DETECTIVE		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 1-INVESTIGATOR, SECONDARY		
ASSIGNED ON 10/12/2018	ASSIGNED BY BENIGA, RICO T	SUBMITTED ON 10/30/2018	APPROVED ON 10/31/2018	APPROVED BY WHATTAM, KEN N

NARRATIVE

AUTHOR BENIGA, RICO T (36906)	DATE/TIME 10/12/2018 1023
SUBJECT OFFICER HARRIS WEAPON COUNTDOWN	

DETECTIVE DIVISION

Detective Scott Broughton #40218
Portland Police Bureau Homicide Detail
Lead Investigator

Sergeant Michelle Hughes #36818
Portland Police Detective Division
Issued Communication Restriction Order (CRO)

ADDITIONAL OFFICERS

Officer Leo Harris #39655
Portland Police Bureau/SERT
Witness Officer

FORENSIC EVIDENCE DIVISION

Criminalist Vance Nebling # 37144
Portland Police Forensic Evidence Division

Criminalist Jamin Becker #49504
Portland Police Forensic Evidence Division

ADDITIONAL PERSONNEL

Anil Karia
Portland Police Association

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****SUMMARY**

This report documents the weapons examination/countdown of Officer Leo Harris' duty weapon(s) that he had during the incident.

NARRATIVE

On 9/30/18 at approximately 0710 hours, Detective Broughton and I conducted the examination/countdown of Officer Leo Harris' duty weapon(s). Officer Harris was identified as a witness officer but a countdown was being conducted because of his assignment along with Officer Van Blokland as the sniper/observer team. The examination occurred in the mobile command center parked near the scene. Criminalists Vance Nebling and Jamin Becker of the Portland Police Bureau's Forensic Evidence Division documented the process. Anil Karia of the Portland Police Association was also present during the examination.

Officer Harris was photographed in his uniform by Criminalist Becker prior to the examination. The resulting examination determined the following:

DUTY RIFLE:

Colt AR15 Rifle, Serial #983374

Chamber: 1 round
Magazine: 17 rounds

ADDITIONAL RIFLE MAGAZINES: (2) On external vest

- 1) 28 .223 caliber rounds (30 round capacity)
- 2) 28 .223 caliber rounds (30 round capacity)

DUTY HANDGUN:

Glock, Model 17, 9mm caliber, Serial #KTP 256 (with Streamlight TLR-1 light)

Chamber: 1 FC Luger round
Magazine: 16 FC Luger rounds (17 round capacity)

ADDITIONAL HANDGUN MAGAZINES: (1) On external vest

- 1) 16 FC Luger rounds (17 round capacity)

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BACKUP FIREARM: None

Taser: Taser X2 SN#X29003KWY--Unfired

Officer Harris' duty weapon, magazines and ammunition were not seized. At the conclusion of the examination Officer Harris stated he was willing to participate in a scene walk through. At 1337 hours, Detective Broughton and I accompanied Officer Harris into the scene. Deputy District Attorney David Hannon and Anil Karia were also present. Officer Harris confirmed that he and Officer Vanbloklund were standing on the bed of a truck. Officer Harris

At approximately 1344 hours, Portland Police Homicide Sergeant Michele Hughes issued the Communication Restriction Order (CRO) to Officer Harris. Officer Harris signed the CRO form to acknowledge his understanding and was provided copy.

End of report.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #38**

ASSIGNED TO BENIGA, RICO T (36906)		RANK DETECTIVE		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 1-INVESTIGATOR, SECONDARY		
ASSIGNED ON 10/12/2018	ASSIGNED BY BENIGA, RICO T	SUBMITTED ON 10/30/2018	APPROVED ON 10/31/2018	APPROVED BY WHATTAM, KEN N

NARRATIVE

AUTHOR BENIGA, RICO T (36906)	DATE/TIME 10/12/2018 1246
SUBJECT OFFICER VAN BLOKLAND WEAPON COUNTDOWN	

DETECTIVE DIVISION

-

-

Detective Scott Broughton #40218
Portland Police Bureau Homicide Detail
Lead Investigator

Detective Erik Kammerer #29988

Portland Police Homicide Detail

Investigation assist

Sergeant Michelle Hughes #36818
Portland Police Detective Division
Issued Communication Restriction Order (CRO)

ADDITIONAL OFFICERS

Officer Kelly Vanblokland #26660
Portland Police Bureau/SERT
Involved Officer

FORENSIC EVIDENCE DIVISION

Criminalist Vance Nebling # 37144
Portland Police Forensic Evidence Division

Criminalist Jamin Becker #49504
Portland Police Forensic Evidence Division

Portland Police Bureau
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ADDITIONAL PERSONNEL

Michael Starapoli

Attorney at Law
Counsel for Officer Vanblokland

SUMMARY

This report documents the weapons examination/countdown of Officer Kelly Vanblokland's duty weapon(s) used during the incident.

NARRATIVE

On 10/10/18 at approximately 1240 hours, Detective Broughton and I conducted the examination/countdown of Officer Kelly Vanblokland's duty weapon(s). Officer Vanblokland was identified as the involved officer during his assignment on the SERT sniper/observer team along with Officer Leo Harris. The examination occurred in the mobile command center parked near the scene. Criminalists Vance Nebling and Jamin Becker of the Portland Police Bureau's Forensic Evidence Division documented the process. Michael Starapoli, attorney for Officer Vanblokland was also present during the examination.

Officer Vanblokland was photographed in his uniform by Criminalist Becker prior to the examination. The resulting examination determined the following:

DUTY HANDGUN:

Glock, Model 19, 9mm caliber, Serial #XTT-845 (with Streamlight TLR-1 light)

Chamber: 1 FC Luger round
Magazine: 15 FC Luger rounds (15 round capacity)

ADDITIONAL HANDGUN MAGAZINES: None

ADDITIONAL RIFLE MAGAZINES: (4) On external vest

- 1) 18 .223 caliber rounds (glass punch/heavy barrier) (20 round capacity)
- 2) 28 .223 caliber rounds (bonded rounds) (30 round capacity)
- 3) 28.223 caliber rounds (30 round capacity)
- 4) 28.223 caliber rounds (30 round capacity)

TASER: None

Officer Vanblokland's duty handgun and additional rifle magazines were not seized. At approximately 1303 hours, Portland Police Homicide Sergeant Michele Hughes issued the Communication Restriction Order (CRO) to Officer Vanblokland. Officer Vanblokland signed the CRO form to acknowledge his understanding and was provided copy.

During the examination, the rifle used by Officer Vanblokland had remained within perimeter and had not been removed from the scene. I was previously told by Portland Police Homicide Detective Kammerer, that the rifle was placed onto the gear bag belonging to Officer Vanblokland. I entered the inner perimeter at approximately 1337 hours during the walk through with Officer Harris and subsequently observed Officer Vanblokland's rifle sitting atop the gear bag as previously described. I know officers were assigned to secure the rifle and gear bag pending their recovery and removal from the scene.

At approximately 1457 hours, Detective Broughton and I accompanied Detective Kammerer into the inner perimeter. I observed the rifle was still in the same location as I had previously viewed. Detective Kammerer removed Officer Vanblokland's rifle from the scene and walked it to the command center where we conducted the examination of the rifle at approximately 1500 hours. Criminalists Becker and Tsukimura documented the examination and determined the following:

DUTY RIFLE:

Colt M4 Rifle, Serial #A0105765, with flash suppressor

Chamber: 1 .223 caliber round

Magazine: 16 .223 caliber rounds (20 round capacity)

Based on the count, one (1) round was fired. The Colt rifle and accompanying magazine were seized by Criminalists and documented on a property receipt.

End of report.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #39**

ASSIGNED TO NEBLING, VANCE A (37144)		RANK CRIMINALIST		
ORG UNIT FORENSICS:		CAPACITY 2-FORENSIC UNIT PROCESSING		
ASSIGNED ON 10/15/2018	ASSIGNED BY NEBLING, VANCE A	SUBMITTED ON 10/21/2018	APPROVED ON 10/24/2018	APPROVED BY MCMURRAY, SHAWNDA L

NARRATIVE

AUTHOR NEBLING, VANCE A (37144)	DATE/TIME 10/15/2018 1204
SUBJECT SCENE, VICTIM OCHOA, AND ROUND COUNT PHOTOS	

EVIDENCE:**PER# A109103:**

Item 1: Colt M-4 rifle; ser# A0105765 (Placard #4)
Item 2: Magazine and 16 rounds of ammunition from Colt M-4 rifle; ser# A0105765
Item 3: one round of ammunition from chamber of Colt M-4 rifle; ser# A0105765
Disposition: Retained in Vault at FED.

NARRATIVE:

On 10-10-18 at 1120 hours, I arrived at (BU) Del Rancho Motel at 7622 SE 82nd Ave regarding an officer-involved shooting investigation. On arrival, I contacted Sgt. Whattam, Det. Beniga, Det. Broughton, Det. Winters, Criminalist Shearer, Criminalist Tsukimura, Criminalist Greaves, Criminalist Outhaythip, and Criminalist Becker.

At Det. Winters' request, I took color digital photos of SERT munitions in Room #15 of Del Rancho.

At the request of Det. Whattam, I took color digital photos of victim Ochoa, Talon (F/W; 9-7-88).

In addition, at the request of Det. Broughton, I took color digital photos of Ofc. Vanblokland #26660 and Ofc. Harris #39655 which included photos of their gear and round counts.

I then took color digital photos of the scene just south of (BU) Del Rancho Motel in the lot of (BU) VM Indoor Garden Supply at 7720 SE 82nd Ave. This included photos of a red Ford truck (OR# 751EMQ) and the listed Colt M-4 rifle on PER# A109103. I also photographed a single rifle shell casing in the grass in close proximity to the red Ford truck.

At the request of Det. Broughton, I took color digital photos of the Colt M-4 rifle (ser# A0105765) and its remaining ammunition.

I also collected the listed evidence on PER# A109103.

All digital photos were uploaded to DIMS.

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GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #40**

ASSIGNED TO BROUGHTON, SCOTT P (40218)		RANK DETECTIVE		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 1-INVESTIGATOR, LEAD		
ASSIGNED ON 10/15/2018	ASSIGNED BY BRADSHAW, TESSRA	SUBMITTED ON 11/13/2018	APPROVED ON 11/14/2018	APPROVED BY WHATTAM, KEN N

NARRATIVE

AUTHOR BROUGHTON, SCOTT P (40218)	DATE/TIME 11/08/2018 0849
SUBJECT INVESTIGATIVE SUMMARY	

Involved Member:

Officer Kelly Vanblokland #26660
Unit: SERT16
Training Division/SERT (0700-1700)
24+ Year PPB Veteran, 10+ Year SERT Operator
Weapon: Bureau Issued Colt M-4, 1 round fired

Witness Member:

Officer Leo Harris #39655
Unit: SERT18
Training Division/SERT (0700-1700)
16+ Year PPB Veteran, 10+ Year SERT Operator

Deceased Suspect:

SAMUEL EDWARD RICE (Suspect in PPB case numbers 18-347005 and 18-681478)
Male/White
5'11", 238 Pounds, Bald, Hazel Eyes
Date of Birth: December 5, 1987
Home Address: Transient
Phone: Unknown

Detective Division Personnel:

Sergeant Michele Hughes #36818
Portland Police Bureau Homicide Detail Supervisor

Sergeant Ken Whattam #24582
Portland Police Bureau Homicide Detail
Issued Communication Restriction Order to Lieutenant Lindsey

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Sergeant Joe Santos #29573
Portland Police Bureau Robbery Detail
Facilitated/Monitored Detective Interviews/Issued Communication Restriction Orders

Sergeant Cory Roberts #29901
Portland Police Bureau Assault Detail
Facilitated/Monitored Detective Interviews at North Precinct

Detective Rico Beniga #36906
Portland Police Bureau Homicide Detail - Investigative Partner

Detective Erik Kammerer #29988
Portland Police Bureau Homicide Detail - Crime Scene

Detective Darren Posey #29521
Portland Police Bureau Homicide Detail - Victim/Witness Interviews

Detective Brad Clifton #37152
Portland Police Bureau Homicide Detail - Victim Interview

Detective Vince Cui #36881
Portland Police Bureau Homicide Detail - Officer Interviews

Detective Anthony Merrill #35227
Portland Police Bureau Homicide Detail - Officer Interviews

Detective Michael Jones #36240
Portland Police Bureau Tactical Operations Division - Victim Interview

Detective Michael Greenlee #50623
Portland Police Bureau Sex Crimes Detail - Officer Interviews

Detective David McCormick #28717
Portland Police Bureau Sex Crimes Detail - Officer Interviews

Detective William Crockett #29985
Portland Police Bureau Sex Crimes Detail - Officer Interviews

Detective Jeff Sharp #34582
Portland Police Bureau Assault Detail - Officer Interviews

Detective Paul Dolbey #29984
Portland Police Bureau Assault Detail - Officer Interviews

Detective Arjay Dran #34502
Portland Police Bureau Assault Detail - Officer Interviews

Detective Tony Harris #27566
Portland Police Bureau Assault Detail - Officer Interviews

Detective Eric McDaniel #41372
Portland Police Bureau Cold Case Homicide Detail - Officer Interviews

Detective Ken Reynolds #37287
Portland Police Bureau Robbery Detail - Officer Interviews

Detective John Russell #29907
Portland Police Bureau Robbery Detail - Officer Interviews

Detective Todd Prosser #30501
Portland Police Bureau Robbery Detail - Officer Interviews

Detective Kevin Odil #49890
East County Major Crimes Team, Multnomah County Sherriff's Office - Victim/Witness Interviews

Detective Jace Hall #51115
East County Major Crimes Team, Oregon State Police - Officer Interviews

Detective Cory Stenzel #45663
Portland Police Bureau Homicide Detail
Collected Video/Processed Samuel RICE'S phone

Forensic Evidence Division Personnel:

Criminalist Jeff Shearer #29992
Portland Police Bureau Forensic Evidence Division
Crime Scene Photographs/Evidence Collection

Criminalist Lance Tsukimura #32308
Portland Police Bureau Forensic Evidence Division
Crime Scene Photographs/Evidence Collection

Criminalist Vance Nebling #37144

Portland Police Bureau
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Portland Police Bureau Forensic Evidence Division
Photographs/Evidence Collection from Officers

Criminalist Jamin Becker #49504
Portland Police Bureau Forensic Evidence Division
Assisted with Officer Countdowns

Criminalist Dan Outhaythip #24990
Portland Police Bureau Forensic Evidence Division
Leica scans of crime scene

Other Police Personnel Mentioned:

Sergeant Robb Hansen #31459
Portland Police Bureau East Precinct

Officer Benson Weinberger #47656
Portland Police Bureau Central Precinct Behavior Health Unit

Persons Mentioned:

Ronald PEARSON (Victim in PPB case number 18-681478)
Male/White
Date of Birth: February 13, 1960
Home Address: 8102 Southeast Malden Court
Portland, Oregon 97206
Cellular Phone: (503) 443-5180

Tariq AWAN (7-11 Clerk to called 911 to report fight)
Male/White
Date of Birth: July 15, 1976
Home Address: 10427 Southeast Oak Street
Portland, Oregon 97216
Phone: (503) 734-5092

Talon OCHOA-BAILEY (Victim in PPB case number 18-347005)
Female/White
Date of Birth: September 7, 1988
Address: 205 Southeast 148th Avenue
Portland, Oregon
Cellular Phone: (971) 292-0106

Roberta STEWART (Witness to PPB case number 18-681478)
Female/Black
Date of Birth: November 21, 1986

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Address: 7707 Southeast 82nd Avenue
Portland, Oregon 97266
Phone: (971) 601-2004

Starla STARN (Witness to PPB case number 18-681478)
Female/White
Date of Birth: August 31, 1983
Address: 7622 Southeast 82nd Avenue #17
Portland, Oregon 97266
Phone: (503) 496-6595

Andrew ENGLISH (Witness to RICE and OCHOA-BAILEY in parking lot of Del Rancho Motel)
Male/Black
Date of Birth: March 1, 1987
Address: 7707 Southeast 82nd Avenue #206
Portland, Oregon 97266
Phone: (971) 601-2004

Sworn Personnel Interviewed by Detectives:

Officer Jerrold Higginbotham #28713, Portland Police Bureau East Precinct
Officer Damien Dale #58314, Portland Police Bureau East Precinct
Officer Kenneth Huntinghouse #52689, Portland Police Bureau East Precinct
Acting Lieutenant Kyle Nice #26853, Portland Police Bureau East Precinct
Officer Leo Harris #39655, Portland Police Bureau Special Emergency Reacton Team (SERT)
Sergeant Donald Livingston #32588, Portland Police Bureau SERT
Sergeant Peter McConnell #28715, Portland Police Bureau SERT
Detective Todd Gradwahl #29981, Portland Police Bureau SERT
Officer Thomas Snitily #42016, Portland Police Bureau SERT
Lieutenant Jay Bates #31070, Portland Police Bureau Crisis Negotiation Team (CNT)
Lieutenant James Dakin #25235, Portland Police Bureau SERT
Assistant Chief Jami Resch #37142, Portland Police Bureau
Paramedic Jay Fink, Portland Fire Bureau (SERT Medic)

Others Mentioned:

Deputy Medical Examiner Donielle Augustine
Oregon State Medical Examiner's Office

David Hannon
Deputy District Attorney
Multnomah County District Attorney's Office

Michael Staropoli
Attorney at Law
Counsel for Officer Vanbloklund

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Anil Karia
Attorney at Law
Counsel for Officer Leo Harris

Doctor Rebecca Millius
Oregon State Medical Examiner's Office

Tommy Bottomly
Pathology Assistant
Oregon State Medical Examiner's Office

Ken Hanson (Talon OCHOA-BAILEY'S Case worker at SL Start)
Phone: 503-954-7968

Associated Cases:

1. PPB Case Number 18-681478: October 10, 2018 assault listing Ronald PEARSON as a victim

Exhibits:

Portland Police Bureau Property/Evidence Receipt Number A106439

Item 1: (1) Thumbdrive containing Crisis Negotiation Team (CNT) Audio/Video

Summary:

On October 10, 2018 at approximately 0911 hours, Tariq AWAN called 911 to report a fight between two subjects in the 7-11 store located at 7501 Southeast 82nd Avenue. Portland Police Bureau Uniformed officers responded to the store and later identified Samuel RICE and Ronald PEARSON as being involved in the fight. Uniformed personnel identified Talon OCHOA-BAILEY as being associated with RICE. Uniformed personnel located RICE and OCHOA-BAILEY across the street from the 7-11 store at the Del Rancho Motel located at 7622 Southeast 82nd Avenue. Uniform personnel subsequently learned RICE was armed with a knife. Uniform personnel attempted to speak to RICE on the grounds of the motel and saw RICE forcibly take OCHOA-BAILEY hostage in room 16. RICE threatened to kill OCHOA-BAILEY. The Portland Police Bureau Crisis Negotiation Team (CNT), and Special Emergency Reaction Team (SERT) were activated. During the ensuing standoff between RICE and Portland Police personnel, RICE was shot and killed.

Narrative:

On October 10, 2018 at approximately 1038 hours, I received a page from Sergeant Michele Hughes directing me to respond to Southeast 82nd and Southeast Flavel Street to investigate an officer involved shooting. While I was responding to the location, I learned the following: Officer Kelly Vanbloklund, as a sniper with the Special Emergency Reaction Team (SERT),

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shot and fatally wounded Samuel RICE. Officer Leo Harris was a witness officer. I learned that officers Vanbloklund and Harris had been separated from one another at the conclusion of the tactical event that lead to the shooting.

I arrived on scene at approximately 1105 hours and approached the scene from the south. I saw several blocks of Southeast 82nd Avenue between Southeast Malden Court and Southeast Flavel Street were occupied by a variety of police vehicles to include SERT armored vehicles, a mobile precinct, as well as numerous marked and unmarked police vehicles. Detective Kammerer was on scene prior to me working as an intelligence officer with SERT. Detective Kammerer provided me with a list of individuals who could provide background information on the details of the radio call and CNT/SERT activation. Detective Kammerer directed Forensic Evidence Division Personnel to take initial overall photos of the scene to document where SERT armor, SERT ambulance, and other police vehicles were located. Once the initial overall photos were taken, the SERT armor, ambulance, and other police were released from the scene.

I learned the following from an onscene briefing, speaking to police personnel at the scene, detectives at a post incident briefing, listening to dispatch recordings, and reading the transcribed interviews and police reports mentioned below.

On October 10, 2018 at approximately 0911 hours, Portland Police Officers Higginbotham and Dale responded to the 7-11 store at 7501 Southeast 82nd Avenue for a call of a disturbance. Officers Higginbotham and Dale were directed to speak to an individual who was a witness to the disturbance at 7-11. Officers Higginbotham and Dale subsequently made contact with RICE and OCHOA-BAILEY at the Del Rancho Motel at 7622 Southeast 82nd Avenue. Officer Higginbotham asked RICE his name. RICE told him his name was "Aaron Lex Luther" then changed his name to "Aaron Diesel". Officer Higginbotham and Dale saw RICE take OCHOA-BAILEY hostage in room 16 at the Del Rancho.

Additional uniform personnel arrived and began developing a plan to negotiate with RICE. Sergeant Hansen arrived and directed uniform personnel in establishing a custody team should RICE come out of room 16. Sergeant Hansen initiated a CNT callout. As a result of the CNT callout, Lieutenant Nakamura requested a limited deployment of SERT members to support CNT.

Officer Huntinghouse went to the 7-11 store where the radio call originated and spoke with the manager, Tariq AWAN. Officer Huntinghouse learned from AWAN that there had been a disturbance in the store earlier during which the suspect pulled a knife out and attempted to stab someone. AWAN described the knife used by the suspect as a household kitchen knife. AWAN gave Officer Huntinghouse the contact information for the other party in the fight, Ronald PEARSON.

Officer Huntinghouse spoke with PEARSON and learned the following. PEARSON told Officer Huntinghouse he was standing in line at 7-11 when a female cut in front of him. PEARSON said he got into a brief argument with a male who PEARSON assumed was the female's boyfriend. PEARSON said the male pulled out a knife and tried to stab him. PEARSON said he got into a fight with the male. PEARSON said he knocked the knife out the male's hand. PEARSON said the male left without the knife. PEARSON said he put the knife on the store counter but the male returned a short time later and retrieved the knife. Officer Huntinghouse returned to the Del Rancho Motel and shared the information he learned from AWAN and PEARSON with the uniformed personnel at the Del Rancho Motel.

Acting Lieutenant Nice responded to the scene and designated himself as the Incident Commander (IC). Acting Lieutenant Nice requested a SERT member call him for a consultation. SERT Sergeant McConnell consulted with Acting/Lieutenant Nice on the phone. SERT was finishing a warrant several miles north of the Del Rancho Motel. Based on the information Sergeant McConnell learned from Acting Lieutenant Nice, he and Sergeant Livingston directed SERT personnel to respond to and stage in the area of the Del Ranch Motel. While SERT was enroute to the Del Rancho Motel, uniform personnel initiated a full SERT call out.

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Crisis Negotiation Team (CNT) personnel began arriving at the Del Rancho Motel and began attempting contact with RICE.

While SERT members were enroute to the location, Sergeants Livingston and McConnell were making plans and assignments for a [REDACTED] team. As SERT personnel arrived, they began to take up positions consistent with the plans that had been made enroute to the location. SERT personnel relieved uniform personnel and adjusted their positions as needed.

At approximately 1000 hours the Bureau of Emergency Communications (BOEC), received an open cell phone call from (971) 292-0111. The cell phone number matched BOEC call history from a female staying in room 16. BOEC received a call (971) 292-0111 from "Aaron Diesel". Officer Weinberger from CNT was able to speak with RICE on the phone for a brief period of time. RICE ended the phone call with Officer Weinberger by telling him in part, "Go fuck yourself, go, go fuck yourself dude or I'm gonna cut her throat." I later had transcribed the phone call between Officer Weinberger and RICE as well as the 911 call "Aaron Diesel" made to 911 at attached it to this report. Refer to the CNT audio recording, 911 call recording, and transcripts for details on RICE'S phone calls. Officer Watts gave me a thumbdrive containing audio and video that was recorded during the incident. The video [REDACTED] I later placed the thumb drive in the property room as evidence on property receipt number A106439.

SERT personnel occupied rooms 15 and 17 of the Del Rancho Motel to stage personnel for a rescue team. Both uniform and SERT personnel reported hearing sounds consistent with furniture being moved around inside room 16. Officers Vanbloklund and Harris deployed to a position on the south side of room 16. A short time after SERT personnel deployed to areas around room 16, Officer Vanbloklund broadcast he had taken a sniper shot on the south side of room 16. Upon hearing the sniper shot had been taken, Sergeant Livingston told the team to initiate a hostage rescue in room 16. The hostage rescue included an [REDACTED]. SERT personnel found the door to room 16 barricaded from the inside with items from the room.

As soon as OCHOA-BAILEY was rescued from room 16, SERT personnel requested their SERT medics come to room 16 to provide medical aid to RICE. SERT Medic Jay Fink pronounced RICE deceased.

Detective Stenzel collected video from several locations and processed several cell phones. Refer to Detective Stenzel's report for details on video collection and cell phone processing. I later reviewed the video and contents of the cell phones. Refer to separate report by writer for details on video and cell phone review.

At the conclusion of the onscene briefing, investigative assignments were made. The following Portland Police Personnel were interviewed by Detective Division personnel at North Precinct. Officer Huntinghouse, Officer Higginbotham, Officer D. Dale, and Acting/Lieutenant Nice were interviewed by detectives to provide background information on the uniformed personnel response to incident. Officer Leo Harris was interviewed by detectives as a witness member to Officer Vanbloklund's shooting. Sergeants McConnell, Livingston, Detective Gradwahl, Officers Snitily and Dalberg, and Paramedic Jay Fink (Portland SERT Medic) were interview by detectives to provide background information on the SERT response. Lieutenants Bates and Dakin and Assistant Chief Resch were interviewed by detectives to provide background information on the overall supervision of the CNT/SERT response.

The above named personnel were directed to proceed to North Precinct when they were released from the scene. Sergeants Roberts and Santos facilitated detective interviews and monitored the above mentioned personnel at North Precinct to ensure they did not speak about the incident. Sergeant Santos issued Communication Rescindment Orders (CRO) to the above named personnel after they were interviewed by Detective Division Personnel.

Detectives Posey and Odil interviewed civilian witnesses, Starla STARN, Ronald PEARSON, Roberta STEWART, and Andrew ENGLISH. PEARSON is the victim in the assault that occurred at the 7-11. STEWART and STARN were witnesses

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to the assault at 7-11. Detective Posey documented the interviews with STARN, PEARSON, and STEWART on Portland Police Case number 18-681478. ENGLISH witnessed RICE and OCHOA-BAILEY engaged in a disturbance in the parking lot of the Del Rancho Motel shortly before the assault at 7-11 occurred. Detective Posey documented the interview with ENGLISH on case number 18-347005. Refer to Detective Posey's reports, the audio recordings, and transcripts, for details on the interviews of STARN, PEARSON, STEWART, and ENGLISH.

At approximately 1240 hours, Detective Beniga and I conducted a weapons countdown of Officer Vanblokland's Glock handgun and AR-15 rifle magazines. Officer Vanblokland was represented by his attorney, Michael Staropoli, during the countdown. Criminalists Nebling and Becker documented the countdown. Deputy District Attorney David Hannon was present during the countdown. At the conclusion of the countdown, Officer Vanblokland declined to give a voluntary interview or participate in a voluntary walk through. Sergeant Hughes issued a CRO to Officer Vanblokland. Refer to Detective Beniga's report for details on Officer Vanblokland's weapons countdown for further.

At approximately 1314 hours, Detective Beniga and I conducted a weapons countdown Officer Leo Harris' Glock handgun, AR-15 rifle, extra AR-15 magazines, and an extra Glock magazine. Officer Harris was represented by his attorney, Anil Karia, during the countdown. Criminalists Nebling and Becker documented the countdown. Deputy District Attorney David Hannon was present during the countdown. At the conclusion of the countdown, Officer Harris participated in a walk through with Detective Beniga, Detective Kammerer, Mr. Karia, Deputy District Attorney Hannon, and me. At the conclusion of Officer Harris' walk through, Sergeant Hughes issued Officer Harris a CRO.

At approximately 1343 hours, I entered the north side of the crime scene through the parking lot area of the Del Rancho Motel. I viewed room 16 and saw RICE laying on his back in the bathroom of room 16 holding a knife in his right hand. The knife appeared to be consistent with a standard kitchen or steak knife. I saw photo placards 1 through 3, as well as five photo placards labeled "A" through "E". Photo placard 1 marked a cellular phone, photo placard 2 marked a marijuana pipe, and photo placard 3 marked the knife in RICE'S right hand. The lettered photo placards were as follows:

Photo Placard A: [REDACTED]
Photo Placard B: [REDACTED]
Photo Placard C: [REDACTED]
Photo Placard D: [REDACTED]
Photo Placard E: Broken window in room 16

Once the crime scene was processed and evidence was collected, Detective Kammerer collected photo placards A through C and disposed of them.

Detective Stenzel later processed the cellular phone marked by photo placard 1. I reviewed the contents of the phone and noted the phone number associated to it was (971) 292-0111.

At approximately 1448 hours, I entered the south side of the crime scene through a parking lot on the south side of the Del Rancho Motel. I saw a pickup truck with paneling on the sides. In the back of the pickup truck, I saw a tripod with bag labeled "F" that belonged to Officer Harris. I saw another gear bag labeled "G" that belonged to Officer Vanblokland. I saw a bolt action rifle in Officer Vanblokland's gear bag. Photo placard 4 was Officer Vanblokland's AR-15 rifle. Photo Placard 5 was a spent shell casing that was consistent with the caliber of Officer Vanblokland's rifle. Forensic Evidence Division Personnel collected the items marked with photo placards 1 through 5 as evidence. I later took Officer Vanblokland's rifle and the shell casing to the Oregon State Police Crime lab. Refer to separate report by writer for details on the Oregon State Police Crime Lab submissions.

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Once the crime scene on the south side of the Del Rancho Motel was processed and evidence was collected, Detective Kammerer collected photo placards "F" and "G", including Officer Vanblokland's bolt action rifle, and returned them to SERT personnel.

At approximately 1500 hours, Detective Kammerer collected Officer Vanblokland's AR-15 rifle and took it to the mobile precinct. Detective Beniga and I were present with Detective Kammerer when he conducted a countdown of Officer Vanblokland's AR-15. Criminalists Becker and Tsukimura documented the countdown. Refer to Detective Kammerers report for further details.

At approximately 1543 hours, I was present when Deputy Medical Examiner Donielle Auguston examined and removed RICE from the scene. I saw what appeared to be a gunshot wound in the area of RICE'S right eye.

At approximately 1700 hours, Detective Beniga and I cleared the crime scene.

At approximately 2130 hours, Detective Beniga and I met with RICE'S family.

On October 11, 2018, at approximately 0900 hours, Detective Beniga and I attended a post mortem exam of RICE. Doctor Rebecca Millius performed the exam and was assisted by pathology assistant Tommy Bottomly. Portland Police Officer Gabriel Hertzler and Deputy District Attorney Hannon also attended the post mortem exam of RICE. At the conclusion of the exam, Doctor Millius ruled the case of RICE'S death as a gunshot wound to the head, and the manner of his death a homicide. Criminalist Shearer collected evidence and Criminalist Tsukimura took photo graphs at the exam. Among the items of evidence collected at the exam were two bullet fragments. I later sent the bullet fragments to the Oregon State Police Crime lab. Refer to separate report by writer for details on the Oregon State Police Crime Lab submissions.

Refer to reports by uniformed personnel, SERT personnel, forensic evidence division personnel, and detective division personnel for additional details.

End of report.

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IMAGE ATTACHMENT (2813970) PER A106439

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

RECEIPT NUMBER No. A106439	DATE/TIME 11/8/2018	AM PM	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND PROPERTY <input type="checkbox"/> PRISONER'S PROP.	GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/> SAFEKEEPING <input type="checkbox"/>			
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB	I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING			
DENIED OWNERSHIP <input type="checkbox"/>	SIGNATURE			
HOME ADDRESS CITY STATE ZIP	PHONE			
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB	SIGNATURE			
HOME ADDRESS CITY STATE ZIP	PHONE			
TYPE OF INCIDENT O.I.S.	DELIVERING OFFICER T. Braghton		DPSST/ASSIGN 40218/DET	
LOCATION WHERE SEIZED, FOUND, SURRENDERED 1111 SW 2nd Ave	INVESTIGATOR (IF DIFFERENT)		DPSST/ASSIGN	
<input type="checkbox"/> DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB				
<input type="checkbox"/> 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 (1) Thumbdrive with CNT audio/video				
ITEM 2				
ITEM 3				
ITEM 4				
ITEM 5				
ITEM 6				
ITEM 7				
ITEM 8				
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input checked="" type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED	PRECINCT & LOCKER# CE 016		DATE 11/8/2018	RECEIVED BY
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER				
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY				
RECEIVED BY PED	BY		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT	
DATE:	TIME:			

07/12

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FOLLOWUP REPORT #41				
ASSIGNED TO BENIGA, RICO T (36906)		RANK DETECTIVE		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 1-INVESTIGATOR, SECONDARY		
ASSIGNED ON 10/15/2018	ASSIGNED BY BRADSHAW, TESSRA	SUBMITTED ON	APPROVED ON	APPROVED BY

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ASSIGNED TO NEBLING, VANCE A (37144)		RANK CRIMINALIST		
ORG UNIT FORENSICS:		CAPACITY 2-FORENSIC UNIT PROCESSING		
ASSIGNED ON 10/15/2018	ASSIGNED BY NEBLING, VANCE A	SUBMITTED ON 10/21/2018	APPROVED ON 10/24/2018	APPROVED BY MCMURRAY, SHAWNDA L

NARRATIVE

AUTHOR NEBLING, VANCE A (37144)	DATE/TIME 10/15/2018 1344
SUBJECT RELEASE OF EVIDENCE TO DET	

On 10-15-18 at 1345 hours, I entered the FED Vault and released the evidence listed on PER# A109103 to Det. Broughton.

Nothing further at this time.

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ASSIGNED TO BRYSON, CHASE N (51225)		RANK		
ORG UNIT CENTRAL: BEHAVIORAL HEALTH		CAPACITY 1-PATROL SUPPLEMENTAL		
ASSIGNED ON 10/10/2018	ASSIGNED BY BRYSON, CHASE N	SUBMITTED ON 10/15/2018	APPROVED ON 10/15/2018	APPROVED BY LIVINGSTON, DONALD K

NARRATIVE

AUTHOR BRYSON, CHASE N (51225)	DATE/TIME 10/10/2018 1507
SUBJECT SIDE ONE DEPLOYMENT	

As a member of the Special Emergency Reaction Team I was with the team serving a warrant when we began heading toward the address 7622 SE 82nd Ave, which we were told was a hotel, and that the incident was in #16.

While enroute the information I was told and heard via the radio was that a male subject had attempted to stab someone at a 7Eleven and then taken a female into a hotel room with a knife and yelled at officers that he would kill her if they tried to come in. At some point it was updated that the subject was also possibly barricading the door to the room.

As we arrived I was initially designated as a part of the [REDACTED] as the less lethal operator.

As we moved up toward the hotel room, Ofc. Gryphon was watching the door and window of the hotel room and did not have a less lethal operator so I moved over with him so that we had a less lethal option at the front door.

While I was there Ofc. Thurman came to relieve Ofc. Gryphon and Sgt. Foxworth also joined us.

As we were watching the front of the hotel room. I heard what sounded like a gun shot. I heard what sounded like a female scream from the direction of the hotel room. I heard an operator come over the air and say that they had taken a shot and the suspect was down.

I saw a team of SERT members come from the room adjacent to #16 and make entry into the hotel room.

I moved up with the less lethal to see if I was needed. Shortly after I moved toward the front of the hotel room I saw a female come out of the hotel room.

I did not enter the hotel room. I heard them ask for medical to check the female and suspect as soon as the scene was safe for our medics to come in.

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I remained on-scene until released.

See other reports for further details.

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ASSIGNED TO POSEY, DARREN L (29521)		RANK DETECTIVE		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 4-INTERVIEW WITNESS		
ASSIGNED ON 10/15/2018	ASSIGNED BY POSEY, DARREN L	SUBMITTED ON 10/16/2018	APPROVED ON 10/17/2018	APPROVED BY WHATTAM, KEN N

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GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #45**

ASSIGNED TO POSEY, DARREN L (29521)		RANK DETECTIVE		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 4-INTERVIEW WITNESS		
ASSIGNED ON 10/15/2018	ASSIGNED BY POSEY, DARREN L	SUBMITTED ON 10/16/2018	APPROVED ON 10/17/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR POSEY, DARREN L (29521)	DATE/TIME 10/11/2018 1734
SUBJECT CIVILIAN INTEERVIEW: ENGLISH	

NON-CONNECT INFORMATIONInterviewed

ENGLISH, ANDREW
M/B, DOB: 03-01-87
Address: 7707 SE 82nd Avenue #206
Portland, Oregon 97266
Phone: 971-601-2004

Police Personnel

-
-
Detective S. BROUGHTON, DPSST #40218
Portland Police Bureau, Homicide Detail, Lead Investigator

Deputy K. ODIL, DPSST #49890
Multnomah County Sheriff's Office, Investigations Unit, Interview assistance

EXHIBITS1. Portland Police Bureau Property/Evidence Receipt #A106727

-
-
Item 1: CD with Recorded Interview of ANDREW ENGLISH

SUMMARY

On October 10, 2018 I was called to assist with an officer involved shooting at the Del Rancho Motel 7622 SE 82nd Avenue. While at this location I assisted with interviewing citizens who had potential information regarding the incident.

Deputy Odil and I contacted ANDREW ENGLISH at his new motel room across the street at the Dar-Ron Motel unit #206.

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ENGLISH told us he and his fiancée (Roberta Stewart) were staying at the Del Rancho Motel in unit #11. ENGLISH said he was notified by his fiancé that some type of disturbance was taking place in the parking lot and he should look at what's happening.

ENGLISH said he stepped outside and saw two officers making contact with a guy and girl in the parking lot of the Del Rancho Motel. ENGLISH said the officers were trying to defuse the situation with the male subject, but the male subject grabbed the female and used her as a shield between him and the officers. ENGLISH said the male subject told the officers he was going to kill the girl and himself.

ENGLISH said the male and female subject ran away from the officers to unit #16. ENGLISH said he heard the door of the bathroom slam shut and thought the girl had run inside of it. ENGLISH said he heard a lot of pounding and thought the male subject was trying to get into the bathroom after her.

ENGLISH said he was evacuated out of the motel a short time later.

Please refer to the CD or transcript for complete details of this interview.

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FOLLOWUP REPORT #46				
ASSIGNED TO POSEY, DARREN L (29521)		RANK DETECTIVE		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 4-INTERVIEW WITNESS		
ASSIGNED ON 10/15/2018	ASSIGNED BY POSEY, DARREN L	SUBMITTED ON 10/16/2018	APPROVED ON 10/17/2018	APPROVED BY WHATTAM, KEN N

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ASSIGNED TO POSEY, DARREN L (29521)		RANK DETECTIVE		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 4-INTERVIEW WITNESS		
ASSIGNED ON 10/15/2018	ASSIGNED BY POSEY, DARREN L	SUBMITTED ON 10/16/2018	APPROVED ON 10/17/2018	APPROVED BY WHATTAM, KEN N

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GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #48**

ASSIGNED TO BECKER, JAMIN A (49504)		RANK CRIMINALIST		
ORG UNIT FORENSICS:		CAPACITY 2-FORENSIC UNIT PROCESSING		
ASSIGNED ON 10/16/2018	ASSIGNED BY BECKER, JAMIN A	SUBMITTED ON 10/16/2018	APPROVED ON 10/24/2018	APPROVED BY MCMURRAY, SHAWNDA L

NARRATIVE

AUTHOR BECKER, JAMIN A (49504)	DATE/TIME 10/16/2018 1352
SUBJECT SCENE PROCESSING	

On 10/10/18, around 1056 hours, I responded to 7622 SE 82nd Ave (Del Rancho Motel) regarding an officer involved shooting investigation.

At the scene I assisted Criminalist Nebling with round counts for Ofc. Vanblokland #26660 and Ofc. Harris #39655.

I collected no evidence in this case.

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GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #49**

ASSIGNED TO CUI, VINCENT A (36881)		RANK DETECTIVE		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 4-INTERVIEW WITNESS		
ASSIGNED ON 10/17/2018	ASSIGNED BY CUI, VINCENT A	SUBMITTED ON 10/23/2018	APPROVED ON 10/23/2018	APPROVED BY WHATTAM, KEN N

STATEMENT

AUTHOR CUI, VINCENT A (36881)	DATE/TIME 10/17/2018 1402
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SUBJECT
(SUSPECT #1) RICE, SAMUEL E (DOB: Dec-05-1987)

NO CONNECT INFORMATION

NONCONNECT INFORMATION

Additional Law Enforcement:

Sgt. M. Hughes, #36818
Detective Division / Homicide Unit / Onscene SupervisorSgt. Corey Roberts, #29901
Detective Division / Assault Detail / Assigned InterviewedDet. S. Broughton, #40218
Detective Division / Homicide Unit / Primary InvestigatorDet. M. Merrill, #35227
Detective Division / Homicide Unit / Partner

Officer Interviewed:

Ofc. L. Harris, #39655
Tactical Operations Division / Special Emergency Response Team (SERT) / Witness Officer

Subject:

RICE, SAMUEL E
M/W, DOB 12/02/87

Exhibit(s):

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1. PED Receipt #A106332:

Item 1. One (1) disk with recorded audio interview with Ofc. Leo Harris (SERT).

Item 2. One (1) map of incident area.

The above items were submitted to the Central Precinct Property Room.

Summary

This report details an interview with SERT Officer Leo Harris, who was partnered with SERT Officer Kelly Vanblokland, regarding his observations during a deadly force encounter on October 10, 2018 involving SAMUEL RICE at the Del Rancho Motel, located at 7622 SE 82nd Avenue.

Narrative

On October 10, 2018, I responded to an Officer Involved Shooting (OIS) at the Del Rancho Motel located at 7622 SE 82nd Avenue. I arrived onscene at 1059 hours and attended an onscene briefing given by Sgt. Kyle Nice (the initial onscene supervisor) and SERT Sgt. Don Livingston (the overall SERT onscene supervisor). From the briefing, I learned Samuel Rice and his girlfriend Talon Ochoa-Bailey were involved in an incident at the 7-11 located on the corner of SE 82nd Ave and SE Flavel St where Rice threatened and attempted to assault another patron with a large knife. Rice was seen forcing Ochoa-Bailey into Room 16 at the Del Rancho Motel, located across the street from the 7-11. East Precinct officers attempted to speak with Rice, who threatened to kill Ochoa-Bailey. Officers reported Rice was barricading himself in the room and refused to allow Ochoa-Bailey to leave. SERT was consulted and responded to the motel, where they took over tactical responsibility from the officers.

Per SERT Sgt. Livingston, an IP (Inner Perimeter) team was deployed which included Officers Harris and Vanblokland. The IP team engaged Rice and an entry team secured the motel room, releasing Ochoa-Bailey. I was told Ofc. Vanblokland fired his weapon once during the engagement. Ofc. Harris was present with Ofc. Vanblokland when the shot was fired.

Sgt. Hughes directed Det. Merrill and myself to respond to North Precinct to conduct interviews. Det. Merrill was the primary interviewer for Lt. James Dakin, the SERT commander who was onscene at the time of the engagement. Please refer to Det. Merrill's report for further details.

I was the primary interviewer for Ofc. Harris' interview. At the interview, Ofc. Harris was represented by Portland Police Association (PPA) representative Ofc. Ryan Regan. The interview was recorded via a digital recorder and a copy was submitted as evidence under PED Receipt #A106332. For complete details, please refer to the recording and/or transcript.

OFFICER LEO HARRIS STATEMENT

Ofc. Harris briefly described his time on SERT and the duties/responsibilities of being on the IP team. On the day of the engagement, Ofc. Harris said SERT had just completed two warrants [REDACTED] when he

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overheard on the radio that East Precinct was responding to a possible hostage/kidnapping incident. Ofc. Harris mentioned Sgt. P. McConnell doing a consult with East Precinct and the decision to head towards the incident.

As they got close to the incident location, Ofc. Harris said it became a full SERT activation and he was partnered with Ofc. Vanblokland. Ofc. Harris mentioned they were given information related to Rice's behavior and the earlier incident, as well as sent a photo of Rice via cell phone.

During our interview, Ofc. Harris was given an overhead map of the location to point out their location. Ofc. Harris described taking a position 25-30 yards south of the motel in an adjacent lot. Ofc. Harris said they were in the process of finding an elevated position to get a view of the target location, and ended up on the back of a flatbed truck that was parked next to a Conex box. Ofc. Harris stated SERT members positioned in the rooms next to #16 pointed out the target location, which included two windows that faced south.

Ofc. Harris stated the subject looked out one of the windows and obviously saw them because he gestured at them with his middle finger. Ofc. Harris mentioned this window appeared to be partially blocked by a mattress because the subject was holding it down when he was looking out the window. Ofc. Harris used the back of the map he used to identify his position to draw a sketch of his view. In the sketch, the initial window he saw the subject at was towards the west (closest to 82nd Ave). Ofc. Harris talked about how he felt the situation appeared to him to be escalating because of the subject's behavior. Ofc. Harris described his thought process about how he felt the subject could be engaged if they had another opportunity.

Ofc. Harris said the subject showed himself a second time in the window to the east. He described the subject sliding open this other window which eliminated a glass barrier. Ofc. Harris said he heard Ofc. Vanblokland fire a single shot from his AR15

[REDACTED] Ofc. Harris stated the subject went down after the shot and he could tell the entry team was making their way into the room. Ofc. Harris remarked that he was happy when heard the victim was safe.

After the shot was taken, Ofc. Harris said they remained at their position until Sgt. McConnell came and give them direction. Ofc. Harris stated he left his scope in place as Ofc. Vanblokland did with his rifle. After they were relieved by a precinct officer, Ofc. Harris was separated and eventually reported to North Precinct for his interview. It was understanding that Ofc. Harris provided a walk-through with the primary investigators prior to his interview with us.

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ASSIGNED TO DRAN, ARJAY H (34502)		RANK DETECTIVE		
ORG UNIT DETECTIVE: ASSAULT DETAIL		CAPACITY 4-INTERVIEW OTHER		
ASSIGNED ON 10/17/2018	ASSIGNED BY DRAN, ARJAY H	SUBMITTED ON 10/18/2018	APPROVED ON 10/20/2018	APPROVED BY WHATTAM, KEN N

STATEMENT

AUTHOR DRAN, ARJAY H (34502)	DATE/TIME 10/17/2018 1559
--	-------------------------------------

SUBJECT
ASSISTANT CHIEF RESCH INTERVIEW**POLICE PERSONNEL MENTIONED:**

Detective T. Harris, DPSST #27566
Assault Detail/Partner

Assistant Chief J. Resch, DPSST #37142
Critical Incident Commander

Sergeant P. McConnell, DPSST #28715
SERT Sergeant

Sergeant K. Nice, DPSST #26853
East Precinct/Initial Scene Supervisor

Commander M. Krantz, DPSST #28269
Central Precinct Commander/Relieved Assistant Chief Resch

MENTIONED:

Nicole Robbins/Attorney Representing Assistant Chief Resch

EXHIBITS:

Property/Evidence Receipt A106559

Item 1. CD of Assistant Chief Resch Interview

Item 2. Google map print out

NARRATIVE:

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On October 10, 2018, I was assigned to assist members of the Portland Police Bureau's Homicide Detail with the investigation of an officer involved shooting that occurred on the same date, at approximately 1015 hours, at the Del Rancho Motel, which is located at 7622 SE 82nd Avenue, Portland, Oregon. At approximately 1515 hours, I was assigned to interview Assistant Chief J. Resch, who was the Critical Incident Commander of the SERT/CNT call out at the Del Rancho Motel that resulted in the officer involved shooting. The interview was conducted inside the roll call room of North Precinct. Also present in the interview were my partner, Detective T. Harris, and Nicole Robbins who was the attorney representing Assistant Chief Resch. The interview was recorded and later transcribed. The following is a brief summary of the interview and it is not necessarily in chronological order. For complete details, please refer to the CD/transcription.

SUMMARY of ASSISTANT CHIEF RESCH INTERVIEW:

Assistant Chief Resch told me she was the Critical Incident Commander (CIC) for SERT/CNT on a warrant service unrelated to this event, on the morning of October 10, 2018. Assistant Chief Resch said while they were wrapping up at that scene East Precinct requested a SERT consult in reference to a call they were on and she believed Sergeant McConnell of SERT handled the request. Assistant Chief Resch said SERT/CNT decided to respond to the area of the call and stage at the Johnson Creek Fred Meyer store, awaiting formal activation. Assistant Chief Resch said that while she was en route to the staging location, SERT/CNT were formally activated to assist with the call, so she bypassed the original staging location and went to the area of SE 82nd Avenue and SE Malden Street where the command post was going to be established. Assistant Chief Resch said she was monitoring the [REDACTED] radio channel and heard this incident stemmed from a disturbance at the nearby 7-11 involving a man with a knife and that later evolved into a possible hostage situation at the Del Rancho Motel.

Assistant Chief Resch said once she was briefed by Sergeant K. Nice on the initial details of the call, she took over command of the incident. Assistant Chief Resch said SERT was creating a [REDACTED] and had made a request to establish [REDACTED]. Assistant Chief Resch said she granted that request. Assistant Chief Resch said SERT was operating under "standard rules of engagement" which meant the team members operated under Oregon Revised Statutes, Federal Laws, and Portland Police Bureau Directives. Assistant Chief Resch did not give any orders or commands, nor did she order for a "shot of opportunity" which she explained to mean shoot on sight. Assistant Chief Resch said she heard a single shot fired and via radio learned it was from a sniper. Assistant Chief Resch said her role at that point was to make appropriate notifications and scene security. Assistant Chief Resch said once those tasks were completed, she passed command to Commander Krantz.

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IMAGE ATTACHMENT (2751749) PER A106559

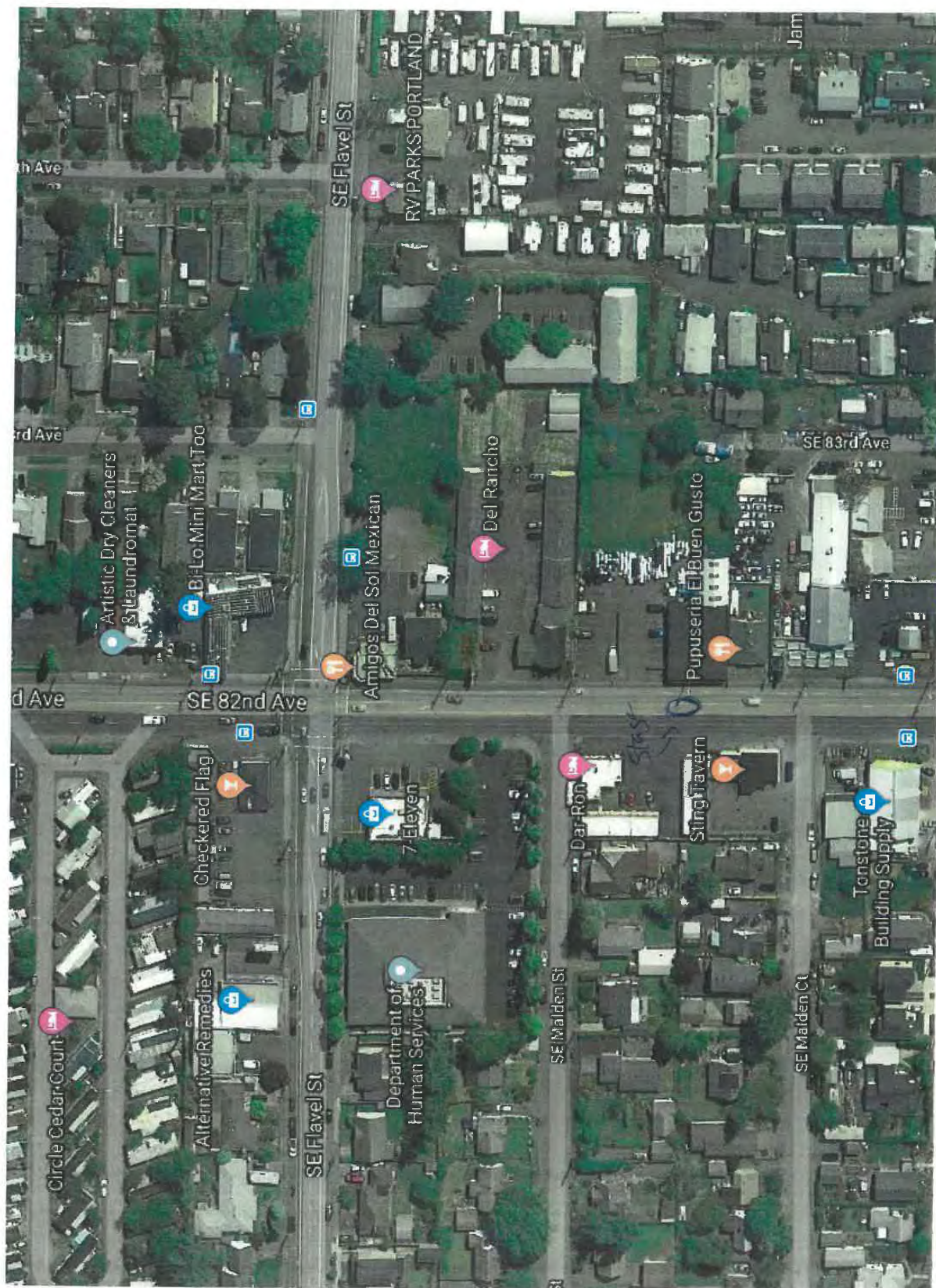
BUREAU OF POLICE 2619 NW INDUSTRIAL ST., STE. B4 PORTLAND, OREGON 97210 503-823-2179		PROPERTY/EVIDENCE RECEIPT		HOURS OF OPERATION: 9:00 AM TO NOON & 1:00 PM TO 4:00 PM, M-F	
THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT					
RECEIPT NUMBER No. A106559		DATE/TIME 10/10/18 1600 PM		REFER CASE NO.	
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE		<input type="checkbox"/> FOUND PROPERTY		<input type="checkbox"/> PRISONER'S PROP.	
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB		GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>		<input type="checkbox"/> SAFEKEEPING	
DENIED OWNERSHIP <input type="checkbox"/>		I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING			
HOME ADDRESS CITY STATE ZIP		SIGNATURE			
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB		PHONE			
HOME ADDRESS CITY STATE ZIP					
TYPE OF INCIDENT OIS		DELIVERING OFFICER Det. A. Dren #34502		DPSST/ASSIGN	
LOCATION WHERE SEIZED, FOUND, SURRENDERED JC-13		INVESTIGATOR (IF DIFFERENT)		DPSST/ASSIGN	
<input type="checkbox"/> DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB					
<input type="checkbox"/> 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	CD of AC Resch Interview				
ITEM 2	Google map print out				
ITEM 3					
ITEM 4					
ITEM 5					
ITEM 6					
ITEM 7					
ITEM 8					
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED		PRECINCT & LOCKER#		DATE	
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER		RECEIVED BY			
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY					
RECEIVED BY PED		BY		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT	
DATE:		TIME:			

07/12

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IMAGE ATTACHMENT (2751752) GOOGLE MAP



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ASSIGNED TO OUTHAYTHIP, NAVARATH (24990)		RANK		
ORG UNIT FORENSICS:		CAPACITY 2-FORENSIC UNIT PROCESSING		
ASSIGNED ON 10/24/2018	ASSIGNED BY OUTHAYTHIP, NAVARATH	SUBMITTED ON 10/24/2018	APPROVED ON 10/29/2018	APPROVED BY MCMURRAY, SHAWNDA L

NARRATIVE

AUTHOR OUTHAYTHIP, NAVARATH (24990)	DATE/TIME 10/24/2018 1444
SUBJECT LEICA SCAN DATA AND PHOTOS	

On 10/10/18, Criminalist Greaves and I responded to the Del Rancho Motel to assist with an officer involved shooting investigation. Acting Sergeant Criminalist Nebling assigned us to operate the laser scanner. A scan plan was created. A Leica C10 HDS scanner with serial #1261013 and iStar panoramic camera with serial #NCT-IS3013 were used to capture the scan data and panoramic still images of the scene. Photographs of the laser scanner locations were made. A total of eleven (11) scan stations were created. Data from scan stations 3, 4, and 6 were incomplete. Their data will be retained, but they will not be used in the final processing.

Before we cleared from the scene, I was asked by one of the detectives on scene to photograph the injuries to the victim's left lower leg. Several photos were made with and without a photo scale. The captured still images were uploaded into DIMS.

On 10/12/18, I downloaded the scan data from the Leica scanner and panoramic images from the iStar. The raw data and raw images were later uploaded into the Portland Police Bureau server for archival.

On 10/13/18, I processed the scanned data in the [REDACTED] and panoramic still images in the [REDACTED] [REDACTED] will be created at a later time.

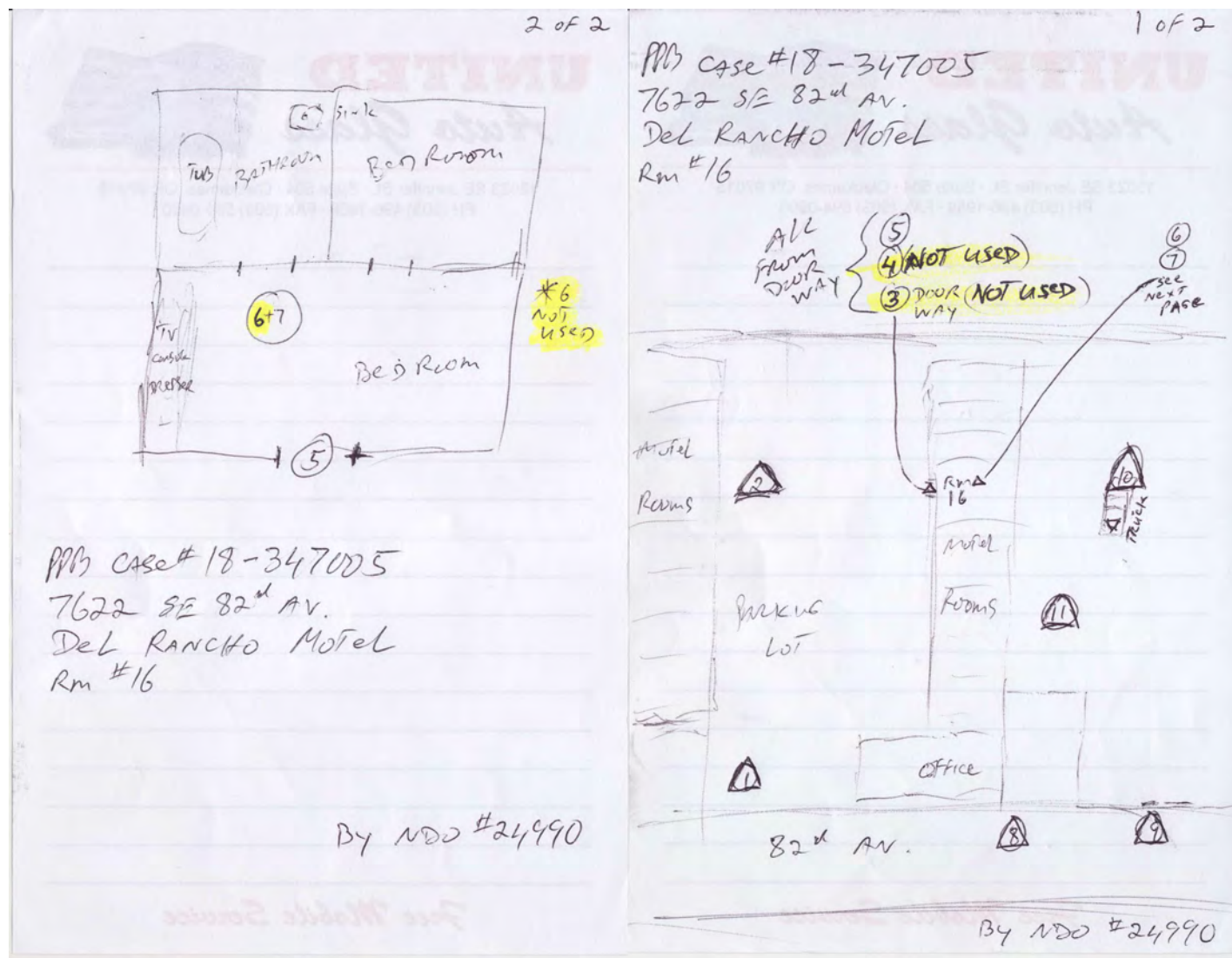
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

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IMAGE ATTACHMENT (2770437) SCANNER LOCATIONS



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ASSIGNED TO CLIFTON, BRAD E (37152)		RANK DETECTIVE		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 4-INTERVIEW VICTIM		
ASSIGNED ON 10/25/2018	ASSIGNED BY CLIFTON, BRAD E	SUBMITTED ON	APPROVED ON	APPROVED BY

NARRATIVE

AUTHOR CLIFTON, BRAD E (37152)	DATE/TIME 10/25/2018 0945
SUBJECT VICTIM INTERVIEW-TALON OCHOA	

Subject(s) Mentioned:

-

-

Rice, Samuel Edward
M/W, DOB 12/05/87
OR SID [REDACTED]
*Deceased

Victim Interviewed:

Ochoa-Bailey, Talon Tiara
F/W, DOB 09/07/88
Home Address: 205 SE 148th Ave.
Portland, OR
Cell Phone: 971-292-0106

Involved Officer:

Ofc. Kelly Vanbloklund, DPSST #26660 (SERT)

Witness Officer(s):

-

-

Officer Leo Harris, DPSST #39655

Person(s) Mentioned:

Hansen, Ken
SL Start
542 SE 119th Ave.
Portland, OR
503-256-6400

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Businesses Mentioned:

(BU) Del Rancho Motel
7622 SE 82nd Ave.
Portland, OR 97266
503-777-3806

(BU) 7-11
7501 SE 82nd Ave.
Portland, OR
503-775-8911

Law Enforcement Mentioned:**SERT Officers:**

Sergeant Don Livingston, DPSST #32588
Sergeant Pete McConnell, DPSST #28715
Detective Todd Gradwahl, DPSST #29981

Homicide Detail:

Sergeant Michele Hughes, DPSST #36818
Sergeant Ken Whattam, DPSST #24582
Detective Scott Broughton, DPSST #40218
Detective Rico Beniga, DPSST #36906
Detective Mark Slater, DPSST #27192
Detective Erik Kammerer, DPSST #29988

Detective Mike Jones, DPSST #36240

EXHIBITS**1. Portland Police Property/Evidence Receipt #A084020**

- Item 1: DVD containing interviews with Talon Ochoa
- Item 2: Consent form, Motorola cell phone, signed by T. Ochoa
- Item 3: Consent form, 7622 SE 82nd Ave. #16, signed by T. Ochoa
- Item 4: Google Earth map of area around the Del Rancho Motel
- Item 5: Rough sketch of the Del Rancho Motel room #16

2. Portland Police Property/Evidence Receipt #A086059

- Item 1: \$360.00 United States Currency refund for Del Rancho Motel #16
(Returned to T. Ochoa)

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*All items were submitted into evidence at Central Precinct.

SUMMARY

On October 10, 2018, the Portland Police Special Emergency Reaction Team (SERT) was called out to the Del Rancho Motel regarding a subject who had barricaded himself in room #16 and was holding a female hostage. The suspect was believed to be armed with a knife. Portland Police Officers were initially called to the 7-11 located across the street from the Del Rancho Motel on the report of an assault where the suspect attempted to stab a customer while in the store. Officers responded to the 7-11 and attempted to contact the suspect who was accompanied by a female. The suspect forced the female inside room #16 of the Del Rancho Motel and refused to come out of the room. Members of the SERT Team responded to the motel and ultimately made entry into room #16. The suspect was later identified as Samuel Rice and the female was identified as Talon Ochoa. Refer to the responding officers and detectives reports for information concerning the initial call and the use of force.

Sergeant Hughes asked Detective Jones and I to interview Talon Ochoa. This report contains a summary of Talon Ochoa's statement; the complete interviews can be reviewed on a DVD that was submitted into evidence on the listed receipt. The interviews were also transcribed and will be available for review.

NARRATIVE

On October 10, 2018, Detective Jones and I conducted three recorded interviews with Talon Ochoa throughout the day. Two of the interviews were recorded in a patrol car at the scene and the final interview was conducted at the Portland Police Detective Division. It should be noted that during the interviews Ms. Ochoa had difficulty providing a chronological sequence of events as to what transpired at the 7-11 and inside the motel room. [REDACTED]

However, in summary of the three interviews, Ms. Ochoa ultimately stated that on the morning of October 10, 2018, Sam Rice pulled a kitchen style knife on a male who was unknown to either of them while at the 7-11 that was located across the street from the Del Rancho Motel. Ms. Ochoa said during the altercation at the 7-11 she was aware that the store clerk/owner called the police. Ms. Ochoa said after the altercation in the 7-11 ended she and Sam walked across the street and were standing in front of the office of the Del Rancho Motel when they observed a police car arrive and park on the north side of the 7-11 on SE Flavel St. Ms. Ochoa said she observed two uniformed police officers get out of the police car. Ms. Ochoa said the two police officers attempted to contact her and Sam while they were standing in front of the Del Rancho Motel office. Ms. Ochoa explained that she and Sam were standing at the office because they had locked themselves out of their room and needed a room key. Ms. Ochoa said once the police tried to contact them Sam pushed her toward their motel room, #16, and then kicked the door open to gain entry and get away from the police. Ms. Ochoa said while they were inside their motel room Sam threatened to cut her throat, cut his throat, cut his ears off and also refused to let her leave the room.

Ms. Ochoa said Sam barricaded the door with a bed and also put a mattress up in front of the front window. Ms. Ochoa said she was scared and believed Sam would hurt her, she also said she attempted to leave the room but was unable to move the mattress he had blocking the door. Ms. Ochoa said she was not free to leave the room and believed Sam would hurt her if she tried. Ms. Ochoa said Sam was aware that the police were outside and wanted them to leave. Ms. Ochoa said she overheard Sam talking to the police on the phone and heard him say he wanted money, specifically \$10,000.00. Ms. Ochoa said Sam believed he could start over and if he got the money he'd let her go. Ms. Ochoa said Sam was holding the knife in the motel room for approximately twenty minutes. Ms. Ochoa said she was standing next to the bed in the bedroom when Sam went to the bathroom to look out the window to see where the police were when she heard a single gunshot. Ms. Ochoa said the police then forced the door open. Ms. Ochoa said she didn't see Sam get shot but saw him lying on the bathroom floor and saw blood.

First Recording (28:53 duration):

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On October 10, 2018, at approximately 1000 hours, I contacted Talon Ochoa in the parking lot of the Del Rancho Motel where I introduced myself to her and explained that I wanted to speak with her about what happened this morning which she agreed to. Detective Jones and I walked Ms. Ochoa to a uniform patrol car that was parked on SE 82nd Ave. and had her take a seat in the front passenger seat of the vehicle. Detective Jones explained to Ms. Ochoa that we wanted to record the interview for accuracy purposes which she agreed to. At approximately 1015 hours Detective Jones activated an audio recording device and started the interview. Ms. Ochoa told us the following.

Ms. Ochoa said this morning she and her boyfriend, Samuel Rice, walked across the street to the 7-11 to get something to eat.

Ms. Ochoa said while the two of them were inside the 7-11 she was waiting in line to pay for her food when she attempted to cut in front of someone who was standing in line in front of her. Ms. Ochoa said the guy got mad at her and wouldn't let her cut in front of him. Ms. Ochoa said the guy "got in her face" which caused Sam to get mad. Ms. Ochoa said Sam pulled a knife on the guy to protect her. Ms. Ochoa said Sam's knife was approximately a foot long kitchen style knife and that he had been carrying the knife in his pocket. Ms. Ochoa said after Sam pulled the knife on the guy the guy pushed Sam to the ground. Ms. Ochoa initially said that after Sam got pushed to the ground the two of them left the 7-11 and walked back across the street to their room at the Del Rancho Motel.

Ms. Ochoa explained that she and Sam had been in a relationship for almost a year and the two of them were currently homeless. Ms. Ochoa said she and Sam got a room at the Del Rancho Motel on October 4, 2018 and had been staying in room #16 since that day. Ms. Ochoa said she had never seen the guy at the 7-11 before today and didn't know him.

Ms. Ochoa said once she and Sam got back to their motel room Sam blocked the door with the bed. Ms. Ochoa initially said she didn't know why Sam was blocking the door. Ms. Ochoa said she went to the bathroom and took a shower. Ms. Ochoa said she and Sam weren't arguing inside the motel room and continued to offer no explanation as to why Sam was blocking the door with the bed. Ms. Ochoa also said that no one followed them from the 7-11 or chased after them.

Detective Jones asked Ms. Ochoa if she tried to call 911 and she said Sam did and the people at the 7-11. Ms. Ochoa said while she and Sam were in the 7-11 the clerk called the police after Sam pulled the knife on the guy. Ms. Ochoa said she knew the clerk was calling the police because she saw him on the phone. Ms. Ochoa initially said Sam didn't know the police were called but added that Sam later called the police on his cell phone. Ms. Ochoa said she didn't know why Sam called the police. Ms. Ochoa described their motel room, #16, as being one bedroom with two beds and a bathroom.

After listening to Ms. Ochoa's answers to our initial questions I believed she was being evasive with her responses due to information I learned while at the scene as to what occurred inside the 7-11. Based off this belief I asked Ms. Ochoa some follow-up questions for clarification purposes. I explained to Ms. Ochoa that the 7-11 had surveillance videos inside the store that we were going to watch and that she needed to be honest with us. Ms. Ochoa said Sam pulled the knife on the guy and held it out in front of him. Ms. Ochoa said Sam was standing approximately one foot away from the guy when he pulled the knife on him. Ms. Ochoa said the knife was a kitchen style knife with a plastic handle and was approximately one foot long. Ms. Ochoa said once Sam pulled the knife out he told the guy to back up. Ms. Ochoa said the guy pushed Sam to the ground and at some point Sam dropped the knife. Ms. Ochoa said Sam picked the knife up prior to them leaving the 7-11. Ms. Ochoa said she and Sam walked across the street and went in their room.

Ms. Ochoa said Sam didn't use any drugs other than cigarettes and "weed." Ms. Ochoa said Sam had a disability but didn't know what it was.

I asked Ms. Ochoa when she first realized that the police were trying to speak with her and Sam or when they were first contacted by the police. Ms. Ochoa initially said she didn't know and then said about an hour ago. Ms. Ochoa explained that

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Sam was very frustrated and that she was trying to calm him down in the motel room. Ms. Ochoa said Sam was upset because they were living in a motel and were struggling financially. Ms. Ochoa now said the police being there also upset Sam and that he'd seen the police outside. Ms. Ochoa said the police were trying to talk to Sam and believed they told him to come outside and talk. Ms. Ochoa said Sam wanted the police to go away and didn't want to go outside. Ms. Ochoa said Sam called the police "again" and told them he wanted money. Ms. Ochoa said Sam's knife was in the bathroom at this point. Ms. Ochoa said she was aware that the police had been there for about an hour after she got out of the shower.

Ms. Ochoa said she and Sam had been in a relationship for almost a year and there was no history of domestic violence between them. Ms. Ochoa said prior to today Sam had never threatened to hurt her.

Ms. Ochoa said she believed Sam would have hurt her if she tried to leave the motel room today. Ms. Ochoa said Sam told her he'd cut her throat if she tried to leave. Ms. Ochoa said she was scared of Sam today. Ms. Ochoa said Sam carries a knife "sometimes" to protect her. Ms. Ochoa said neither she nor Sam were contacted by the police in the parking lot and were contacted by the police when they were inside the motel room.

I explained to Ms. Ochoa that we wanted to go inside her motel room, #16, to collect evidence and asked her for her consent, she said, "yes."

Detective Jones stopped the recording at approximately 1052 hours.

Second Recording (12:41 duration):

At approximately 1109 hours, Detective Jones and I resumed the recording and continued the interview in the previously mentioned police car. Ms. Ochoa provided us with consent to search her phone and the motel room and signed consent forms for both. I submitted the consent forms into evidence on the listed receipt.

I then asked Ms. Ochoa to explain to me where she was in the room when it ended. Ms. Ochoa said she was sitting down on the bed next to the window and the bathroom door. Ms. Ochoa said Sam was sitting in a chair next to the desk. Ms. Ochoa said Sam was smoking a cigarette to calm down and he called the police "again" and said he needed money then hung up the phone. Ms. Ochoa said Sam then tried to find her wallet so he could get her bank card so she could call her bank. Ms. Ochoa said she wasn't sure why he wanted her to call her bank. Ms. Ochoa said she was trying to get her socks and shoes on but he wouldn't let her go outside. Ms. Ochoa said Sam had the door blocked with the bed and the nightstand and was also standing in front of the door. Ms. Ochoa said she sat back down on the bed and was trying to relax. Ms. Ochoa said Sam was in the bathroom and looked out the window to see if the police had left. Ms. Ochoa said this was when Sam was shot by the police. Ms. Ochoa said Sam had the knife with him in the bathroom when he was shot. Ms. Ochoa said she was standing next to the bed when she heard a single gunshot and when she went to the bathroom she saw Sam on the ground and blood started to come out.

I asked Ms. Ochoa if Sam ever called her his "hostage" and she said she thought so but wasn't positive. Ms. Ochoa repeated that she wasn't free to leave and thought Sam would cut her throat if she tried. Ms. Ochoa said neither she nor Sam called anyone other than 911 while they were inside the motel room.

Detective Jones stopped the recording at approximately 1117 hours.

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Detective Jones contacted the manager of the Del Rancho Motel and got a refund for Ms. Ochoa in the amount of \$360.00.

Detective Jones listed the money on property/evidence receipt #A086059 and then returned the money to Ms. Ochoa and had her sign the form.

Ms. Ochoa agreed to ride downtown with Detective Jones and I to conduct another interview.

Third Recording (50:00 duration):

At approximately 1347 hours, Detective Jones and I interviewed Ms. Ochoa in interview room #2 at the Portland Police Bureau Detective Division. Prior to starting the interview, I activated an audio/visual recording device and recorded the interview.

Ms. Ochoa's statement was fairly consistent with her prior statement, however, she added some additional information that contradicted her prior statement.

Ms. Ochoa said she checked into the Del Rancho Motel on October 4, 2018 with Sam and it was just the two of them staying in room #16. I showed Ms. Ochoa an aerial map of the area surrounding the Del Rancho Motel and then pointed out where the 7-11 was located and the Del Rancho Motel.

Ms. Ochoa said she and Sam went to the 7-11 to get food and while inside the store Sam got into an altercation with a guy. Ms. Ochoa now said that when Sam pulled the knife on the guy the guy took the knife from Sam and then gave the knife back to Sam. Ms. Ochoa said the guy hit Sam in the head while Sam was on the ground. Later in the interview, Ms. Ochoa said the guy knocked the knife out of Sam's hand and Sam bent down and picked the knife up.

Ms. Ochoa said she and Sam were walking across the street back to the Del Rancho Motel when she observed the police arrive at the 7-11. Ms. Ochoa said they observed two police officers walk inside the 7-11. Ms. Ochoa said she and Sam were standing in front of the Del Rancho Motel office when two police officers walked over to them. Ms. Ochoa said the police officers tried to talk to Sam and Sam told them he needed money and needed to move out of the state. Ms. Ochoa said the police officers within a few feet of her and Sam when they talked to them. Ms. Ochoa said Sam told the police officers to back off. Ms. Ochoa said Sam pushed her to their room and then kicked the door open to get the two of them inside. Ms. Ochoa said she and Sam went in the room and Sam shut the door.

I drew a rough diagram of room #16 at the Del Rancho Motel and showed it to Ms. Ochoa. Ms. Ochoa said Sam was upset and angry when they got back to their motel room. Ms. Ochoa said Sam refused to let her leave while they were inside room #16 and was afraid Sam might hurt her.

Ms. Ochoa said while Sam was in the bathroom he opened the window and she heard a gunshot. Ms. Ochoa said she never went inside the bathroom after she heard the gunshot.

Ms. Ochoa said she went to Rex Putnam High School and graduated in 2007 and was able to read and write. Ms. Ochoa said she wasn't aware of Sam having any mental illness.

Ms. Ochoa said she called her friend "Dieter" after the shooting.

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Detective Jones and I stopped the interview and then drove Ms. Ochoa back to the Del Rancho Motel where we helped her gather her belongings from her room.

Portland Police Bureau

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CONFIDENTIAL

CASE NUMBER
GO 42 2018-347005

IMAGE ATTACHMENT (2772781) A084020

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER No. A084020	DATE/TIME 10/10/18 2000 PM	AM <input type="checkbox"/>	PM <input checked="" type="checkbox"/>	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND PROPERTY <input type="checkbox"/> PRISONER'S PROP. <input type="checkbox"/>	GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>			<input type="checkbox"/> SAFEKEEPING	
PROPERTY TAKEN FROM:	LAST NAME	FIRST	M.I.	SEX	DOB
DENIED OWNERSHIP <input type="checkbox"/>	I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING				
HOME ADDRESS	CITY	STATE	ZIP	SIGNATURE	
OWNER OF PROPERTY	LAST NAME	FIRST	M.I.	SEX	DOB
HOME ADDRESS	CITY	STATE	ZIP	PHONE	
TYPE OF INCIDENT 015	DELIVERING OFFICER B. Clifton		DPSST/ASSIGN #37152/DET		
LOCATION WHERE SEIZED, FOUND, SURRENDERED 7622 SE 82nd Ave.	INVESTIGATOR (IF DIFFERENT) S. Broughton		DPSST/ASSIGN #40218/DET		
<input type="checkbox"/> DEFENDANT	LAST NAME	FIRST	M.I.	SEX	RACE
<input checked="" type="checkbox"/> SUSPECT	Rice	SAMUEL	E.	M	W
FOR GUNS LIST MAKE, TYPE, CALIBER, MODEL, SERIAL NUMBER(S), IMPORTER & COUNTRY OF ORIGIN. LIST ONLY ONE ITEM PER SELECTION.					DOB 12/5/87
ITEM 1	DVD containing interviews with Talon Ochoa				STLN FOR PED USE ONLY
ITEM 2	Consent Form, Motorola Cell Phone, signed by Talon Ochoa				
ITEM 3	Consent Form, 7622 SE 82nd Ave. #16, signed by Talon Ochoa				
ITEM 4	Google Earth Map of Area around the Del Rancho Motel				
ITEM 5	Rough sketch of the Del Rancho Motel Room #16				
ITEM 6					
ITEM 7					
ITEM 8					
DELIVERED TO:	<input type="checkbox"/> STATE CRIME LAB	<input checked="" type="checkbox"/> SATELLITE PROP. ROOM	<input type="checkbox"/> PED	PRECINCT & LOCKER# C-016	DATE 10/17/18
CHECK ONE ONLY	<input type="checkbox"/> FED	<input type="checkbox"/> OTHER	RECEIVED BY		
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY					
RECEIVED BY PED	DATE:	TIME:	BY	WRITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT	

07/12

Portland Police Bureau

PUBLIC RECORD RELEASE

CONFIDENTIAL

CASE NUMBER
GO 42 2018-347005

IMAGE ATTACHMENT (2772784) A086059

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

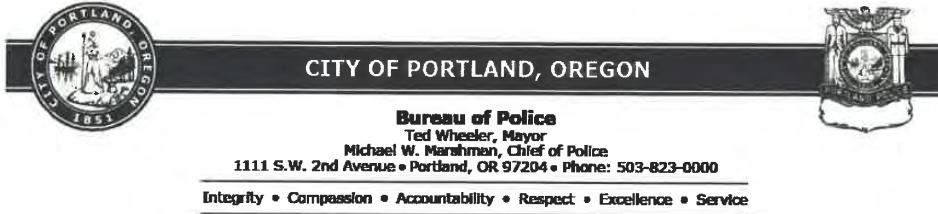
HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

RECEIPT NUMBER No. A086059		DATE/TIME 10/10/18		AM <input type="checkbox"/>	PM <input type="checkbox"/>	REFER CASE NO.		PPB CASE NO.		
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND PROPERTY <input type="checkbox"/> PRISONER'S PROP. <input type="checkbox"/>		GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>		SAFEKEEPING <input type="checkbox"/>						
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB		DENIED OWNERSHIP <input type="checkbox"/>		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 OIS		DELIVERING OFFICER M Jones		DPSST/ASSIGN 36240/DET						
LOCATION WHERE SEIZED, FOUND, SURRENDERED 7622 SE 82nd AVE		INVESTIGATOR (IF DIFFERENT)		DPSST/ASSIGN						
<input type="checkbox"/> DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB		<input type="checkbox"/> 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	Returned Rent from Room #16									
	\$ 360 TOTAL									
ITEM 2	Returned to Ochoa									
ITEM 3	* Taken Ochoa									
ITEM 4										
ITEM 5										
ITEM 6										
ITEM 7										
ITEM 8										
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED		PRECINCT & LOCKER#		DATE		RECEIVED BY				
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER										
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY										
RECEIVED BY PED		BY		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT						
DATE:		TIME:								

07/12

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL**

IMAGE ATTACHMENT (2772786) MAP, DIAGRAM, CONSENT FORMS

**CONSTITUTIONAL RIGHTS WARNING: 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 or property 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):

1 Motorola cell phone belonging
to Talon Ochoa

BY PEACE OFFICERS

Detective Jones

Detective Stenzel

Portland Police Bureau members

OF THE PORTLAND POLICE BUREAU AND

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.

☐ THIS PROPERTY HAS BEEN LEFT IN THE CUSTODY OF _____, AND
I HAVE BEEN PROVIDED CONTACT INFORMATION TO REACH THIS OFFICER / INVESTIGATOR.

WITNESS

WITNESS

SIGNATURE

DATE / TIME

PLACE

Talon Ochoa

10/10/18 @ 1112

SE 82nd AVE @

SE Flavel

Portland Police Bureau
PUBLIC RECORD RELEASE
CONFIDENTIAL

CASE NUMBER
GO 42 2018-347005



CITY OF PORTLAND, OREGON



Bureau of Police
Ted Wheeler, Mayor
Michael W. Marshman, Chief of Police
1111 S.W. 2nd Avenue • Portland, OR 97204 • Phone: 503-823-0000

Integrity • Compassion • Accountability • Respect • Excellence • Service

**CONSTITUTIONAL RIGHTS WARNING: 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 or property 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):

7622 SE 82nd Ave Room # 16
Del Rancho motel

BY PEACE OFFICERS

Detective Clifton

Detective Jones

Portland Police Bureau members

OF THE PORTLAND POLICE BUREAU AND

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.

☐ THIS PROPERTY HAS BEEN LEFT IN THE CUSTODY OF _____, AND
☐ I HAVE BEEN PROVIDED CONTACT INFORMATION TO REACH THIS OFFICER / INVESTIGATOR.

M Jones # 36240

WITNESS

37152

WITNESS

Talun Ochoa

SIGNATURE

10/10/18 @ 1112

DATE / TIME

SE 82nd Ave @

PLACE

SE Flavel

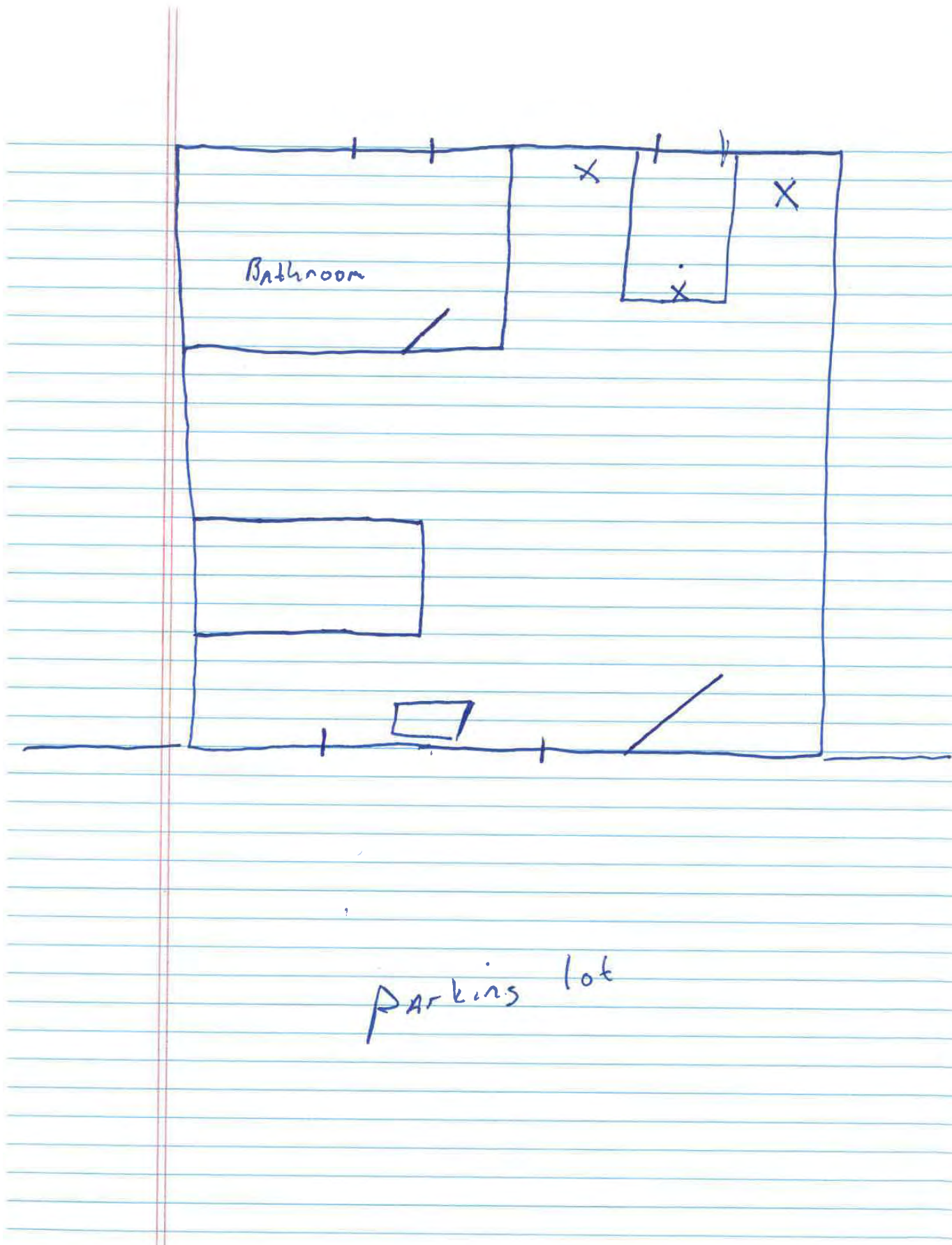
Portland Police Bureau
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CASE NUMBER
GO 42 2018-347005



Portland Police Bureau
PUBLIC RECORD RELEASE
CONFIDENTIAL

CASE NUMBER
GO 42 2018-347005



Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #53**

ASSIGNED TO BROUGHTON, SCOTT P (40218)		RANK DETECTIVE		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 1-INVESTIGATOR, LEAD		
ASSIGNED ON 11/05/2018	ASSIGNED BY BROUGHTON, SCOTT P	SUBMITTED ON 11/05/2018	APPROVED ON 11/06/2018	APPROVED BY WHATTAM, KEN N

NARRATIVE

AUTHOR BROUGHTON, SCOTT P (40218)	DATE/TIME 11/05/2018 1012
SUBJECT PFB PARAMEDIC JAY FINK INTERVIEW	

On October 10, 2018, Oregon State Police Trooper Hall and Portland Police Bureau Detective Crockett interviewed Portland Fire Bureau Paramedic Jay Fink. Trooper Hall completed a report. I scanned and attached Trooper Hall's report to this report. I placed the recording of Paramedic Fink's interview on a disk and placed the disk in the property room as evidence on property receipt number A106437.

End of report.

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****IMAGE ATTACHMENT (2804604) OSP TROOPER HALL INTERVIEW OF PFB PARAMEDIC FINK**

Untitled

Page 1 of 3

**Oregon State Police****Incident: SP18380656****Incident Details:**

Incident Type: Officer Involved Shooting
Incident time: 10/10/2018 11:57 - 10/10/2018 11:57
Reported time: 10/11/2018 07:37
Incident location: 213 and SE FLAVEL ST, PORTLAND (Beat: PPO, Region: NWR)
Incident status: Open
Summary: Assisted Portland Police Bureau with an Officer Involved Shooting investigation that Occurred within the city limits of Portland

Involved Persons:**Involved Officers:**

- Reporting Officer/Case Lead / HALL, JACE / #51115 / OSP / Officer / PORTLAND DETECTIVES
- Dispatcher/TC2 / CARLETON, CHRISTINA / #55958 / OSP / Officer / DISPATCH

Reports:**General report:**

Author: #51115 HALL, JACE **Report time:** 10/11/2018 14:01
Entered by: #51115 HALL, JACE **Entered time:** 10/11/2018 14:01
Narrative:

DISTRIBUTION:

- Detective Scott Broughton – Portland Police Bureau

OTHER AGENCY CASE NUMBER:

- Portland Police Bureau 18-347005

SUBJECT:

- Initial Response to Officer Involved Shooting at 77622 SE 82nd Ave. 10/10/18 10:57 AM

MENTIONED LAW ENFORCEMENT:

- Detective Sergeant Michelle Hughes – Portland Police Bureau

10/11/2018

Portland Police Bureau
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CONFIDENTIAL

Untitled

Page 2 of 3

- Sergeant Lindland – Oregon State Police

ACTION TAKEN:

On October 10, 2018 I was asked by Sergeant Lindland to respond to the area of Southeast 82nd Avenue and Southeast Flavel Street in Portland, Oregon to assist Portland Police Bureau with an officer involved shooting.

I arrived on scene at approximately 10:57 AM. I was briefed by on scene detectives and advised in substance that a member of Portland Police Bureau's SERT had shot and killed a male inside a room at the Del Rancho Hotel; located at 7762 SE 82nd Avenue.

I was asked by Detective Sergeant Michelle Hughes to respond to Portland Police Bureau's North Precinct to assist with interviews.

I left the scene at approximately 12:36 PM. This concluded my involvement at the scene.

Supplemental:

Author: #51115 HALL, JACE

Report time: 10/11/2018 14:03

Entered by: #51115 HALL, JACE

Entered time: 10/11/2018 14:03

Narrative:**OTHER AGENCY CASE NUMBER:**

- Portland Police Bureau 18-347005

SUBJECT:

- Interview; Firefighter Jay Fink – Portland Fire/ Portland Police 10/10/18 2:17 PM

MENTIONED LAW ENFORCEMENT:

- Detective Crocket – Portland Police Bureau

MENTIONED:

- Zach King – Portland Police Association Representative

REFER:

- JTHE-1 Audio recording of interview with Firefighter Fink 10/10/18 2:17 PM

ACTION TAKEN:

On October 10, 2018 I assisted Portland Police Bureau with an investigation of an Officer Involved Shooting at 7762 SE 82nd Avenue in Portland, Oregon. As part of that investigation I interviewed a Jay Fink, who is a medic on Portland Police Bureau's Special Emergency Reaction Team (PPB SERT).

I interviewed Firefighter Jay Fink in a side office at Portland Police Bureau's North Precinct at

10/11/2018

Portland Police Bureau
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Untitled

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approximately 2:17 PM. Also present for the interview was Detective Crocket and Officer Zach King.

The following is a summary of statements made during the interview. It does not include all comments made during the interview, nor does it necessarily reflect the chronology of the discussion. Refer to the recording for the full content of the interview.

Firefighter Fink told me that he is employed with the Portland Fire Bureau but works in the role as a medic with Portland Police Bureau's SERT as a medic. He has done this for approximately 10 years. Firefighter Fink is medically trained to the level of Paramedic.

Firefighter Fink responded with PPB SERT to 7762 SE 82nd Avenue in Portland, Oregon on report of a possible hostage situation.

He and another SERT medic were discussing their plan for the operation when Firefighter Fink heard a gunshot. Shortly after hearing the gunshot he heard the call for medic's to respond so he ran to the front entry of the room. SERT members had Firefighter Fink stage there until they cleared the hotel room. A female exited the room and he did not notice any apparent sign of injury to her. SERT members requested him into the room. The room was disheveled and it was apparent the male had made preparations to barricade himself in the room. He was directed to the deceased male, who was in the bathroom. He described the male as his feet pointing kind of towards the bathroom and lying in a somewhat supine position. The male's head was turned and there was a large, expanding pool of blood around his head. He noticed blood coming out of the male's ear. The male had no respirations. The male was still clutching a black knife in his right hand. It appeared that the male had died immediately and Firefighter Fink pronounced him dead. Firefighter Fink was unsure of the time but thought it may have been recorded over the radio. Firefighter Fink did not have to move or manipulate the patient to determine the male to be deceased.

Firefighter Fink believed that SERT made the effort to have him respond into the room as quickly as practicable so that he could render aid without delay. Firefighter Fink does not believe that any medical aid could have been provided to the deceased to prevent his death.

This concluded my interview with Firefighter Fink.

An audio copy of this interview has been provided to Detective Broughton. Additionally, a copy of this audio has been placed into evidence at The Oregon State Police Portland Area Command as JTHe-1.

10/11/2018

Portland Police Bureau
PUBLIC RECORD RELEASE
CONFIDENTIALCASE NUMBER
GO 42 2018-347005

IMAGE ATTACHMENT (2804608) PER A106437

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER No. A106437	DATE/TIME 11/5/2018	AM PM	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND PROPERTY <input type="checkbox"/> PRISONER'S PROP.	GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/> SAFEKEEPING <input type="checkbox"/>			
PROPERTY TAKEN FROM:	LAST NAME	FIRST	M.I.	SEX DOB
DENIED OWNERSHIP <input type="checkbox"/>				
HOME ADDRESS	CITY	STATE	ZIP	
OWNER OF PROPERTY	LAST NAME	FIRST	M.I.	SEX DOB
HOME ADDRESS	CITY	STATE	ZIP	PHONE
TYPE OF INCIDENT O.I.S.			DELIVERING OFFICER Broughton	DPSST/ASSIGN 402181 OET
LOCATION WHERE SEIZED, FOUND, SURRENDERED 1115 W 2nd Ave			INVESTIGATOR (IF DIFFERENT)	DPSST/ASSIGN
<input type="checkbox"/> DEFENDANT	LAST NAME	FIRST	M.I.	SEX RACE DOB
<input type="checkbox"/> 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	(1) Disk with audio recording of interview of P.E.B Paramedic Jay Fink			
ITEM 2				
ITEM 3				
ITEM 4				
ITEM 5				
ITEM 6				
ITEM 7				
ITEM 8				
DELIVERED TO:	<input type="checkbox"/> STATE CRIME LAB <input checked="" type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED	PRECINCT & LOCKER#	DATE	RECEIVED BY
CHECK ONE ONLY	<input type="checkbox"/> FED <input type="checkbox"/> OTHER	CE 4116	11/5/18	
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY				
RECEIVED BY PED	TIME:	BY	WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT	
DATE:				

07/12

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #54**

ASSIGNED TO OUTHAYTHIP, NAVARATH (24990)		RANK		
ORG UNIT FORENSICS:		CAPACITY 2-FORENSIC UNIT PROCESSING		
ASSIGNED ON 11/07/2018	ASSIGNED BY OUTHAYTHIP, NAVARATH	SUBMITTED ON 11/07/2018	APPROVED ON 11/07/2018	APPROVED BY MCMURRAY, SHAWNDA L

NARRATIVE

AUTHOR OUTHAYTHIP, NAVARATH (24990)	DATE/TIME 11/07/2018 1712
SUBJECT TRUVIEW CREATED AND SHARED	

With the assistance of Criminalist Shearer, a [REDACTED] software was used to create [REDACTED]
Copies of the [REDACTED] were given to Detective Broughton and IAD Investigator Rhodes.

[REDACTED]
[REDACTED]
[REDACTED]

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #55**

ASSIGNED TO BROUGHTON, SCOTT P (40218)		RANK DETECTIVE		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 1-INVESTIGATOR, LEAD		
ASSIGNED ON 11/08/2018	ASSIGNED BY BROUGHTON, SCOTT P	SUBMITTED ON 11/13/2018	APPROVED ON 11/13/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR BROUGHTON, SCOTT P (40218)	DATE/TIME 11/08/2018 0954
SUBJECT VIDEO AND CELL PHONE REVIEW	

Police Personnel:

Detective Cory Stenzel #45663
Portland Police Bureau Homicide Detail

Narrative:

On October 10, 2018 at approximately 0911 hours, Tariq AWAN called 911 to report a fight between two subjects in the 7-11 store located at 7501 Southeast 82nd Avenue. Portland Police Bureau Uniformed officers responded to the store and later identified Samuel RICE and Ronald PEARSON as being involved in the fight. Uniformed personnel identified Talon OCHOA-BAILEY as being associated with RICE. Uniformed personnel located RICE and OCHOA-BAILEY across the street from the 7-11 store at the Del Rancho Motel located at 7622 Southeast 82nd Avenue. Uniform personnel subsequently learned RICE was armed with a knife. Uniform personnel attempted to speak to RICE on the grounds of the motel and saw RICE forcibly take OCHOA-BAILEY hostage in room 16. RICE threatened to kill OCHOA-BAILEY. The Portland Police Bureau Crisis Negotiation Team (CNT), and Special Emergency Reaction Team (SERT) were activated. During the ensuing standoff between RICE and Portland Police personnel, RICE was shot and killed. This report documents a review of Sam Rice's cell phone and surveillance video recovered at the locations listed below.

Detective Stenzel collected surveillance video from several locations and processed. Refer to Detective Stenzel's report for details on phone processed and video collected. The times listed below are times actually listed on the video.

Sam Rice Cell Phone Review:

Reviewed On: 10/17/2018 0915

Some text messages between Sam and his father at 503-866-9201. Otherwise nothing of note.

Time stamps listed below are Date/Time from the video. Refer to Detecti reports for offset

VM Indoor Garden Supply 7720 SE 82nd Ave:

Portland Police Bureau
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CASE NUMBER
GO 42 2018-347005

Detective Stenzel reported the time stamp on the VM Indoor Garden Supply as 28 minutes fast.

On File Name: [REDACTED]

Date: October 10, 2018

10:30:55 Officer Vanblokland is seen coming into view followed shortly thereafter by Officer Leo Harris

On File Name: [REDACTED]

10:52:41 Uniform officers are seen putting crime scene tape up

On File Name: [REDACTED]

10:53:04 Uniform officers are seen putting crime scene tape up

7-11 Video 7501 SE 82nd Ave:

-

-

Detective Stenzel reported the time stamp on the 7-11 video as accurate.

Date: October 10, 2018

09:05:55 Sam Rice walks across sidewalk in front of door of store

09:06:00 Talon Ochoa walks into store

09:06:11 Sam Rice walks in front door of store

09:07:15 Sam Rice in camera view walking towards the front of the store

09:08:30 Sam Rice walks towards the back of the store

09:08:42 Talon Ochoa and Sam Rice walk towards the front of the store

09:09:22 Ronald Pearson walks into the store with his dog

09:09:39 Talon Ochoa walk back towards the counter and get in line

09:10:06 Sam Rice walks out of view

09:10:32 Talon Ochoa walks back into view

09:10:50 Talon Ochoa walks out front door

09:11:01 Sam Rice walks out the front door

09:11:07 Talon Ochoa and Sam Rice seen walking towards the SE in the parking lot

09:11:30 Ronald Pearson appears to be looking out the front door in the general direction of where Talon Ochoa and Sam Rice are last seen

09:11:45 Sam Rice is seen walking back towards the front door of the store

09:11:49 Sam Rice walks in the front door of the store

09:12:01 Sam Rice seen walking towards the front of the store

09:12:06 Sam Rice appears to speak to Ronald Pearson near the front door

09:12:13 Sam Rice leaves the store

09:12:21 Sam Rice walks away towards the SE through the parking lot

Portland Police Bureau
PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL**

09:14:28 Officers Higginbotham and Dale seen walking on sidewalk across the front of the store
09:14:59 Ronald Pearson appears to leave the store with his dog

Del Rancho Motel 7622 SE 82nd Avenue:

Channel 3

Date: October 10, 2018

08:52:20 Sam Rice in front of room 16
09:04:44 Talon Ochoa walks out of room 16 and walks towards the SW
09:05:00 Sam Rice walks out of room 16 and walks towards the SW
09:13:01 Sam Rice walks into view of the camera
09:13:06 Talon Ochoa walks into view of the camera
09:16:10 Talon Ochoa and Sam Rice walk east along north side of south building towards room 16, Portland Police
Officers come into view
09:16:18 Sam Rice takes running start towards the door of room 16 and enters room 16
09:16:26 Sam Rice walks out of room 16 and struggles with Talon Ochoa.
09:16:34 Sam Rice pushes Talon Ochoa into room 16
09:16:37 Portland Police Officers area seen behind cover near room 16
09:17:45 Sam Rice appears partially out of the doorway of room 16
09:18:25 Marked Portland Police car arrives with overhead lights on
09:20:10 Sam Rice appears partially out of the doorway of room 16 for several seconds
09:21:40 Sam Rice appears partially out of the doorway of room 16 for several seconds
More uniformed personnel arrive on scene
09:26:45 someone appears to be in the doorway of room 16
09:30:00 someone appears to be in the doorway of room 16
Sam Rice appears to be gesturing towards uniform personnel for a large portion of the time between him forcing Talon into room 16 and 09:30:00
09:30:15 Sam Rice appears to walk out of then back into room 16
09:31:30 Uniform personnel appear to be evacuating residents of the Del Rancho Motel
09:43:55 SERT personnel seen walking into the parking lot
09:51:20 SERT personnel begin deploying to the area around room 16
10:15:44 SERT personnel begin to attempt entry to room 16
10:15:52 SERT personnel enter room 16
10:16:44 SERT medics arrive at room 16

Channel 4

Date: October 10, 2018

09:04:44 Talon Ochoa walks out of room 16 and walks towards the SW
09:05:00 Sam Rice walks out of room 16 and walks towards the SW
09:12:56 Sam Rice walks east under the covered drive through
09:13:00 Talon Ochoa walks east under the covered drive through
09:16:16 Talon Ochoa and Sam Rice walk east along north side of south building towards room 16, Portland Police
Officers come into view
09:16:18 Sam Rice takes running start towards the door of room 16 and enters room 16

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09:16:26 Sam Rice walks out of room 16 and struggles with Talon Ochoa.
09:16:34 Sam Rice pushes Talon Ochoa into room 16
09:16:37 Portland Police Officers area seen behind cover near room 16
09:17:48 Sam Rice appears partially out of the doorway of room 16
09:18:25 Marked Portland Police car arrives with overhead lights on
09:20:10 Sam Rice appears partially out of the doorway of room 16 for several seconds
09:21:40 Sam Rice appears partially out of the doorway of room 16 for several seconds
More uniformed personnel arrive on scene
09:26:45 someone appears to be in the doorway of room 16
09:30:00 someone appears to be in the doorway of room 16
Sam Rice appears to be gesturing towards uniform personnel for a large portion of the time between him forcing Talon into room 16 and 09:30:00
09:43:10 SERT personnel seen walking into the parking lot
09:51:20 SERT personnel begin deploying to the area around room 16
10:15:44 SERT personnel begin to attempt entry to room 16
10:15:52 SERT personnel enter room 16
10:16:44 SERT medics arrive at room 16

End of Report

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GO 42 2018-347005**CONFIDENTIAL****FOLLOWUP REPORT #56**

ASSIGNED TO BROUGHTON, SCOTT P (40218)		RANK DETECTIVE		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 1-INVESTIGATOR, LEAD		
ASSIGNED ON 11/08/2018	ASSIGNED BY BROUGHTON, SCOTT P	SUBMITTED ON 11/13/2018	APPROVED ON 11/13/2018	APPROVED BY HUGHES, MICHELE M

NARRATIVE

AUTHOR BROUGHTON, SCOTT P (40218)	DATE/TIME 11/08/2018 1049
SUBJECT CRIME LAB SUBMISSIONS	

Police Personnel Mentioned:

Officer Kelly Vanblokland #26660

Criminalist Vance Nebling #37144

Other Personnel Mentioned:Travis D. Gover
Forensic Scientist
Oregon State Police Forensic Laboratory**Exhibits Mentioned:**Portland Police Bureau Property/Evidence Receipt Number A109103
Item 1: Photo placard 4, Colt M-4 rifle, serial number A0105765
Item 2: Magazine and 16 rounds of ammunition from Colt M-4 rifle, serial number A0105765
Item 3: One round of ammunition from chamber of Colt M-4 rifle, serial number A0105765Portland Police Bureau Property Receipt Number A109106
Item 1: Photo placard 5, (1) shell casingPortland Police Bureau Property/Evidence Receipt Number A109108
Item 1: Projectile fragments from left neck
Item 2: Projective fragments from brain stem**Narrative:**

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On October 10, 2018 at approximately 0911 hours, Tariq AWAN called 911 to report a fight between two subjects in the 7-11 store located at 7501 Southeast 82nd Avenue. Portland Police Bureau Uniformed officers responded to the store and later identified Samuel RICE and Ronald PEARSON as being involved in the fight. Uniformed personnel identified Talon OCHOA-BAILEY as being associated with RICE. Uniformed personnel located RICE and OCHOA-BAILEY across the street from the 7-11 store at the Del Rancho Motel located at 7622 Southeast 82nd Avenue. Uniform personnel subsequently learned RICE was armed with a knife. Uniform personnel attempted to speak to RICE on the grounds of the motel and saw RICE forcibly take OCHOA-BAILEY hostage in room 16. RICE threatened to kill OCHOA-BAILEY. The Portland Police Bureau Crisis Negotiation Team (CNT), and Special Emergency Reaction Team (SERT) were activated. During the ensuing standoff between RICE and Portland Police personnel, RICE was shot and killed. This report documents the submission of Officer Vanbloklend's AR-15 rifle and other ballistic evidence to the crime lab.

On October 16, 2018 at approximately 0920 hours, I took the items listed above on property receipt numbers A109103, A109106, and A109108 to the Oregon State Police Forensic Laboratory.

On October 23, 2018, Forensic Scientist Gover notified me he was finished with the analysis of the evidence items mentioned above. I retrieved the evidence items from the Oregon State Police Forensic Laboratory and placed them in secure storage in the Detective Division. I attached an Oregon State Police Forensic Laboratory request form and Forensic Scientist Gover's report to this report.

End of report.

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IMAGE ATTACHMENT (2814245) FORENSIC SCIENTIST GOVER REPORT

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IMAGE ATTACHMENT (2814246) OSP LABORATORY FORENSIC SERVICE REQUEST

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ASSIGNED TO RUSSELL, JOHN M (29907)		RANK DETECTIVE		
ORG UNIT DETECTIVE: ROBBERY DETAIL		CAPACITY 4-INTERVIEW WITNESS		
ASSIGNED ON 11/08/2018	ASSIGNED BY RUSSELL, JOHN M	SUBMITTED ON 12/20/2018	APPROVED ON	APPROVED BY

STATEMENT

AUTHOR RUSSELL, JOHN M (29907)	DATE/TIME 11/08/2018
SUBJECT	

Connect Information:**Persons Mentioned:**

PPB Officer Jerrold Higginbotham # 28713

PPB Officer Damien Dale #58314

Exhibits:

Property Receipt # 106977

Item one: One DVD containing interviews of Officer Higginbotham and Officer Dale

Item two: One map by Officer Higginbotham

NARRATIVE:-
-

On October 10, 2018 Detective Reynolds and I were assigned to interview Officer Higginbotham and Officer Dale at North Precinct regarding the OIS that had occurred earlier this day at the Del Rancho Motel. **BELOW IS ONLY A SUMMARY. SEE TRANSCRIPTS FOR COMPLETE INTERVIEWS.**

Detective Reynolds and I first spoke with Officer Higginbotham in an interview room at North Precinct. **In summary** Officer Higginbotham told us he and his partner, Officer Dale, responded to a call of two people fighting inside the 7-11 at 7501 SE 82nd Ave. They arrived on scene and were directed to a witness who told them this guy (later identified as SAMUEL RICE) tried to slash a woman in the stomach with a knife and pointed the them across the street. Officer Higginbotham told us the two were at the base of the stairs from the office of the Del Rancho.

Officer Higginbotham told us he and his partner (Officer Dale) walked across the street and Officer Higginbotham engaged Samuel Rice in conversation. Officer Higginbotham described Samuel Rice as very animated, very agitated and kind of speaking nonsensical. Officer Higginbotham articulated the exchange (see transcript) and he drew an "X" with a circle on the map of where he was when he first started speaking to Samuel Rice. Officer Higginbotham told us Samuel Rice

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eventually went into room 16 and she (Talon) continued to walk past. Samuel Rice first tried to open it (door to room 16) and apparently did not have the key. Samuel Rice eventually got inside by taking long runs, 15 feet, at the door and then hitting it with his shoulder. After about 3 to 5 seconds of being in the room, Samuel Rice came back out and grabbed her (Talon) around the waist and pulled her, one arm around her waist and one around her neck and shoulders and pulled her backwards into the room. Officer Higginbotham continued to attempt to communicate with Samuel Rice who made death threats and wanted Officer Higginbotham to come over and stand in the doorway so he (Samuel Rice) could bash his head in. Officer Higginbotham and other arriving officers set up and communicated different plans to deal with the evolving situation.

Officer Higginbotham told us Samuel Rice started putting something up against the window, possibly a mattress. Officer Higginbotham continued to attempt to communicate and he could hear Samuel Rice yelling inside and what sounded like furniture being pushed up against the wall. SERT arrived and Officer Higginbotham assisted in helping tenants out of the nearby rooms. Officer Higginbotham went to speak to CNT and heard what sounded like [REDACTED]

[REDACTED]. **SEE TRANSCRIPT FOR COMPLETE INTERVIEW.**

Detective Reynolds and I next spoke with Officer Dale in an interview room at North Precinct. **In summary,** Officer Dale told us they responded to a fight at the 7-11. They were pointed towards a guy across the street who they were told had been waving a knife around. Officer Dale told us he went with Officer Higginbotham across the street and Officer Higginbotham called out to the two. Officer Dale said he saw him (Samuel Rice) push in the room and she (Talon) went past the room. Samuel Rice came back out and grabbed her from behind and then dragged her into the room and shut the door. Samuel Rice came out yelling and screaming and Officer Higginbotham was trying to engage/communicate with him. At one point Samuel Rice "...go ahead, shoot me". Officer Dale helped evacuate other rooms and went to the CNT truck. **SEE TRANSCRIPT FOR COMPLETE INTERVIEW.**

I edited the taped transcripts and put the above exhibits into evidence.

This report will be forwarded to Homicide Detective Broughton.

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ASSIGNED TO KAMMERER, ERIK W (29988)		RANK DETECTIVE		
ORG UNIT DETECTIVE: HOMICIDE DETAIL		CAPACITY 4-EVIDENCE COLLECT/PROCESSING		
ASSIGNED ON 10/11/2018	ASSIGNED BY KAMMERER, ERIK W	SUBMITTED ON 11/08/2018	APPROVED ON 11/08/2018	APPROVED BY WHATTAM, KEN N

NARRATIVE

AUTHOR KAMMERER, ERIK W (29988)	DATE/TIME 11/08/2018 1252
SUBJECT RIFLE COUNTDOWN	

CONNECT INFORMATIONInvolved Officer:

Officer Kelly VANBLOKLAND, DPSST #26660
Work Address: 1111 SW 2nd Avenue
Portland, Oregon 97204
Work Phone: 503-823-5700

Deceased Suspect:

RICE, SAMUEL EDWARD
M/W, DOB 12/05/1987
5'11" / 238 Lbs / Brown Hair / Hazel Eyes
Home Address: Unknown
Cell Phone: Unknown

NONCONNECT INFORMATIONOfficer Weapon:

Remington Model 700 .308 caliber bolt-action rifle
Unknown Serial Number

Detectives Mentioned:

Sergeant Michele HUGHES, DPSST #36818
Detective Scott BROUGHTON, DPSST #40218

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Criminalist Mentioned:

Criminalist Lance TSUKIMURA, DPSST #32308
Criminalist Jeff SHEARER, DPSST #29992

SUMMARY

During a SERT activation at SE 82nd Avenue and SE Flavel Street, Officer Vanblokland fatally shot SAMUEL RICE. This report documents the countdown of Officer Vanblokland's bolt-action rifle at the scene, as well as my actions at the scene.

NARRATIVE

On October 10th, 2018, at approximately 1030 hours, I was directed by Sergeant Hughes to assist with investigating an Officer Involved Shooting at SE 82nd Avenue and SE Flavel Street. Officer Vanblokland, during his role as a sniper with the Special Emergency Reaction Team (SERT), shot and fatally wounded SAMULE RICE. As a sniper with SERT, Officer Vanblokland deploys with both a semi-automatic rifle in .223 caliber and a bolt-action rifle in .308 caliber. As part of my duties assisting with investigating the shooting, I was directed to locate and identify items of evidence, as well as perform a countdown of the bolt-action rifle, which was reportedly not used.

At approximately 1600 hours, I retrieved Officer Vanblokland's bolt-action rifle from the side pouch of the drag bag in the back of the red Ford pickup on the south side of the Del Rancho motel. I noted the rifle was a Remington Model 700 .308 caliber bolt-action rifle. Criminalist Tsukimura was also present to document the weapon countdown via photographs.

I noted Officer Vanblokland carried five .308 caliber cartridges in a sleeve on the butt of the rifle. At full capacity the sleeve is capable of holding five cartridges. I pulled the bolt to the rear, exposing an empty chamber in the rifle. I then verified the internal magazine for the rifle was empty. At full capacity, the internal magazine is capable of holding four cartridges.

I then looked through the drag bag, marked with Placard G. No other ammunition was located inside the bag.

At the conclusion of the weapon countdown, we determined Officer Vanblokland had not fired his bolt-action rifle. I then returned the bolt-action rifle to the pouch on the side of the drag bag, and collected the bag and rifle, as well as the tripod and case marked with Placard F. These items were later returned to Officer Vanblokland. I informed Detective Broughton of the results of the weapon countdown.

[REDACTED]

[REDACTED]

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This investigation is ongoing.

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IMAGE ATTACHMENT (2745998) INTERVIEW WITH SGT NICE 10-10-18

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**Interview with
SERGEANT KYLE NICE
TAPED STATEMENT TRANSCRIPTION**

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McCormick: Okay we're on the recorder, on the recorder. Uh, this case number is regarding 18-347005. Today is October 10th, 2018, and the time (clearing throat), excuse me, is 1:46, 1346, yeah. We're at North Precinct, DCT office. Present is myself, Detective McCormick, BPST 287117.

McDaniel: Detective McDaniel, 41372.

Nice: Sergeant KYLE NICE, 26853.

Robertson: Scott Robertson, 31290.

McCormick: Thank you gentlemen. Are you aware this interview is being recorded?

Nice: Yes.

Robertson: Yes.

McCormick: Okay, alright so KYLE, do you mind if I call you KYLE?

Nice: Absolutely.

McCormick: Alright great, so KYLE uh, why don't you tell me um, how your day started today. Uh, my day started by going to Internal Affairs to represent somebody at about 7:15. Uh, came back for that, joined the other sergeants after roll call for a cup of coffee and was sitting at coffee when the original call for this came out. Uh, I believe I heard it, it was a disturbance down on 82nd. Uh, not an uncommon call for East Precinct so I didn't pay too much attention to it. Uh, however Officer HIGGINBOTHAM got my attention when I heard him call for less-lethal and I could hear a little bit of tension in his voice. Officer HIGGINBOTHAM is a veteran officer and mostly rather calm on the air and I could pick up something in his transmission that kind of got my attention so uh, all the sergeants stood up from coffee and started heading down that way.

McCormick: Approximately what time was that?

Nice: Uh, boy I couldn't say. Uh, let's see I got out of IA about 8:00, uh, I, I don't know, 8:45. I'm not, not really sure.

McCormick: Okay.

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Nice: Um, as we got in our cars and started heading down there uh, Officer HIGGINBOTHAM said something about uh, him taking a hostage. I think Officer, or Sergeant HANSEN asked some questions about that. Um, so I'm acting lieutenant at East Precinct, Sergeant HANSEN responded as a sergeant so I uh, was just listening while going Code down there. As they clarified that she had uh, he had taken a hostage and was armed with a knife uh, I knew from previous conversations with our sergeants that SERT had been called out earlier in the day uh, and so I had uh, on-call SERT paged to my phone just to kind of check their status. I didn't, I needed to know if they were gonna be available if this was a hostage thing and I also wanted to give them a little bit of a heads up. So uh, Sergeant McCOLLISTER got a hold of me and uh, I kind of him a quick situation report and asked him to, you know if he, they, I found out they were staging at North. I said well why don't you guys hang on there.

McCormick: Who, who staged?

Nice: Uh, SERT is.

McCormick: Okay.

Nice: Um, I says well why don't you turn over to East and listen and uh, if this continues to be a hos- a SERT call I'll probably activate you guys here in about five minutes. That would give me enough time to get to the scene uh, make a, an assessment of what we had and then verify that we needed SERT. Uh while I continued to drive there um, we got information on, on uh, the victim, the female that was taken and I recognized her name. I have actually, I was out on a call a couple weeks before this with Mr. RICE and uh, TALON, her last name is OCHOA-BAILEY um, similar type of call where he uh, there'd been a disturbance, officers had shown up.

McCormick: So hang on.

Nice: I'm sorry.

McCormick: Let, let's just um – you're doing great.

Nice: Yup.

McCormick: Um, alright so my understanding is you're gathering information, SERT is staging at North, you are current enroute.

Nice: Yes.

McCormick: You're trying to figure out what the lay of the land is.

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Nice: Yes.

McCormick: Okay and then you received an update. Um, how are you receiving these updates?

Nice: Over the radio.

McCormick: Okay.

Nice: Yeah.

McCormick: All of your updates are over the radio?

Nice: Yes.

McCormick: Okay.

Nice: Like I said I'm going Code-3. Um, I, we were at coffee at 122 and Stark and this is 82 and Flavel so we had a ways to go so it took us a few minutes to get down there.

McCormick: Okay.

Nice: Um, so when they said this lady's name I knew who we were dealing with and long story short previous contacts with him when he's agitated and threatening with a weapon, when we back down usually he calmed down. So I transmitted that over the air uh, to let the officers know that hey they need to consider de-escalation. You know maybe back up a little bit. Um, I didn't want them to, you know continue to, to set up the call in a way that might agitate him worse. Um, so I wanted to make sure that they had that op- that information out that sometimes we can de-escalate this by backing off with this particular subject.

McCormick: So at this point kind of in the call narrative who's running the call?

Nice: Sergeant HANSEN is still running the call. I just uh, kind of doing the uh, external work of communicating with SERT and then since I had personal knowledge I put that out over the air.

McCormick: Okay.

Nice: Uh, so when I arrive uh, Sergeant HANSEN is beginning to set up our contact team and our perimeter uh, and I had a, another phone call come in from, actually let me back up a bit. When I got there I spoke with Sergeant HANSEN and the other officers to verify, you know that we had all the resources in place and whether or not somebody had seen a weapon.

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McCormick: Let's talk about specifically about, perhaps, we're referring to the map here which is the standard printout.

Nice: Yeah.

McCormick: Supplied to all interviews so just to orient yourself to this map. This is the Del Rancho.

Nice: Um-hm.

McCormick: This is the 7-11, this is north, this is south.

Nice: Correct.

McCormick: Um, so where did you arrive?

Nice: Uh, I arrived and pulled in just, I did a U-turn and just parked on the curb line at the...

McCormick: ...make an X right there if you would.

Nice: Uh, that'd be the west side of the uh, hotel by the office.

McCormick: Okay and you said you were trying to pull together a contact team or the contact team was trying to get pulled together...

Nice: ...yeah...

McCormick: ...and a perimeter so?

Nice: Sergeant HANSEN had, had organized that. Um, we had had some officers that actually pulled some patrol cars in rather close to uh, to the door of, is it 106, is that where we're at? Anyway uh, 116 or 16 I'm not sure. Um, and we were actually awfully uh, close I thought. Um, we were within maybe 10, 15 yards to the door. Uh, and knowing that um, he, he would de-escalate sometimes if we backed off a little bit, I had everybody back up to give a little room to him.

McCormick: Okay.

Nice: To show him that we were there.

McCormick: So let's, let's just talk about, hang on just, let's just talk about arrival right.

Nice: Um-hm.

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McCormick: So uh, you arrive here.

Nice: Um-hm.

McCormick: Uh, you've heard the term hostage situation.

Nice: Yes.

McCormick: Were you aware of his precise location when you arrived?

Nice: No, no but this entire parking lot was full of vehi- uh, police cars and officers.

McCormick: Got it, okay.

Nice: So I assumed he's deeper in here.

McCormick: So you essentially you're pulling in at the tail end of this.

Nice: Yes.

McCormick: Tail end of it.

Nice: Yeah there were –

McCormick: That helps. And you're referencing on the map essentially the, the uh, the parking lot between the north and south side of the Del Rancho apartment complex.

Nice: Yeah I could, when I, when I pulled south on 82nd and, and slowed and looked in I could see officers looking to the southeast. Uh, which kind of gave me an idea where, you know the, the situation was occurring.

McCormick: Okay ballpark, how many cars, patrol cars and officers do you think you saw?

Nice: Uh, at least three to four cars in this, I would say –

McCormick: Parking lot.

Nice: West half of the parking lot.

McCormick: Okay.

Nice: And there were, there were eight police officers there at least by now.

McCormick: Alright um –

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Nice: Sergeant HANSEN had beaten me there by a couple minutes so.

McCormick: Lights on, lights off, sirens on, sirens off?

Nice: Uh, sirens were off um, I think, I don't remember any lights being on.

McCormick: Okay, so you pull around, you said you pulled past the driveway, you pulled back north, parked, you have an X on the map here which represents the location just to the west of it looks like the primary office there.

Nice: Yes.

McCormick: Okay so at that point you have multiple officers in the parking lot.

Nice: Um-hm.

McCormick: What happens next?

Nice: Um, let's see where I, where'd I end up? So when I got out uh, I checked with Sergeant HANSEN, make sure he was getting his team and a perimeter up. Uh, I went to talk to ser- uh, Officer HIGGINBOTHAM to verify whether or not we'd seen the knife. Um, I think either he or his partner, Officer DALE indicated that there was video at the 7-11 where the initial altercation that we got called about occurred so I sent Officer HUNTINGHOUSE over to gather that information. Basically I wanted to know, if in fact, there was a weapon involved. That, you know makes me consider what our response is gonna be, whether he's armed or not.

McCormick: Okay were you told that he was in a particular apartment at this point?

Nice: Yes it was pointed out to me and I, I just can't remember the number. I think it was 116 or 106, it was right in the middle of that southern uh, bank of rooms.

McCormick: Okay.

Nice: And he, he was opening the door and yelling at us and uh –

McCormick: Could you see that from your position or could you hear it?

Nice: Uh, no I didn't get that close. Um, I, I wasn't gonna interfere with the custody teams and things but um, I could hear it. Um, and he, he was telling officers to shoot each other in the head and other nonsensical things like that.

McCormick: Do you remember precisely what he was saying?

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Nice: I remember him say, why don't you go ahead and shoot yourself in the head, at one point.

McCormick: Okay.

Nice: Um, but I, that's the only thing I remember right off the top of my head right now.

McCormick: Okay.

Nice: Um, I remember him opening and slamming the door several times.

McCormick: What's several?

Nice: Uh, at least three. Three times.

McCormick: Okay.

Nice: Um – go ahead.

McCormick: And when he opens the door, my understanding based on what you just said is you can't see him, you can hear.

Nice: Um-hm.

McCormick: And then officers?

Nice: Officers were attempting to communicate with him. Um, I don't remember what they were saying. I think they were just trying to get him to calm down and talk to them, but there, there was no interaction be-between them. There was no communication, it was just him yelling and them trying to talk to him and ask him to calm down and talk to them but he, he wouldn't respond to that.

McCormick: Do you remember the kind of things they were saying to him?

Nice: Uh, I remember them saying, we just want to talk to you. That was one of the things but I don't recall right now.

McCormick: Okay. Alright so we, the door is opening and closed a few times and you said you sent an officer over to the 7-11 to recover video.

Nice: Yes.

McCormick: What happens next?

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Nice: Um, I wanted to try to get a phone call into uh, TALON. Uh, on the previous calls we were able to get a hold of her cell phone number and call her and she, on the previous call told us she was fine. Um, in the past call none of his threats were really directed at her. Um, he would be threatening but not necessarily to her and uh, the one that I disengaged on she was able to basically tell us that she was fine and she wasn't scared of him and, you know she wasn't worried about getting hurt. So we backed off and, you know we walked away from it essentially.

McCormick: (Unintelligible) since you mentioned that why don't we kind of flesh that out a little bit.

Nice: Yeah.

McCormick: Because obviously that informs what happened today.

Nice: Yeah.

McCormick: So provide some details if you would about that previous call or -

Nice: So I...

McCormick: ...(Unintelligible).

Nice: Remember the day, I was working overtime on afternoon shift and there was a disturbance call called in by the neighbors of his apartment complex. It was a very um, densely populated apartment complex at 125 and uh, Powell. Uh, afternoon shift officers were fairly familiar with him. There were often uh, verbal disputes between uh, Mr. RICE and Mr. O- Ms. OCHOA-BAILEY. Uh, that resulted in police being called. That evening uh, officer went to the door, knocked on the door and Mr. RICE answered the door with a knife in his hand. Uh, they backed out. It was on a second floor apartment. When I arrived uh, all the officers were on the ground floor. A couple of 40 millimeters uh, ready to deploy and they were attempting contact with him. He is on the second floor stairwell balcony with a cardboard shield waving the knife, threatening to come at us and -

McCormick: Um-hm.

Nice: Threatening to, to come away from us (phone ringing) sorry. Um, I can't remember which officer, I think it was Officer HAGENSON told me that last time they just backed away and he calmed down. So I asked all my officers to, to step away and kind of around the corner so he couldn't really see all of us. That immediately brought his uh, level of verbal uh, agitation down. Uh, we

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backed off further and he calmed down and went back in his apartment, slammed the door. Um, that time we had also got her on the phone, she said she was fine. Uh, so we, we felt okay walking away from it at that point. Um, so that was in my mind when I was responding to this call. So like I said...

McCormick: ...how long, how long ago was that?

Nice: Two weeks maybe.

McCormick: Oh so recent history.

Nice: Yeah it's, it was actually the first disengagement memo that I ever wrote was that one. Um, 'cause we walked away and we got a new form for that under the Chief's direction so that was a, I remember it because it was the first one I wrote. But that was uh, that was two weeks ago last Tuesday I think. I've been working some afternoon shift overtime on Tuesdays so I think it was one of those days.

McCormick: Uh, any other incidents?

Nice: Uh, we were out there last week, Friday. Uh, he had been given an eviction notice. I don't think they'd fully evicted him but they'd given notice of intent to evict and he was again agitated and threatening neighbors but no weapon was seen that day and he and his uh, and TALON just walked off the property. Had a conversation with his case worker uh, and the manager about the eviction um, but they ended up just leaving. I know uh, BHU Officer HEFLEY was there uh, as ECIT, BHU and tried to talk to him but I don't think had any success. Um, so that was kind of a non-incident, but uh, he had not committed a crime that day. Um, it was just, he was just being loud and threatening. Uh, he's, I spoke, I spoke to some of the neighbors in there that he'd, he has threatened a lot of them which probably what led to his eviction so -

McCormick: Okay other incidents that you can think of?

Nice: No.

McCormick: Alright so back to present day, thank you for filling in the blanks. Uh, back to present day. Just as a reminder you were talking about um, it sounds like you're making a plan.

Nice: Yes.

McCormick: So are, are you now in charge you're on-scene or?

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Nice: Um, yeah eventually um, since I started to, to speak with SERT uh, I told Sergeant HANSEN that he would be in charge of the uh, custody team and that I would be IC and I think I put that over the radio at that time.

McCormick: Okay so what was your, you've arrived, you establish control, what is your intended plan?

Nice: So my intended plan was to, to maintain containment but back off and give him some time to cool off. So we, like I said we were initially very close to the hotel door. Uh, I mean within two car lengths and, and so we all, I had everybody pull back. Uh, so that we were on the north side of, of the parking lot and we even moved a little bit to the west. We still kept containment in case he come out. We had people on the south and uh, on the west side. Uh, but my uh, plan was to pull back, give him a little, you know breathing room to calm down, to show that we weren't, you know just gonna come charging in and then continue to make attempts to communicate with him. I had Officer ZAITZ as my communication officer. She was getting the phone numbers uh, from RegJIN to call uh, TALON and she was directed to try to call um, from the hotel office. Uh, those calls were not successful. Um, when we called the cell phone.

McCormick: What does not successful mean?

Nice: When we called the cell phone TALON answered but didn't say anything. And to me that was a little bit of a, a red flag because the previous call at 125 and Powell she had answered and talked to us. Um, and I found that um, curious and a little disturbing that she wasn't willing to talk to us this time. That, that kind of elevated my concern for her safety.

McCormick: Do you know if she answered the phone?

Nice: That's, I believe that's what Officer ZAITZ told me, that she answered the phone. Um, it was her phone uh, and it was my understanding that she answered it but like I said I, I wasn't the actual one talking on it but ZAITZ told me she answered the phone. Uh, when we tried to call the phone, the hotel room phone uh, he answered and probably hung up on us.

McCormick: How many times?

Nice: Uh, I only know of the one time. I, I didn't ask if we'd tried back.

McCormick: Okay.

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Nice: Um, about that time uh, SERT was on, on-scene so I was gonna pretty much hold our positions as they were gonna take over the call.

McCormick: Just a point of clarification when you said you were still in the north side of the parking lot and west I, I, forgive me, the north side. Do you mean the no-north and west side of the parking lot or have you gone beyond?

Nice: No the north and west side of the parking lot. We uh, we had people watching the back um, side of the uh, target location but we had all moved to the north side of the uh, parking lot and to the west and we were beginning to evacuate the rooms on both sides of the target location. So we were staying within the confines of the parking lot.

McCormick: Uh, how many officers behind?

Nice: Uh, two.

McCormick: Okay and then in the parking lot how many officers do you think?

Nice: Oh we had quite a few because we had a rifle, a 40 millimeter and a shield and then two people for the custody team. Uh, plus primary Officer HIGGINBOTHAM and his trainee so what is that, six or seven at least. Uh, I had dismissed some officers, we had some Tri-Met guys helping us out. I dismissed them to kind of minimize the number of people in the, in the lot itself. Um, but there was uh, between officers and myself and Sergeant HANSEN at least eight or nine.

McCormick: Okay.

Nice: Um —

McCormick: So you mentioned some concern and a change in behavior from previo- the history to now. Talk about why that alarmed you.

Nice: On the previous call, you know when we moved back we, we got some acknowledgment of the space given to him and he calmed down. And like I said we had had conversations with TALON in the past where she answered the phone, talked with us, tell us she's okay. Um, did not have either of those this time. She did not speak to us on the phone and even when we backed off uh, a noticeable distance um, Mr. RICE was still agitated, still opening the door. Uh, and then, and I'm not sure. Just about the time, actually it was right before SERT got there Sergeant HANSEN advised me that they could hear that Mr. RICE was barricading the door. Uh, and that again raised my level of concern which I, I confirmed uh, at that point that SERT was on the way.

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McCormick: Had he barricaded the door on the previous two encounters you were aware of?

Nice: No, no had not seen that happen before.

McCormick: And had um, TALON been quiet or absent in the previous two encounters?

Nice: No she, she was actually very, the, the time when he was on the balcony waving the knife at us she was actually right behind him talking to him, hey I'm fine, let me go, let me go talk to them. Like actually tapping him on the back like hey let me through and, and he would put his hand back and, you know he'd almost act like he's protecting her. Uh, it was very, very strange behavior but we, we've always been able to communicate with him and we've always been able to get a little bit of response out of him. I shouldn't say always, it was only one occasion but on that occasion, you know it was noticeable that when we backed off he calmed down a little bit and we did not see that this time. Um, his agitation remained the same and he continued uh, to do things that concerned me, such as barricading the door.

McCormick: Okay. Um, while he was barricading was he quiet, was he loud, was he playing music, what was happening?

Nice: Um, no music um, he, I think he, I did not hear him yelling uh, at that time but I had stepped away further to the west. Um, I wanted to talk with Sergeant or Officer HUNTINGHOUSE about the video because he had just returned from there. Uh, I think I was also speaking with Captain GOLLIDAY who'd showed up on-scene. So I had moved away a little bit um, so that I could, I could communicate. Uh, I left Sergeant HANSEN with the custody team and all that and I think, did he say it over the radio or did he just holler it to me? I don't remember about barricading, whether, whether he put it out over the air or not but it was, you know from a distance I heard he's barricading the door. Um, so that, that raised my concern.

McCormick: So just to clarify on positioning. You talked about patrol cars being on the north side and west side of the parking lot. Where is your custody team, where is Sergeant HANSEN and where did you go when that kind of?

Nice: So there are parking spots on the north side of the uh, parking lot for uh, guests of the motel and we were basically on the north side of those cars. So we were between the parked cars and the north uh, row of rooms, basically using the cars as cover but being able to be uh, dir- not quite directly but just across the parking lot and slightly west of the uh, target location.

McCormick: So I'm gonna put a C for cover.

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Nice: Um-hm.

McCormick: In that location, is that accurate?

Nice: Generally yes, yeah.

McCormick: Okay good. Alright and that's your X where you initially arrived. Okay uh, and then you said you, you, you moved away, what direction?

Nice: Yes when um, when the captain showed up he parked just north of the hotel and I met him where, basically where the sidewalk would be uh, and at that time I think I –

McCormick: So we're at the northwest corner?

Nice: Northwest corner, yeah.

McCormick: Okay.

Nice: And McCOLLISTER called me back uh, and indicated that since Sergeant HANSEN had requested CNT they were gonna roll in anyway so um, between the phone call and, and knowing that the captain was arriving I moved off to that location so that I could have um, no distractions when I communicated with him.

McCormick: Okay and this is the point, while you're walking to this corner, when Sergeant HANSEN either yelled or communicated over the radio that he was barricading?

Nice: Yes.

McCormick: Okay, what happens next?

Nice: Um, I think uh, SERT arrived relatively shortly after that. Um, uh, since they were already staged at north it didn't take them very long to get there and then they started to relieve uh, most of my officers. Um, we continued with evacuations. We ended up evacuating all of the north side uh, motels and the south side. There was one gentleman who was in a wheelchair that took quite some time to evacuate. Um, so that took a while but um, once SERT arrived um, we removed all of our officers once evacuations were finished.

McCormick: You said they arrived pretty quickly, what does that mean?

Nice: Um, I was actually surprised how fast they got there. I looked to the south just uh, on the sidewalk side of the office and there was four guys standing there in,

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in their gear so they uh, I don't know what time – uh, they arrived but um, it was very shortly after I confirmed activation of SERT so –

McCormick: Was it before or after you spoke with uh, GOLLIDAY?

Nice: Uh, right after and with- I mean within minutes of speaking with the captain.

McCormick: Okay and you said you saw him on the south side?

Nice: Yeah.

McCormick: Okay.

Nice: And then uh, Sergeant LIVINGSTON came up to talk to us and we started uh, relieving our positions and handing responsibilities off to him.

McCormick: Okay um, perhaps I missed the SERT ac- SERT activation that was Sergeant HANSEN that did that?

Nice: Well enroute uh, when Sergeant HANSEN heard that there was a hostage he asked for CNT resources and uh, that was about the time I'm calling to speak with Sergeant McCOLLISTER and, you know generally when you call for one you get the other so they, they decided to um, roll out and stage. They, they called and said that they would stage at 82 and Johnson Creek eh, and then after speaking with the...

McCormick: ...this is CNT?

Nice: No this is SERT.

McCormick: SERT.

Nice: Uh, and then after speaking with uh, the captain and, and hearing that he was barricading we confirmed and uh, said let's activate uh, SERT.

McCormick: So that activation...

Nice: ...but I think we did that through ART NAKAMURA who is lead CNT. Um, so we, I don't think we put it out over the air that we were going to activate it. Um, but we activated it through CNT channels.

McCormick: Okay and that's uh, right after the conversation with GOLLIDAY?

Nice: Yes.

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McCormick: And...

Nice: ...um, GOLLIDAY showed up, uh, I spoke with him and then uh, is, is he still a Lieutenant, NAKAMURA showed up uh, I'm sorry.

McCormick: Yeah.

Nice: There's been so many changes lately.

McCormick: Thanks.

Nice: Um, and, and that was, I'd just gotten off the phone with, with McCOLLISTER saying that they were staged and there was a brief conversation with uh, Lieutenant NAKAMURA and we said yes let's activate SERT for this 'cause that was a minute or less after the barricading comment.

McCormick: Okay, you spot the four-ish SERT officers on the south side.

Nice: Yes.

McCormick: And then how does the um, replacement, how they, you know fill in the positions, how does that all happen?

Nice: Uh, Sergeant LIVINGSTON came and talked to me and uh, told me that they wanted to start relieving our officers. Um, I told him what I had. He asked to keep three officers uh, to assist with something, I'm not sure, I don't remember what now. But we basically called the majority of our custy team off, custody team off, we, I allowed Officer HIGGINBOTHAM and Officer DALE to continue with the evacuations and I grabbed another officer to assist with the north side evacuations. Uh, I think that was Officer ROMICK. Um, but basically the majority of the officers that were part of the custody team were relieved. Uh, NRT officers were, I, I don't remember exactly who we left. I think we left uh, YOUNG, BROWN and uh, I can't remember who had the 40, anyway I left a small contingent at the request of SERT but once enough SERT resources got there they were all relieved and um, I just took a position back by where I initially parked. Uh –

McCormick: Near the office which is the X on the map there?

Nice: Yeah.

McCormick: Um, how long did that transition of relief process take do you think?

Nice: It took about five to eight minutes because we were still evacuating that north side of the hotel. Motel, whatever it is.

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McCormick: Okay.

Nice: Um, there were um, like I said the elderly gentleman on the south side, we had trouble, one his door was rather close to the target location and we, he didn't have a wheelchair so we had some difficulty trying to get him out of there. Um, and evacuations from the north side went pretty well. Um, you know people had, it was early, people had to grab clothes and there was a lady with some children that had to gather them up so um, as soon as we got the evacuations done all the, the uh, uniform officers were relieved.

McCormick: Okay so let's just uh, and before we do that uh, okay so what happens next?

Nice: Um, once I had all the officers out of there I went to brief the uh, CM- or CIC which was uh, A/C RESCH. Um –

McCormick: And where was she?

Nice: She was down at the command post about a block down.

McCormick: A block south on 82nd there?

Nice: Yes.

McCormick: Okay.

Nice: Um, gave her a quick rundown uh, with some other, you know CNT detectives about what we had and then it kind of turned into a waiting game for a little bit. I really didn't have anything to do at that point.

McCormick: Okay.

Nice: Since SERT had taken over. Uh, some small logistical things like getting traffic blocked and getting crime scene tape up and some things like that but nothing major.

McCormick: Okay and then what happens next?

Nice: Uh, last thing, one of the last things I remember is um, SERT detectives coming through with those uh, water balloons for a charge they were gonna put on a door. So I moved all my officers out of line of view of the parking lot. They said that they were going to put a charge on the door. Uh, in case they made, had to make entry so we moved back even further. Uh, with an explosive charge, you know you don't want to be any, in the line of sight of it so I made sure all of my officers were either uh, to the north or to the south. I think we

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eventually all moved to the south of the driveway so that we weren't in any uh, line of view of the door.

McCormick: Okay I must have, maybe I'm just not tracking with you so you, you informed RESCH at the command post and you were...

Nice: ...yeah and then came back up here.

McCormick: You returned, alright and then um, you said you were taking care of small logistical things.

Nice: Um-hm.

McCormick: You were talking uh, tape and uh, control, traffic control then the next thing that you're aware of is they're about to uh, place –

Nice: Yes.

McCormick: These uh, water charges and that's when you removed the officers from the...

Nice: ...yeah...

McCormick: ...immediate area.

Nice: Uh, some, I, I had said everybody, you know hey they're gonna put a charge on the door let's get out of the way. Some of the officers went to the north but were like, you know you could see still them watching over the cars and I said nope let's, let's, I waved everybody south, let's stay, you know away from, from that. 'Cause if you're looking at an explosive you're still in the line of fire so –

McCormick: If you can see it it can kill you, yeah.

Nice: We, we pulled 'em all south.

McCormick: So um, you, I thought you said that all the officers were relieved, but maybe not.

Nice: Well relieved from the parking lot. So we all were pulled out of the parking lot and were kind of on 82nd. Um, I wasn't gonna let everybody go because I didn't know where this was gonna go. They were relieved of their duties in the parking lot.

McCormick: Got it.

Nice: They didn't, like they weren't relieved like you can leave the call.

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McCormick: Understood, okay. So you're pulling officer out, what happens next?

Nice: Uh, uh, I heard a, a bang and then a louder bang and SERT uh, began uh, they became very active. Um, uh, there was a, I think they made entry into the room. Uh, and they called the medical uh, Unit 99, their fire medic up and went into there and somebody said uh, I think they shot him. So –

McCormick: Okay um, could you break that down a little more? You said you heard a bang, then another bang, are they close together or far apart?

Nice: The, the first bang I heard, you know I knew they were putting a charge on the door but when I heard that I'm like that's not loud enough to be a charge. And I thought why, was that a gunshot and then the other charge went off and went that's, that's what sounds like the door charge. Uh, and so I looked around and they looked like they were making entry into the room.

McCormick: They?

Nice: SERT.

McCormick: Okay.

Nice: Um, and so we waited and there was uh, I don't know, one of the, somebody with a headset. I think it was either CNT or somebody said, said uh, I think they shot him. Um, I don't, I can't remember who that was. Um –

McCormick: How much time between the, the two bangs, if you could guess?

Nice: Oh.

McCormick: Or if you knew.

Nice: Two seconds. Between the first shot and the bang I, I don't know. I mean it was, it was, you know it was enough that I could sit there and think to myself wow that wasn't an explosive and then the other one went off so – a couple seconds.

McCormick: Okay. So just want to circle back briefly regarding the plan.

Nice: Um-hm.

McCormick: You talked about your initial plan.

Nice: Um-hm.

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McCormick: You talked about, you know it, kind of a, a different feel and a different response...

Nice: ...yeah...

McCormick: ...from TALON uh, how, how did your plan change or did it change after her non-response?

Nice: Um, o-once, so we, when we backed off, tried to de-escalate a little bit, give him space and time to calm down. Once I knew that we weren't getting a response from her on the phone and he hung up on us I had officers that were part of the custody team to get a shield and go get a, a key, a battering ram key. Um, 'cause I really was concerned for her safety and I thought, you know if she starts screaming and we have to make entry I want to be able to do that. So we got those tools with us. Uh, and that's about the time Sergeant LIVINGSTON came up and said that he was gonna start relieving us. So um, but my, my plan was, you know contain, communicate but be ready to go in. Um, with that little bit of de-escalation part there which um, you know one, part of it was also giving our officers a little bit more space to react but part of it was, was an attempt to, to give him that space to calm down. Um, but, you know my, my plan didn't get much farther than that because SERT showed up and, and was taking over.

McCormick: Okay. I think that covers me initially. Eric?

Nice: Oh I'm sorry. I've been saying Sergeant McCOLLISTER, it's McCONNELL is who I was speaking to at SERT, sorry I got the names mixed up.

McCormick: So okay, very good.

Nice: McCONNELL, not McCOLLISTER.

McDaniel: I got a little bit, I got 'cause earlier on you were saying McCONNELL so --

Nice: Yeah, sorry. I -- yeah, McCONNELL. Not McCALLISTER.

McDaniel: Sarg the, the uh, the first bang could you tell direction on that? Where it was coming from?

Nice: No uh, I was a little bit surprised by it because I wasn't expecting it.

McDaniel: Right.

Nice: You know I, I figured that they would uh, you know attempt communicate, do a throw phone, something. I expected this to go on for a while once SERT was

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there. So I was a little bit surprised that something that dynamic happened that quickly.

McDaniel: Okay.

Nice: You know I mean my experience with SERT call-outs is, you know they go on for a while, there's attempts at communication, things like that. Um, I, I was very surprised to hear a shot that quickly.

McDaniel: Right.

Nice: So um, I wasn't prepared for that.

McDaniel: Okay and it, and it sounds like the, the second bang more likely than not you're hearing the charge from the door?

Nice: I think so, yeah.

McDaniel: Okay.

Nice: I mean I'm, I'm pretty sure the first one was a gunshot, you know the, the second bang was a little bit muffled but it sounded bigger.

McDaniel: Right.

Nice: And it's a little muffled 'cause the, the water bag is on it so I was pretty su-sure that was the charge going off on the second, second bang.

McDaniel: Okay and forgive me we covered it but I want to focus on uh, Officer ZAITZ with the, the...

Nice: ...yeah...

McDaniel: ...call that she made in and I, I know you're just hearing it from JORDAN.

Nice: Yeah.

McDaniel: So you, you might not have the answers but it sounded like you indicated JORDAN, Officer ZAITZ calls in um, to the phone that we believe is TALON's phone.

Nice: Yes.

McDaniel: And is there a, do you remember was it a pick up and a hang up or did she actually say hey TALON and have a conversation?

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Nice: I, I just, it was described to me that she answered and then didn't speak. So –

McDaniel: Like a –

Nice: Maybe she said hello.

McDaniel: Okay.

Nice: I, that wasn't what Officer ZAITZ stated but I assumed, my assumption was that she answered but wasn't saying anything and left the line open.

McDaniel: Okay, perfect. No that's what, so it sounds, it almost sounds like you're hearing, from your mind set TALON picks up and then the, the line it, I mean alm- I'm not trying to put anything in your head but it's almost like maybe somebody grabbed the phone from her.

Nice: Um, yeah you know I, I didn't ask about what was heard on the line at the time. Um, but it sounded like maybe she just like answered the phone and said hello and then, or, or just activated the cell phone and left it. You know so maybe we could hear in.

McDaniel: Ri-right.

Nice: Something like that.

McDaniel: Which we know that happens.

Nice: Which is, is not uncommon for a hostage type situation.

McDaniel: Right, yup.

Nice: So um, but I found that very concerning that she didn't speak to us.

McDaniel: Sure.

Nice: Seeing as she has spoken to us on a previous call. I mean that was, that was a big...

McDaniel: ...sure...

Nice: ...red flag for me.

McDaniel: And do um, I had a, I had a question there for you (laugh) regarding that.

Nice: Sorry.

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McDaniel: No it's, it's all, all good. That's what it was, was, and I think you've already covered it but it sounds like during this whole time you were out in front of the hotel y- were the, you're not hearing TALON screaming for help.

Nice: No.

McDaniel: You're not hearing her at all.

Nice: No. I think if she'd made, if she, I was actually waiting for that, you know 'cause like I said this wasn't going as the last one did and I think if she'd screamed we probably would've made entry.

McDaniel: Right.

Nice: You know if I thought that he was attacking her we would've made entry.

McDaniel: Right.

Nice: Without waiting for SERT. Um, you know there was a, you know thought crossed my mind of jeez did he already kill her?

McDaniel: Right.

Nice: 'Cause we're not hearing from her.

McDaniel: Right.

Nice: Um, but then she answered the phone but didn't say anything and I, that, that was an indicator that things weren't going like they did last time.

McDaniel: Right and last time I think you described she was actually out on the balcony...

Nice: ...um-hm...

McDaniel: ...with him and -

Nice: Yeah..

McDaniel: And you could see her. You know the only other thing I was just curious about, I believe you mention uh, RICE had a PO?

Nice: Uh, not a PO, a caseworker.

McDaniel: Oh okay.

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Nice: Like a so- she's almost like a social worker and I don't have her name but she, she had showed up on the two previous calls that I was out at on 125 and Powell.

McDaniel: Okay.

Nice: Um, and I'm sure...

McDaniel: ...so is he flagged mental?

Nice: Uh, it's funny that I asked, I was discussing his condition with her last time uh, and he, she stated that he, he was mentally ill uh, and then started using drugs. You know sometimes we get the meth psychosis where the mental illness comes from the, the overuse of drugs.

McDaniel: Right.

Nice: But said it was, he had been mentally ill first and for a long time and then started to use drugs. Uh, as far as his flag I, I couldn't tell you.

McDaniel: Um, and the uh, do, did, did we have video or anything, what was our indication she was in the room? Was it from the 7-11 or was there more info?

Nice: Uh, Officer HIGGINPOTH- HIGGINBOTHAM broadcasted that she had been dragged into the room and I don't know if he saw that or that was, that was from a witness.

McDaniel: Okay.

Nice: But he put that out over the air.

McDaniel: Okay.

Nice: That she'd been dragged into the room.

McDaniel: Okay. I'm, I'm good Dave.

McCormick: Yeah I think I'm good. Okay um, if you just would, we're just um, kind of sign and date that. Time right now is, it looks like 2:25, 1425. Kind of let you, scribbling on that map, yeah. Appreciate it.

Nice: (Unintelligible).

McCormick: Okay we're gonna go off recorder uh, 38 minutes in.

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(Recording stopped)

(Recording resumed)

McCormick: Okay we're back on recorder. It was brought to our at- okay, two recorders going. It was brought to our attention uh, that uh, just to talk about uh, Officer –

Nice: HUNTINGHOUSE.

McCormick: HUNTINGHOUSE regarding the video at the 7-11 and you were briefed on that.

Nice: So when Officer HUNTINGHOUSE came back from 7-11 after I'd sent him to see the video he told me that the video was, in his words, inconclusive. Meaning that there was a little bit of shoving between Mr. RICE and this other uh, person. But he had, he was able to get that person on the phone and he told me basically we have an Attempt Assault II, that Mr. RICE had swung a knife at him several times uh, and, and when asked, so you saw a knife? He said 100 percent he had a knife. That was a statement from uh, this other person to Officer HUNTINGHOUSE on the phone so that, you know confirmed uh, to me, in the course of making decisions about this case, that he was armed with a knife um, which again increased my concern for TALON being in the room with him.

McCormick: Okay and did you observe the video?

Nice: I did not.

McCormick: So HUNTINGHOUSE saw the video?

Nice: Yes.

McCormick: Did he observe a, a knife in the video?

Nice: No he said, he said that as the, Mr. RICE and this other person began to scuffle they moved out of view of the camera. So there's a little bit of tussle but the uh, the point which he produces the knife is not within view of the camera.

McCormick: Okay.

Nice: But we had a, a, you know civilian victim of this stating that he was armed.

McCormick: Okay did he describe the knife at all?

Nice: I did not ask that, no.

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McCormick: Okay.

McDaniel: Is there, I assume that you're done? Is there anything that you wanted to add that we're not asking?

McCormick: I was going to ask that.


Nice: Uh, nothing I can think of no.

McDaniel: Okay, how about, how about you?

Robertson: No sir.

McDaniel: Okay.

McCormick: Okay we're gonna go off there, off the record.

Transcribed Verbatim with Punctuation Added 101318 / 0916 T. Bradshaw 

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IMAGE ATTACHMENT (2746003) INTERVIEW WITH DETECTIVE GRADWAHL 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

October 10, 2018

**Interview with
DETECTIVE TODD GRADWAHL
TAPED STATEMENT TRANSCRIPTION**

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Greenlee: This is Detective Greenlee with the Portland Police Bureau, BPST number 50623. I'm here with Detective TODD GRADWAHL and Detective um, Todd Prosser and union representative Jeff Myers. We're here to talk about incident number 18-347005, which occurred at the Del Rancho located at 7622 SE 82nd Avenue, room number 16, in Portland, Oregon. And Detective are you aware this interview is being recorded and do I have your permission?

Gradwahl: Yes.

Greenlee: Okay, if you could walk us through what happened today at the motel.

Gradwahl: Earlier today we were at a search warrant location at, [REDACTED] when we were finishing up that search warrant we were notified that there was an incident on 82nd Avenue that was occurring and we're told that we may be responding to that location. And that address was 7622 SE 82nd Avenue. Um, a few minutes later we were told that we were gonna start heading to that uh, area and if we were gonna get called out we would be closer to that location. While responding to that location uh, we received a full team notification, the call-out that uh, we were being requested by East Precinct uh, supervisors. We arrived, came from the south uh, northbound on 82nd Avenue and stopped in the area of SE Malden uh, Street and from that timeframe there um, SERT operators started getting in positons and meeting with supervisors to see how we could provide assistance.

I was part of a team that initially started uh, evacuating some rooms that were just west of the target location, being motel room number 16. Once we evacuated the rooms to the west later, met up with other SERT operators and we moved to a room just to the east of room number 16, which was room number 17 that we ended up entering. [REDACTED] We entered, it was vacant, I believe it had already been evacuated. There was remnants that somebody was oc- had occupied the room but they weren't in our room. In that room we staged and we had a [REDACTED] set-up that uh, if need be we could make entry into room 16 if we were called upon.

Greenlee: Okay.

Prosser: And then uh, what, what is a hasty team?

Gradwahl: [REDACTED]

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[REDACTED] The incident we were on is a hostage situation um, in the room we had all SERT operators and this uh, was the, the group of people that we had that were gonna make entry to the room if need be.

Greenlee: Okay.

Prosser: And how many people were in your, in your team? In that room?

Gradwahl: It was Officer TOWNLEY, Sergeant FRANKUS, myself, Officer GRYPHON, Officer CHURELLA, Officer SPARLING and RUSS CORNO.

Greenlee: Okay. And then once you guys were in the room what happened once you guys were in the room and you had your team set up?

Gradwahl: Um, we had our team set up, Officer CORNO had a um, [REDACTED] that, that was, it was being discussed that we may move up and place that on room number 16, the target location. Uh, where the incident was occurring in um, to assist in opening the door. That never got deployed, it was just staged and ready to go. Um, Officer TOWNLEY was gonna be, was assigned to be number one into the apartment or uh, motel room. Sergeant FRANKUS was gonna be number two, myself number three um, [REDACTED] Officers GRYPHON and CHURELLA were assigned to use a two person uh, ramming key to force the door open if need be. Officer SPARLING was going [REDACTED] [REDACTED] uh, move the glass aside and try to get at the curtain (?5:32).

Greenlee: Okay.

Gradwahl: Um, pulled back and then Officer CORNO was gonna help uh, Officer SPARLING with that and see if he can observe through that window while we were making entry into the uh, motel room if need be. That was, that was the assignments. Um, while we were in the room there was, we could, so we were just in the room, there's a wall between us and motel room number 16. We could hear loud sounds in the room um, from my training and experience uh, as a police officer and SERT operator, I've been a police officer for 24 years, SERT operator for over 19 years uh, I believed the subject inside to be barricading uh, the front door of the place.

Greenlee: Um-hm.

Gradwahl: There was loud banging, it sounded like stuff being pushed up against the, the door area.

Greenlee: Okay.

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Gradwahl: Which creates an obstacle for us as um, people that may have to make entry into the location.

Greenlee: Okay.

Gradwahl: There was other observations being made by sniper teams that, that it looked like maybe a mattress was against the window, I believe was one of the updates I heard. So it sounded like things were, were happening inside that were uh, gonna prevent us from potentially going in and, and doing a hostage rescue.

Greenlee: Okay so you heard obj- things being moved around, could you hear anybody talking or any kind of voices?

Gradwahl: There was uh, I believe at one point I heard maybe like kind of a, I don't know if I'd call it a scream but a, like a male, like a deeper kind of a sound inside. I can't remember exactly what it was, but like, kind of like a grunting or kind of a rage kind of thing as the door was being barricaded.

Greenlee: Alright so as you're hearing this um, and you guys were prep- ready to deploy for the hasty team what, what happened next?

Gradwahl: Uh, while we were, we were discussing our plan to move up and place the [REDACTED], as, as we were making that plan and how we were gonna do that I heard a gunshot. Uh, it sounded like it came from the south and shortly after that um, it was broadcasted over the air that um, believe a sniper shot was taken and, and then somebody said execute and that's when we launched our plan that we had made to make entry into the room and as I described earlier the assignments that people had, those people did those assignments.

Greenlee: Okay and the, the execute, that terminology that you used for the word um –

Gradwahl: Execute means uh, for us if we, we had this plan in place that there was gonna be a uh, [REDACTED]

Greenlee: Alright.

Gradwahl: Um, and that's where we had other SERT operators in that room so we had, they were in the room to the west uh, we were into the room to the east of the target location so executes a timing thing that everybody uh, knows that now let's execute our plan that was in place.

Uh, so we had the, [REDACTED] we had officers breaking the front window, being Officer SPARLING. We had Officers CHURELLA and

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GRYPHON using the ramming um, metal ramming key to force the front door open and Officer FRANKUS and TOWNLEY staged to go in the room number one-two and myself waiting for the door to open enough [REDACTED]
[REDACTED]

The door, I immediately after the first uh, hit that they did on the door, I could tell it was, was barricaded, I could see a mattress um, blocking the door from opening. Um, they hit it a second time and it pushed it open more and then the third one created enough gap that we could start uh, you know trying to make entry. Um, I [REDACTED]

Officer FRANKUS or Sergeant FRANKUS and Officer TOWNLEY uh, Officer TOWNLEY being first, started to uh, go through as really tight and hard for all of us to get through but we were able to move the mattresses enough that, and squeeze through.

As soon as we started making entry into the room uh, I saw a female to the back right which would be the southwest corner of the motel room. I notified the other officers she back and to the right and then I heard somebody say he's down in the bathroom and when they initially said the sniper shot was taken they were, I think it was broadcasted that, that he was in the bathroom. Um, and the, they, that they believed he was down in that area so that coinc- or uh, matched up with what I saw.

Greenlee: Okay.

Gradwahl: Once, once I made it in there um, there's a, a little pass-through in the room between which would be the bedroom area and the bathroom. Uh, I went to that um, area which would be between her and him in the bathroom and observed a male subject on the ground and I could see blood uh, in his ear area and some on the front of his face and then I saw a knife still clutched in his hand. With a black handle, silver blade.

Greenlee: Clutched in his hand, could you see what hand that he was, had it clutched in?

Gradwahl: I believe it was his right hand. (Overhead announcement being made in precinct)

Greenlee: Okay. Alright so as soon as you went in there you saw him, he had the knife clutched in his, what you believed his right hand um, what happened from there?

Gradwahl: We uh, started telling everybody that, 'cause other people were still trying to make it in the room, that, to slow everything down, we have her, he's down. Um, the room was, [REDACTED] We ended up uh, you know making sure she was okay and able to get out of the room and officers uh, escorted her out of the, out of the motel room. I'm not sure who that was. I

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stayed um, covering him. Um, when I say cover I mean uh, observing him, making sure um, just in case he was gonna get up or whatever may happen that we had somebody in-between her and him. Uh, immediately um, once we saw he was down medics got called in. I think they got called in before we even got her out of there. As far as the request at least, the medics were nearby. They were in the room uh, quick and I was there when uh, medics uh, SERT medics determined that he was deceased.

Greenlee: We have a map here of the location can you kind of walk us through um, what we're looking at is the Del Rancho right here and SE 82nd Avenue and Flavel.

Gradwahl: Um-hm.

Greenlee: Um, is this the location where we're, where you were at?

Gradwahl: Yes.

Greenlee: Okay and that's at 7622 SE 82nd Avenue>

Gradwahl: Yes.

Greenlee: Okay and can you show us where uh, room number 16 was, on the map?

Gradwahl: Yes, do you want me to draw on it?

Greenlee: Uh, yes please.

Gradwahl: I drew a circle of the approximate area where room 16 is.

Greenlee: Okay and can you show us where you guys were staged in your, that [REDACTED] ready to execute.

Gradwahl: So I'm gonna put an X in room 16 and I'll put a 16, I'm gonna draw another circle the H and I'll put a 17 below it for the room we were in.

Greenlee: Okay, thank you and do you feel comfortable and could you draw a, just a, the diagram of inside the room when you made entry into room number 16?

Gradwahl: I can draw a rough diagram.

Greenlee: Rough diagram.

Prosser: Yeah just kind of like a set-up of the room 'cause, you know . (pause)

Gradwahl: So I'm drawing north for the top of the paper, the door is hinged on the left, knobbed on the right. To the right of the door is a window and when you come in

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um, I don't know where the bed was because the bed was up against the, the door. That mattresses and bedframe so there's the, the mattress, the box spring, the bedframe was, was all uh, up against the front door. I believe there was a, a dresser, I'm gonna draw a picture, a line that says dresser. I believe that was kind of holding the mattresses up against there. The, I drew a, a line that says bathroom. This other area is, it's kind of a studio if I remember right. There might've been a partition on the uh, west side of the room, not 100 percent sure. The, I'm gonna put an F with a circle around it for the area that I saw the female when we came in. And then the uh, I'm gonna draw kind of an oval, I'll put an M for the, the male and his head was to the uh, the north, north as he was laying.

Greenlee: Alright perfect.

Prosser: Was there a door to that bathroom or was it just open air?

Gradwahl: It was, I, I don't know.

Prosser: Okay.

Gradwahl: Um, 100 percent.

Prosser: Alright.

Greenlee: Okay.

Prosser: But was, was it op- so you could see when you came through?

Gradwahl: Ye-yes, yes.

Prosser: It wasn't a closed door, okay.

Gradwahl: And then there was a, on the north side I drew a rectangle, that's where the window is.

Prosser: Okay.

Gradwahl: I can put a W and then uh, and then the door is showing open. [REDACTED]

Greenlee: Thank you.

Gradwahl: Yup.

Prosser: And when you guys responded to the call uh, what was your understanding of who was in the room and if weapons, threats, anything like that?

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Gradwahl: Uh, my understanding was that initially, I believe I heard that he had stabbed somebody at the 7-11 and then was holding his wife hostage in the motel room and said that if the police come in, came in there that he was gonna kill her, was my understanding. Uh, later on during the call um, I believe it changed to he threatened or uh, made the attempt to or threatened to stab somebody at the 7-11 and I believe the, the rest of the facts of him being in the motel room with his wife and, and threatening, making threats toward her if the police either didn't leave or if, tried to make entry into the room that he would um, kill her or, or stab her or, or um, killing was the thing that stands out to me. We had also um, some people had received a picture of the, the subject so I knew he was a, a bald, white male.

Greenlee: Alright. Alright, okay was there any um, rules of engagement that you guys talked about?

Gradwahl: There, there was uh, the rules of engagement I believe or understand the rules at that point um, the, what I remember is, kind of in my mind trying to figure out where this thing was gonna go. That, like I say we were talking about getting this charge set up um, I mean things were moving pretty quick. Uh, for a lot of call-outs this one was moving really fast. Especially with the barricading going on. That's, that's a, a sign that, you know some- somebody's, you know we're being told is holding them against their will, making these threats. The, those, those been being made to kill her. Um, so he's trying to defeat our entry into the room and saying if we do he's gonna kill her and then I, shortly, shortly after we were talking about setting up this explosive charge on the front door um, it was again said something to the effect, if we don't go away that he's gonna kill her. So um, rapidly evolving and the threats were staying consistent, if not increasing. Um, I, I thought we were really heading toward a um, a deliberate entry. When I say deliberate entry I mean where the incident commander feels that we, we need to make entry before um, he hurts her. That it's moving to that point and, and that, like I said I've been on the team for over 19 years and, and that doesn't happen very often and, and it felt it was really moving toward that direction. The, it was broadcasted um, that if, if we hear her screaming inside.

Greenlee: Um-hm.

Gradwahl: And we believed that she's being hurt um, it was discussed that we would make entry.

Greenlee: Okay.

Prosser: And who, what um, was that the incident commander who broadcast that you guys...

Gradwahl: ...I, I believe Sergeant LIVINGSTON. I, I believe it was him that made that, either made that request or made that statement.

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Prosser: Okay.

Gradwahl: And oftentimes or sometimes the sergeant may talk to the lieutenant on the phone, especially when there's a lot of radio communication going on.

Greenlee: Um-hm.

Gradwahl: And I can't remember if, if he directed that or made that request and it was approved, but my understanding was if we hear her screaming and, and hear a commotion in that room that we're gonna go.

Prosser: Okay.

Greenlee: Okay. Think we should touch on the, the initiative.

Prosser: Um-hm, yeah.

Greenlee: And could you explain about um, terminology called appropriate initiative? What the?

Gradwahl: That, that's a, that's where maybe you don't have time to ask the incident commander about, you know specific contingencies because there's lots of contingencies that can happen on, in police work in general but then on, on uh, SERT call-outs or tactical events the, my understanding is that's gonna be where either an operator, in some circumstances or the sergeant or team leader sees an opportunity to resolve a situation and you don't have time to, to run it up the chain of command and get, and wait for an answer.

Greenlee: Um-hm.

Gradwahl: That something presents itself and that, that you make that decision to take appropriate initiative. Appropriate action.

Prosser: And, and was that authorized on this call-out or is that like on every call-out?

Gradwahl: Uh, I can't remember if it was discussed on this one but it's, it's uh, it kind of depends on the dynamics of each call whether it's, if it's somebody that's um, barricaded, you know that ran from the police and maybe they dropped their weapon and now they're, you know in a garage and, and so, you know that, and not wanting to come out and they don't have access to weapons, you know that's gonna play out different than this.

Prosser: Right.

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Gradwahl: So I think it's just kind of on a case by case basis on, on how that's applied and I think as far, as, you know when, when it's a, a lesser incident and, and the risks are lower, you know that's where, you know I think officers, you know or if they see that chance that maybe somebody, you know comes out real quick and you have the chance to leave your location to go grab them. You know that'd be appropriate initiative. You didn't have time to ask supervisors.

Prosser: Right.

Gradwahl: But you just took that action.

Greenlee: Um-hm.

Gradwahl: You know on, on, this is a, a, this is a big event that we were on today so that's gonna probably be, you know more of a, of an, an action like waiting for the execute command because you don't want to fail.

Greenlee: Okay.

Gradwahl: And I guess to clar- I want to clarify when I say a hasty plan and a hasty team, that doesn't mean it's not a solid plan and, and it just means um, that you're ready to go, you have a plan in place but we're still gonna look at other options. Like getting that, that charge put on the front door.

Greenlee: Um-hm.

Gradwahl: And, you know so you're al- you're trying to improve it but it's, it's solid and good. Uh, at least on this one, sometimes uh, you may not have it, all the bodies you need. On this one uh, it, it, we had a solid plan but we were just trying to make it a little bit better.

Greenlee: Okay.

Prosser: So, so [REDACTED] would be kind of more like that you're able to react immediately if you needed to?

Gradwahl: Right, it doesn't mean bad.

Prosser: Right, yeah, so.

Greenlee: And you guys train for this, correct?

Gradwahl: Yes, most, al-almost every incident uh, like a hostage rescue is, you know that's [REDACTED]

Prosser: Um-hm.

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Greenlee: Okay. Okay anything else?

Prosser: Can you think of anything else we haven't touched on that would help provide a better understanding of what occurred today?


Gradwahl: I don't think so.

Greenlee: Okay.

Myers: Uh, for tape it's 10-10 of '18 and it commenced at 1342.

Prosser: Yup.

Greenlee: And we're gonna end the tape now at 1407.

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IMAGE ATTACHMENT (2746005) INTERVIEW WITH OFFICER HUNTINGHOUSE 10-10-18

**PORTLAND POLICE BUREAU
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**Interview with
OFFICER KENNETH HUNTINGHOUSE
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Greenlee: This is Detective Greenlee with the Portland Police Bureau. Today's date is October 10th, 2018, the time is 1421. We're here today to talk about incident number 18-347005, which occurred at the Del Rancho Motel located at 7622 SE 82nd Avenue, Portland, Oregon, room number 16. And we're here talking with Officer KENNETH HUNTINGHOUSE and your BPST is?

Huntinghouse: 52689.

Greenlee: And with me is Detective Todd Prosser and union representative Jeff Myers. Officer HUNTINGHOUSE if you could walk us through what led you to the um, the Rancho today.

Huntinghouse: Okay uh, I heard the call come out so I attached myself to the call to assist. I showed up in the Del Rancho parking lot uh, to help out. Um, eventually I was tasked, while we were outside I was tasked to go uh, see if there was video to see if uh, we could see a weapon or see if there was any weapon involved in the previous disturbance.

Prosser: And where was the previous disturbance at?

Huntinghouse: Uh, 7-11 at 82nd and Powell, or not Powell, 82nd and Flavel.

Prosser: Okay and?

Huntinghouse: So I went there, spoke with the uh, clerk, mister, I think his last name is AWAN, A-W-A-N. Uh, he gave me permission to check the video surveillance.

Prosser: Um-hm.

Huntinghouse: Um, I checked it, I did witness a find on the video. It was, wasn't clear enough to actually see a knife in hand. I briefly interviewed Mr. AWAN, he confirmed with me uh, the suspect did pull out a knife and attempted to stab uh, another victim that was no longer at the location.

Prosser: Um-hm.

Huntinghouse: Uh, Mr. AWAN described the knife as a household kitchen knife.

Prosser: Okay.

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Huntinghouse: Uh, then I got the information from Mr. AWAN that the potential victim that almost got stabbed uh, lived down the street. He handed me a piece of paper with the name and address and phone number so I went to his location. It was on about 81 and Malden and made contact with him. He identified himself as Mr. PEASON.

Prosser: Okay.

Greenlee: Mr. PEASON?

Huntinghouse: Yeah P-E-A-S-O-N.

Greenlee: Okay, do you remember that address where you went or just on Maul?

Huntinghouse: Yeah 8102 SE Malden Court. Malden not Maul.

Greenlee: Malden, okay.

Huntinghouse: I spoke to him, got his side of the story. He told me uh, he was waiting in line then a female cut in front of him so he told her there's a line, get in back and apparently that upset the uh, the other person, her boyfriend.

Prosser: Okay.

Huntinghouse: And then he said they got into a brief argument. The boyfriend or the person he assumes was the boyfriend.

Prosser: Um-hm.

Huntinghouse: Stated I will gut you and uh, pulled out a knife. He pushed him, he said the boyfriend tried to stab him. He protected himself, punched down, actually ended up punching his wrist and the guy dropped the knife and they got into a scuffle before, like wrestling and pushing.

Prosser: Okay.

Huntinghouse: Before the uh, suspect ran off.

Greenlee: Um-hm.

Huntinghouse: Mr. PEASON said he picked up the knife and put it near the, the counter where the clerk was.

Greenlee: Okay.

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Huntinghouse: And then said the uh, boyfriend came back after a short while and grabbed the knife again and took off.

Prosser: Okay.

Greenlee: So suspect then came back and picked up the knife?

Huntinghouse: Um-hm. As far as the video goes I only watched the initial fight.

Prosser: Um-hm.

Huntinghouse: I didn't see anything past the initial fight, I didn't re-review the video. And then I went back and uh, just gave the information to people on-scene.

Greenlee: Do you know who you gave the information to?

Huntinghouse: Uh, Sergeant NICE.

Prosser: Okay.

Huntinghouse: I also updated on the radio that both people I talked to confirmed the guy was armed with a knife and tried to stab the, the victim.

Prosser: Okay and were you part of the uh, containment at the Del Rancho at all or?

Huntinghouse: I was.

Greenlee: You, you were?

Huntinghouse: Yeah I was uh, I don't know if you know the Del Rancho at all?

Greenlee: It, we have a map here, would you be willing to?

Huntinghouse: Yeah.

Greenlee: Kind of draw and you can kind of circle where you were located.

Huntinghouse: Well about 82nd, so here's the 7-11, here's the Del Rancho.

Prosser: Um-hm.

Greenlee: Um-hm.

Huntinghouse: That's the front and this is the back, I was right here on the side, you want me to circle it?

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Prosser: Yeah, yeah just put a circle right where abouts, okay.

Greenlee: And what was your job?

Huntinghouse: I, I'm sorry that's the parking lot. (pause)

Greenlee: And you were positioned here?

Huntinghouse: Yeah just on the side of the building.

Greenlee: Okay and what was your job when you were positioned there?

Huntinghouse: Well at first we had the containment.

Greenlee: Um-hm.

Huntinghouse: And then when SERT showed up they moved us out of the way to get out of the way.

Prosser: Alright.

Greenlee: Okay.

Huntinghouse: So we were just waiting there and seeing what happens.

Prosser: Okay and what did you see and hear happening?

Huntinghouse: Uh, so I was on the side of the building so I couldn't see anything, I just heard a, a pop.

Greenlee: Heard a pop?

Huntinghouse: Yup and then –

Greenlee: Okay and then what happened after you heard the pop?

Huntinghouse: There was a couple other sounds I, [REDACTED]
[REDACTED]

Prosser: Okay.

Huntinghouse: But I, I couldn't see so –

Prosser: Alright.

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Greenlee: And could you hear anything on the radio at that time or anyone around you giving updates or?

Huntinghouse: No, I was on East Dispatch and they're, no, no updates.

Prosser: And after you heard the pop and obviously the SERT team made entry to the uh, number, room number 16 at the Del Rancho were you tasked to secure that room or anything like that?

Huntinghouse: Uh, not that room particularly. I ended up putting up crime scene tape, the red crime scene tape uh, on the back end and on the front.

Prosser: Okay.

Huntinghouse: And then I did traffic control on Malden Street.

Prosser: Okay so on the back end do you mean on the south side of the Del Rancho?

Huntinghouse: So there's a parking lot you can only enter through the 82nd Avenue.

Greenlee: Right here, that 82nd Avenue?

Huntinghouse: Yeah so I did right in the middle of the parking lot I put up a second crime scene tape and then all the way on the back fence to the very east of the parking lot.

Greenlee: Over here?

Huntinghouse: Even though there's not an entrance. Yeah I put it up there so no one could come through.

Greenlee: So red tape?

Huntinghouse: Yeah.

Greenlee: And then at the front?

Huntinghouse: Well kind of, there was already a tape right there but in the middle. Like right where the vending machine in, right past the...

Greenlee: ...I'll have you draw.

Huntinghouse: I'm not sure exactly where the room's at.

Prosser: Um-hm.

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Huntinghouse: But wherever the room is...

Greenlee: ...um-hm.

Huntinghouse: There's a vending machine.

Prosser: Okay.

Huntinghouse: So probably about right there.

Prosser: Okay.

Huntinghouse: Is where I'd put it at.

Prosser: So you were just in the parking lot, but on the exterior of the room, never inside?

Huntinghouse: Never inside the room.

Prosser: Okay.

Huntinghouse: Nope.

Prosser: And you were never uh, uh, to the south of the Del Rancho at all?

Huntinghouse: Uh, no not doing anything.

Prosser: Okay.

Huntinghouse: I mean I walked past it after but –

Prosser: Right.

Huntinghouse: Never entered it, no.

Greenlee: Okay.

Prosser: Alright.

Huntinghouse: And then just uh, Malden Street I did traffic control until –

Prosser: Hm.

Huntinghouse: They called me off.

Prosser: Have you ever had any uh, contact with the deceased?

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Huntinghouse: I have not.

Prosser: Okay. And you never had uh, any contact with the female that was going by the first name of TALON?

Huntinghouse: I've not. Not to my knowledge and I don't remember any of those two.

Prosser: Okay.

Greenlee: Okay. And prior to SERT arriving did you guys, were you guys talking about a plan of?

Huntinghouse: Yeah Sergeant NICE backed everybody up to give him a little uh, I guess to de-escalate. Backed everybody up, had us hide behind cars, move cars back to give him a little space and then I was tasked to see if there was a weapon involved so I don't know what happened after that.

Prosser: Okay.

Greenlee: Okay so you guys backed up to give space.

Huntinghouse: Um-hm.

Greenlee: And then you were tasked to go get the video at that time?

Huntinghouse: Yeah.

Greenlee: Okay. Okay is there anything else that you can think of that we've not covered?

Huntinghouse: Uh, no I, I've got a copy of the video on my phone that I will upload to DIMS, that's it.

Greenlee: Okay, anything else?

Prosser: No that's it.

Greenlee: Okay. We're gonna conclude our interview at 1429.

Myers: You're gonna upload that to DIMS you said?

Transcribed Verbatim with Punctuation Added 101118 / 2014 T. Bradshaw

1011.20mgr

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IMAGE ATTACHMENT (2746007) INTERVIEW WITH STARLA STARN 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

October 10, 2018

**Interview with
STARLA STARN**

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Posey: Okay, so uh, we're recording and uh, it's uh 2:00 PM and uh, we're here with STARLA STARN, is that correct?

Starn: Um-hm yep.

Posey: Okay. And you know that we're recording this and you're okay with that?

Starn: Yes.

Posey: Okay. So STARLA, um, do you have a phone number?

Starn: Yeah...

Posey: What's that?

Starn: ...503...

Posey: Uh-huh.

Starn: 496-6595.

Posey: 6959?

Starn: 6595.

Posey: 95.

Starn: Yeah.

Posey: Okay. And uh, where are you staying right now?

Starn: At my hotel.

Posey: Okay, in the Del Rancho?

Starn: Yeah.

Posey: And what unit are you in?

Starn: 17.

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Posey: Okay. Um, and do you have any other different mailing address?

Starn: No we're trying to get an apartment now, that's why we're staying here.

Posey: Okay. Um, so uh, earlier this morning, uh, my understanding is that you uh, witnessed some type of disturbance that was going on um, in unit, what was it number 16 that's next to you?

Starn: Yeah well I heard him outside fighting, um, he was screaming and yelling at her, he had a big, a huge knife, in his hand. And, there was a cop out here on 82nd and then they spilled into the parking lot, were like arguing and fighting, he's screaming yelling saying that he had caught his, he said he had caught his wife giving head over here. And he's like, he told the cops, um, don't shoot me, shoot the guy who had his dick in my wife's mouth. And he's like, that's right, my wife had a dick in her mouth. He's like, she was prostituting herself, he's like screaming this. So I'm just like, kinda, taken aback by it, I'm like oh wow. It's waking me and my kids up, I have another daughter on the other bus. And I, it woke us up and um, well it woke them up, I was already up. And that's when I heard the cops, just like screaming at him, telling him, asking his name, I think it was AARON or something like that. He screamed out his birthday and, was calling them bitches and saying he's gonna put holes in their heads and, just, talking crazy, saying crazy stuff about the wife and uh some of it wasn't, even incoherent. It was like talking about souls or something. I, you could tell he was on meth, methed out of his mind. And um, that's just how it happened, then you hear them banging, well first they, okay so they start wrestling, before he took her in the room they were wrestling around, and he like slammed her into my door. And she kinda fell down and he drug her into the, into the, his room...

Posey: Okay.

Starn: ...and she, you could hear her go straight to the back, into the, uh the bathroom, the bathroom's towards the back of the unit.

Posey: Uh-huh.

Starn: And you could hear her, run back there and slam the door, and you could hear him banging on the door, screaming at her, telling her to let him in. Open the door...

Posey: Uh-huh.

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Starn: ...And then he'd come back out front, and scream and yell at the cops and then go back in and slam the door. He probably did that about 15 different times, before...

Posey: Okay.

Starn: ...the cops called us and said that you know, you guys need to leave, you need to evacuate right away.

Posey: Okay. Um, did you see anything before that time frame? Before the police officers, was there, any kind of incident?

Starn: Just them over here arguing, 'cause I had came here in the morning.

Posey: Okay.

Starn: And bought something from the store, and I heard them, they were like right here. Like exactly where we're at...

Posey: Okay.

Starn: ...arguing, and yelling.

Posey: Out, out in the, we're talking about the parking lot of the 7-11...

Starn: Yeah exactly where we're at.

Posey: ...okay. Out, out in front of the parking...

Starn: Yep.

Posey: ...in the front parking.

Starn: I didn't him no attention, I just bought my stuff and went on back. And then that's when it all happened with him, less than ten minutes later, is when everything...

Posey: Okay.

Starn: ...transpired.

Posey: Okay. And uh, um.

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Starn: But I did see him like, slashing the knife around, I thought he got, cut her in the arm, 'cause he was like s-going like this around her, and then I heard, seen her go like this...

Posey: Okay.

Starn: ...and that's when he like wrestled her and slammed her into my door, and then kinda like fell down and he got up and drug her into the room. So I thought she was stabbed in the arm, 'cause...

Posey: Okay...

Starn: ...she was holding her arm.

Posey: ...so you actually saw him with the knife before he, got her into the...

Starn: Oh yeah.

Posey: ...place. Okay. I just wanna make sure.

Starn: Yeah I came out of the door, I told the cops, 'cause I, I always, I only seen one officer. I was like, you know he's got a huge knife? And they're like, yeah we know go in the room and close the door.

Posey: Okay.

Starn: And then, so.

Posey: Okay, okay. Great, um, uh is there anything else that we should know about? Um, it, was there any like previous stuff going on? Like the...

Starn: Yeah...

Posey: ...last night?

Starn: ...so like um, a couple days he had out, out smoking a cigarette out front of my door, and he was, he's always outside. You could tell he's been on drugs, pacing around, being weird...

Posey: Um-hm.

Starn: ...it's the norm for this area, I'm sure you know.

Posey: Yeah.

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Starn: So I was like, oh just another meth head, and he had asked me for a cigarette, and I was like sure and I handed him one. And she starts freaking out and saying, I told you not to speak to nobody around here, and you're not allowed to talk to people, and I was just like, oh my bad and I just kinda went in my room and, and I heard them go in there and fight. They've been fighting and yelling and slamming doors and stuff for the last four days.

Posey: Okay, okay. And...

Starn: I could tell he's been up, 'cause he's constantly outside, always up, like amped up, you know pacing back and forth...

Posey: Um-hm.

Starn: ...and, listening to like, gothic music and loud on his phone, you know. He's got his phone out, playing loud music at two, three, four, five, six, seven, eight, nine in the morning, all night.

Posey: Right.

Starn: So.

Posey: Okay. Okay, um thanks STARLA...

Starn: Yeah.

Posey: ...really appreciate your help with that, um, uh did you see anything else that, I should know about or whatever, how, anything that the officers did?

Starn: No, they, they didn't do nothing wrong.

Posey: Okay.

Starn: Not that I've seen.

Posey: Okay.

Starn: Nope.

Posey: I was just, no I just like, you know like was there any particular thing that they did that they were trying to?

Starn: They were trying to calm him down and talk to him and he was just um, screaming, just uncoherent things, you could tell he was out of his mind.

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Posey: Okay.

Starn: And they're like calling him by his name. I think it was AARON or something like that, they kept trying to say his name and...

Posey: Right.

Starn: ...he's like, oh you know my name and he like shouted out his birthdate and his social security number and he's like, I forgot what the birthdate was but I know it was 1986, so he's like something, something 1986 bitch. And I was just like oh he's really trying to get to get shot by the cops today.

Posey: Okay. Alright, alright uh so we'll finish up and uh it's uh, uh 1407 hours.

Transcribed Verbatim with Punctuation Added 101118 / 1400, M. Connolly *ML*

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IMAGE ATTACHMENT (2746190) INTERVIEW WITH SERGEANT LIVINGSTON 10-10-18

**PORTLAND POLICE BUREAU
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**Interview with
SERGEANT DON LIVINGSTON
TAPED STATEMENT TRANSCRIPTION**

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Harris: Okay my name is Detective Tony Harris, I'm here with Detective Arjay Dran. We are seated in the roll call room of North Precinct. Also present in the room is Sergeant DON LIVINGSTON and Officer Jason Walters as representation. Everybody know this is being recorded?

Livingston: Yes I do.

Walters: Yes I do.

Harris: Okay. It's about 1:40 on October 10th, 2018, and we are here to uh, discuss an officer involved shooting documented by Portland Police case number 18-347005 which happened today at 7622 SE 82nd Avenue, apartment 16 uh, here in Portland. Um, and I'm here to interview Sergeant LIVINGSTON. Uh, Sergeant LIVINGSTON can you just tell me kind of what your uh, what you're assigned to.

Livingston: I'm a sergeant assigned to the Special Emergency Reaction Team which is uh, SERT, it's the Portland Police Bureau's SWAT team.

Harris: Okay.

Livingston: My assignment is full-time um, in that unit.

Harris: How long have you been doing that?

Livingston: Uh, full-time for a year and a half, I've been on the team for two years.

Harris: Um (beeping noise) and how did uh, how were you notified of today's incident?

Livingston: Uh, so we were, the team just served a search warrant for [REDACTED] uh, their...

Harris: ..[REDACTED] is?

Livingston: [REDACTED]

Harris: Okay.

Livingston: They were doing a robbery investigation uh, we served a warrant at [REDACTED] [REDACTED] for them today. It was the second warrant we'd served for them today. Um, we just wrapped up the investigation uh, I got on the radio and asked for investigators to come up so I could uh, speak with them and let them

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know what we found inside the residence and turn the residence over to them so they could search for evidence. Um, at that point I got, I received a page from dispatch. Um, it was a request for a SERT consult, to call Sergeant NICE from East Precinct. Um, I was busy at that point um, working through the final stage of the warrant. Uh, I, I ran the warrant as the team leader today. Uh, Sergeant McCONNELL was um, was uh, in charge of the IP so in terms of hierarchy he would be number two.

Harris: IP is?

Livingston: Uh, inner perimeter or the containment or the snipers so. I uh, reached out to Sergeant McCONNELL over the radio and asked him to call Sergeant NICE in regards to the, the consult.

Harris: Okay and Sergeant NICE or uh, McCONNELL apparently gets some information I'm assuming.

Livingston: He had information that they're, East was on a call um, or the information I received initially was East was on a call, it was a potential hostage situation that involved a knife at the Del Rancho Motel and uh, it was very brief. It sounded like it was something we would be going on. Um, he had a phone conversation with Lieutenant DAKIN and Lieutenant DAKIN approved the team to load up into armor and drive down to a staging location. We had not been activated yet. Um, we can't activate ourselves so the, the IC or the highest ranking person on-scene running the call would need to activate the team. Um, based on McCONNELL's initial assessment he felt like that's where the call would go. Uh, Lieutenant DAKIN approved and, or agreed and approved us to drive down to a staging location so we'd be close in case we got activated. Uh, so we drove from [REDACTED] uh, to uh, 82nd and Johnson Creek. The Fred Meyer lot was gonna be our staging location.

Harris: And then what happened?

Livingston: Uh, while we were enroute uh, the call was developing um, they actually got us a dispatcher on [REDACTED] which is the radio net that we use for activation, routine business. Uh, I was aware that uh, it was a CNT activation at that point so members of the Crisis Negotiation Team were responding to assist patrol with the uh, with the call. Um, I received a call from their team leader, TROY KING, wondering why we weren't activated at that point. Um, I uh, I did not know, I didn't have a bunch of the details so he was still responding. Um, we had got off at Johnson Creek, I know Lieutenant Nakamura had arrived and at that point uh, the team was activated over our net. Um, we um, Lieutenant NAKAMURA said it's a full activation at that point. So we drove uh, past the staging location uh, directly to the Del Rancho um, hotel.

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Harris: Okay. And when you say we is that everybody from this warrant?

Livingston: Everybody from the warrant. There was a couple guys that came back here to grab vehicles that had specific equipment in it that we may need for a situation like this. Um, but the rest of were in a conga line. Both pieces of armor so, we have two armored vehicles um, a bear cat and a bear truck. Um, everybody that was assigned to those vehicles were riding in them on the way down and we also had three medics enroute with us. Uh, two members from the Crisis Negotiation Team and then several uh, of the command staff were also um, driving with us.

Harris: And I'm not gonna pretend to know how everything flows in the, who, whose the person in charge at this time or who's your understanding?

Livingston: Of the uh, the call?

Harris: Of, of deciding to, I think you said Lieutenant DAKIN is the one that said yeah let's roll that way and then Lieutenant –

Livingston: Well the IC of the incident, my understanding...

Harris: ...um-hm...

Livingston: ...was still Sergeant NICE.

Harris: Okay.

Livingston: So he would have the ultimate authority to activate us.

Harris: Okay.

Livingston: Um, us as not being there, not having the information um, cannot insert ourselves or activate the team to come to a call. So uh, we were simply staging in, in case it got to that point we'd be close and be able to provide immediate assistance.

Harris: Okay.

Livingston: I did not have the details of what was going on in the call.

Harris: Sure.

Livingston: I, I tried, actually tried to pull it up on my phone and read it but uh, my phone was not connecting with mobility um, so I was gettin' information over the radio net from the dispatcher but I had not read the physical call so I did not have um, a lengthy amount of detail.

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Harris: Okay are, is your position with this group are then you in charge? Are you the ranking person if that's the correct term?

Livingston: So uh, I'm the team leader.

Harris: Okay.

Livingston: So in, in terms of uh, like things that we are gonna do as a team, like coordinate and all that stuff.

Harris: And the team being?

Livingston: SERT team.

Harris: Okay.

Livingston: Yeah so in terms of like actions we're gonna take, things that we need to set up, it's my job to coordinate that stuff and make sure it gets done. As far as actually um, deploying um, normally we have to get approval from the critical incident commander. So, or the IC, so I respond to a call for instance, when I got there uh, Sergeant NICE was still the incident commander. So I had some specific jobs I wanted to accomplish when I responded and I walked up and asked him for approval to do that. Even though we were activated it was still his call, his responsibility and uh, me simply inserting myself into that without knowing what he had planned could be a recipe for disaster.

Harris: And he is again?

Livingston: He is uh, Sergeant NICE.

Harris: Thank you.

Livingston: The incident commander.

Harris: Just keeping my people straight.

Livingston: Gotcha.

Harris: Okay so then you, is it correct to say at this point then you're with Sergeant NICE?

Livingston: I walked up to make contact with him.

Harris: Okay.

Livingston: Uh, he had a group of patrol officers, he was working on several things.

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Harris: Sure.

Livingston: Uh, he was working on uh, evacuations um, he had a custody team set up um, he was getting um, trying to get information to me specifically through people. I asked him for approval to deploy a hasty team.

Harris: Which is, can you explain what that?

Livingston:



Harris: The 15 and 17?

Livingston: Yes.

Harris: Okay. Probably a good time, I'm gonna show you a Google Map, I think representing the area. Does this reflect where we're at? Uh, Flavel and 82nd.

Livingston: Yes.

Harris: Um, do you know where the apart-

Livingston: The location of the suspect apartment?

Harris: Yeah.

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Livingston: Yeah it was approximately right there.

Harris: Okay. And where do you contact uh, Sergeant NICE?

Livingston: Um, just about where this pink dot is.

Harris: Okay.

Livingston: Probably right to the left of it...

Harris: ...so...

Livingston: ...as I look at it.

Harris: So purposes of the recording right where the uh, i- pink icon is that says Del Rancho, in the parking lot of this apartment complex?

Livingston: Yeah, as I look at it from the bottom to the left of that it would be the west.

Harris: Okay.

Livingston: Just right along the sidewalk. There's a sidewalk that runs along the uh, motel doors there.

Harris: Okay.

Livingston: Yeah he was up on the sidewalk.

Harris: And apartment 16 is where again?

Livingston: On the south side of that.

Harris: South side, okay.

Livingston: Yeah and it's towards the eastern end of this uh, complex.

Harris: Okay.

Livingston: Um, probably about two-thirds of the way down.

Harris: Okay, do you want to just draw a circle where you think the, it doesn't have to be exact just -

Dran: Does that work, here try that one.

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Harris: Cool. And so you're uh, for lack of a better way to say you're briefed by Sergeant NICE, you're getting more details um, you've got the [REDACTED] ready to go if this set of circumstances happen but it sounded like you sort of explained you had other plans of action going on as well.

Livingston: Yeah so um –

Harris: Different scenarios.

Livingston: Correct. So hasty team, their job would be if something happened inside of that location that would cause us to go, their job is to respond...

Harris: ...sure...

Livingston: ...and figure out how to get in there. The explosive breach team um, we had specific thoughts there. Since apartment 15 was empty um, they were gonna insert themselves in 15 [REDACTED]
[REDACTED]

Harris: Okay.

Livingston: They would usually stand up on a uh, bench or a stool so they could get an elevated look down into the room and their job would be to support the [REDACTED] team with like over watch as they make entry into the room.

Harris: Okay.

Livingston: So um –

Harris: Like a flanking type?

Livingston: Yeah, yeah.

Harris: Sort of, okay.

Livingston: Yeah so uh, that was uh, Officer DAUL and Officer SNITILY. Officer SNITILY was the primary explosive breacher, he was the one building the explosive charges. Um, the uh, hasty team um, Sergeant FRANKUS was in charge of the hasty team. Um, they worked their way down to apartment 17, which as I look at this is on the right or the eastern side of our target address. Uh, again they had a [REDACTED] they inserted themselves into the room. Um, Sergeant McCONNELL um, we had a brief discussion, he was in charge of the IP or the inner perimeter and that includes containment officers and also snipers. So he was starting to place um, officers that had looks on, as you look at this for us um,

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there's only a front and back to this apartment because there's no uh, side three or four or side two or four. So in our verbiage uh, side one which would be the front and side three needed coverage from a, a sniper observer. So he uh, he deployed uh, Officer KELLY VANBLOKLAND and Officer LEO HARRIS on the back side of it and then uh, initially it was uh, Officer JUSTIN THURMAN and Officer CHASE BRYSON on the front of the uh, um, complex looking into the front door, front window area of the target.

Harris: Okay and I, I don't, I'm not uh, I apologize if you've already repeated this, it's just for my own understanding. What information did Sergeant NICE tell you about the occupants of the apartment? What information are you getting?

Livingston: Uh, I didn't get much from him in the conversation.

Harris: Okay.

Livingston: So it, mine was more like what he had done in the complex and what needed to be done. I knew that um, he had started evacuations and he had a custody team. So while we were getting set, things set up I asked him to maintain the custody team and continue with evacuations. Um, the way this thing is set up and the nature of the call um, it was my belief, based on everything I was hearing on the radio, that this was a hostage situation. I also had belief that he was barricading uh, the, the doors. They could hear stuff moving around and um, I wanted to empty the entire complex so I asked uh, Sergeant NICE to continue evacuations, maintain the custody team in case he exited while we were getting set up. Um, but I did not have a specific conversation about all the factors that he knew. I was getting that information via the radio net. Um, at some point typically on these calls, when I respond there's always a meeting of the minds, as you say. A huddle up and a uh, a debrief from the on-scene supervisor and usually try to grab the primary officers with the most information. At that point myself's typically there um, our lieutenant, the CNT lieutenant, CNT sergeant and then the overall critical incident commander. Once that brief is complete the critical incident commander usually assumes responsibility of the call and comes over the radio and lets everybody know that he or she is in charge. Um, typically I'm there uh, this, this call was so rapidly evolving and um, we were like resource thin. I was setting things up that I did not attend that brief. Um, as soon as the evacuations were complete Sergeant NICE was pulled back to give that on-scene debrief to the critical incident commander and the command team. I maintained getting things set up because at that point it was uh, rapidly evolving and things needed to get done.

Harris: Okay so you only knew it as a hostage situation, you didn't have any other details?

Livingston: Well –

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Harris: Or –

Livingston: Um, the details I heard, there was a, some kind of a disturbance in 7-11 um, a, a suspect had a knife, attempted to stab somebody. Uh, later in the call it was broadcasted that there was probable cause for Assault II, Attempted Assault II at the 7-11. Um, I was also told that nobody in fact was stabbed. When I arrived um, officers – and I, I'm not exactly sure which officer. There's a lot of -

Harris: Sure, that's understandable.

Livingston: Officers in this Bureau that I don't, don't even know.

Harris: Sure, sure.

Livingston: But uh, said he also tried to stab somebody in the parking lot of the Del Rancho and then he um, took his significant other into the room uh, I'm, based on that statement, and I assumed it to be forcibly, and then he made statements that if anybody tries to come in here I will kill her and then at some point he said something to the effect of uh, he was gonna slit her throat. So all those factors coupled with the barricading um, the drapes were shut um, I believed it was a hostage situation.

Harris: Did you hear any of those things or was that just intel you received?

Livingston: That was intel I received. I didn't personally hear anything.

Harris: Never heard anything?

Livingston: I never heard anything.

Harris: Okay um, and so your role specifically was to uh, it sou-sounded like Sergeant McCONNELL did the perimeter, do you have a different role than him?

Livingston: Yeah so um, our team is split into two sides or two elements.

Harris: Okay.

Livingston: The IP which is the inner perimeter which includes containment officers and snipers.

Harris: Right.

Livingston: And the assault or entry guys which includes um, guys that will make entry into the residences um, uh, custody teams often times can be a, a blend of both. Explosive breachers are usually part of the assault um, side was well. So my job was to set that piece up, PETE was gonna set up the IP or the containment and

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then I had overall responsibility of the event from the SERT side. As the on-scene supervisor or the team leader so in that event I'm kind of like quarterbacking the deal. Um, my lieutenant uh, is Lieutenant JIM DAKIN um, so any requests to, to do anything, like for instance [REDACTED] I have to ask for permission through um, whoever is the IC and that will go through the chain of command, my lieutenant to the IC.

Harris: Okay.

Livingston: But some of that stuff happened when KYLE was still running it so yeah it went directly sergeant to sergeant and asked him.

Harris: Okay and can you explain maybe the term, maybe it's different here, the rules of engagement. Did those, did that change, is that fluid, who does, makes that call?

Livingston: It, it, it is fluid um, it changes. Um, I put out my expectations and rules so once we got things set up um, as this thing is kind of fluid and evolving um, we operate under standard rules unless there's something thrown out otherwise. And by standard rules that means the Policy and Procedure Manual, state and federal law. You operate under that umbrella. Um, at some point um, once everything got set up, as we responded I, I realized some guys were listening to East Net and some guys were our [REDACTED] and I specifically asked for that in the car as we were driving down in the armored vehicle so I could get fed information. You know and it's one of those deals where it's like overload. My phone's ringing, multiple radio nets are going off and I'm trying to read the call, trying to get like as much info as I can. So once the [REDACTED] was in place, [REDACTED] was [REDACTED] PETE had set up most of the containment and the snipers, we had a custody team out front. I uh, got on the radio and kind of gave what we refer to as an information dump. Um, like to the best of my knowledge this is what happened, this is what we know and this is the, you know the situation we're in right now. So I kind of went over the assault, attempted to stab somebody, nobody's been stabbed. Um, he retreated into the apartment with his significant other um, at this point we believe he's holding her hostage. She is not free to go, he's made these statement um, that he, if anybody comes in there he was going to kill her and he also mentioned about slitting her throat. Um, so based on all those factors my direction was if we hear signs of a struggle inside or um, her screaming for help um, I would, and, and I didn't hear it, I asked them to notify me but I would um, activate or to execute.

Harris: Sure.

Livingston: Launch um, what we would refer to as an entry or an assault into that room and by [REDACTED] Um, at that point it

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would've been a key or ram ramming through the front door trying to get into the residence to protect her.

Harris: Okay um, were you gonna continue?

Livingston: Uh, no.

Harris: Okay um, and so you put out the dump, everybody's supposedly on the same sheet of music, that's the idea there, correct?

Livingston: Um-hm.

Harris: Okay.

Livingston: That is and uh, we, so you refer to this as like a hasty team in that it's like it's set up, we have a plan but you're always working towards what we refer to as a deliberate plan. So your [REDACTED] plan is always getting better 'cause you're adding stuff. So I have a, a two person key to get into that front door what could, what could be better? A, [REDACTED] might be able to get through that door so RUSS CORNO joined the team and he was building [REDACTED] for that front door. Um, [REDACTED] in [REDACTED] somebody to step in so if we do call for the uh, assault into the room um, now [REDACTED] potentially you have an [REDACTED] your, your chances of winning and being successful increase. So throughout the call we're working on making that better. So you start out with your base and you're constantly working to make it better.

Harris: Okay and then are people on your, under either your direction or uh, Sergeant McCONNELL's or, are they feeding intel as well as long as the CNT component so you're getting?

Livingston: Yes.

Harris: Okay.

Livingston: So CNT operates on a different net typically. In response we all work on [REDACTED] Uh, the process is once we get there and get established there's a lot of radio traffic, they typically switch to [REDACTED] which is also an encrypted radio net. Um, they operate uh, separately. They have a lieutenant so um, we funnel our information to our lieutenant, they funnel their information to their lieutenant, all of it goes to the CIC who ultimately makes the decisions. We have intel officers and one of them is as-assigned specifically as a liaison with uh, CNT. They'll feed information from CNT onto our radio net so we have information more real time um, it is delayed because they're developing it, putting it out.

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Harris: Sure.

Livingston: And then broadcasting it to us. Um, so we try to communicate as best as we can that way. So my information was coming from our net um, as well as stuff that people, intel was feeding over to us.

Harris: So your operators, McCONNELL's operators, CNT, it might be a little delayed because of the different nets and filtering through but you're getting all the information?

Livingston: Yeah.

Harris: Is that correct?

Livingston: And how, yes, yeah and how it comes in, you know.

Harris: Yeah.

Livingston: It's like I could get some information personally from somebody and broadcast it um, or um, you know the intel officer that's assigned to CNT gets it and broadcasts it, you know. Try to ver- vet it and verify it.

Harris: Sure.

Livingston: Because sometimes we hear...

Harris: ...conflicting...

Livingston: ...this guy says this, this guy said this so, you know.

Harris: Right.

Livingston: It takes a while to, to get everybody onto that same page.

Harris: Understood, understood. What um, and so what I hear is your plan is to, you're, you're set up for the [REDACTED] your plan is to what?

Livingston: Um, well continuing to work to make that better. So uh, RUSS is working on a, a, [REDACTED]

Harris: Right.

Livingston: So he's got [REDACTED] he's gonna ultimately hang on the door once it's built and I asked for permission through the CIC to go ahead [REDACTED] [REDACTED] Um, also working on, in addition to [REDACTED] uh, SNITILY started

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working [REDACTED] So we realized the guy was barricading the door um.

Harris: How did you know that?

Livingston: Uh, people broadcast that on the way there and also KELLY VANBLOKLAND um, on the back side put on the radio that he could see a mattress up against the window. So based on those factors I believed more likely than not he was barricading inside. So ramming or [REDACTED] on the front door we're gonna, we're gonna encounter barriers trying to get into the room so a second way to get into the room um, TOM SNITILY [REDACTED]
[REDACTED] So again increasing our odds of being successful. Additionally um, the team [REDACTED] was talking about uh, peeling off two guys to do a, [REDACTED]
[REDACTED] So on side one or the front of the apartment there's a window. Um, as you face it, it was to the right of the door. [REDACTED]
[REDACTED] again increasing your odds of being successful. So as this is going on you're never stopping working on making your plan better. Um, I realized at that point um, they were asking for tools, pretty much all the bodies were expended. We had a, five guys that had um, been deployed to uh, training today to teach a rifle class at Columbia County Range. I'd asked for all them to respond but they were a distance off. Um, the [REDACTED] and [REDACTED] team are asking for equipment as well as the uh, IP guys were asking for equipment so um, I found McCONNELL and I were like going back and retrieving stuff 'cause we knew where it was and specific items that they needed. So I uh, got on the radio and asked um, Lieutenant DAKIN to request TNT which is uh, Washington County's Tactical Negotiation Team or their SWAT team to send additional resources. Uh, I asked for two [REDACTED] uh, two IP or snipers and then four assaulters for a total of eight um, SWAT officers to respond to assist us.

Harris: Okay.

Livingston: Um, so that request was made, he reached out and they were enroute.

Harris: Okay and again I, I haven't been on these type of calls or anything, was there a plan to initially, for lack of a better way, assault the apartment or were we gonna let h-him make the call, do you see what I'm asking?

Livingston: Yeah I do um, no there was no plan to deliberately assault the apartment.

Harris: Okay.

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Livingston: Um, that would've been driven by his actions. Um, the plan was to uh, get everything set up so if we had to we were ready. Um, and then let negotiations happen.

Harris: Okay.

Livingston: Um, negotiations are a key piece. Um, they feed us a lot of intel and oftentimes, you know 90 percent of these things nationwide are negotiated out with people surrendering so ultimately the goal for me was to get everything set up in case we need to respond in a tactical manner. Um, always hoping for that um, negotiation resolution.

Harris: Okay uh, the term appropriate initiative, was that brought up or is that part of your training or?

Livingston: Uh, you know that's been part of our training so as, as an officer responding to these events as a sergeant I always have appropriate initiative. In other words what that means, if I see um, something that can re-resolve the situation I have the authority to launch that mission. Um, as long as it's reasonable given uh, the totality of the circumstances and um, I also feel like I have a high chance of being successful. Um, so that's always out there to, to solve a situation. Um, so we didn't specifically say anybody has appropriate initiative today, I didn't ask for that on the radio, it's just something that's always there.

Harris: And is that, do you have to say that or that's just something that you train and everybody has it on their, it's kind of innate or?

Livingston: It's, it's, it's, yeah it's innate.

Harris: Okay.

Livingston: It, it's always there and everybody has that opportunity. If they see something that can resolve it uh, you know if you have time.

Harris: Um-hm.

Livingston: You know if it's not something that's urgent or immediate um –

Harris: Yeah.

Livingston: You should ask but if you don't then uh, you need to action.

Harris: Okay. Do you recall any broadcasts or anybody saying that um, uh, for again lack of better term, the green light or um, if you're able to resolve the situation take it.

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Livingston: No.

Harris: Does that make sense?

Livingston: Like we would refer to that as a shot of opportunity.

Harris: Yes.

Livingston: Yeah and no there was no request for that, there was no broadcast that we had that um, in –

Harris: Then what is shot of opportunity, what's with that phrase?

Livingston: That would mean if you, in this case if I saw the suspect um, like show his head at a window, regardless of the circumstances uh, if I did not see a weapon, if I did not see the victim um, that I, based on, it's an order from the incident commander to take a shot uh, with intent to end the situation, resolve it. So um, we did not have that. We were operating under standard rules of engagement.

Harris: Okay. You have anything?

Dran: Just to, for clarification purposes um, I think you said that CNT is on [REDACTED] you guys are on [REDACTED] um, [REDACTED] as, as well as inner perimeter?

Livingston: Yeah.

Dran: They're all, everyone, you guys are all on that same net?

Livingston: Yes everybody from SERT is on uh, [REDACTED]

Dran: Okay and then you've got, there's a SERT liaison to the incident command and also to CNT?

Livingston: Um, no and, well in this incident there was a uh, we had an intel officers were driving armor.

Dran: Okay.

Livingston: So we had three of them there, so one of them was assigned to the bear cat, one was assigned to the bear truck. Um, Officer DALBERG had just, we had just left a warrant and his, his role in that one was a liaison with CNT. So as we went down to this call um, maybe that, I'm not 100 percent sure if that was his role in this one but we always have a liaison with CNT. Um, but not with the command post.

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Dran: Okay.

Livingston: If that makes sense. Our lieutenant runs the command post.

Dran: Okay.

Livingston: So um, CNT's lieutenant is in the command post, the CIC is in the command post um —

Dran: But you don't have a, an actual operator in the, in the command post with them?

Livingston: No.

Dran: Okay. So it's just, it's just CNT that your liaison...

Livingston: ...yeah all the uh, all the information relayed to them is either by telephone or over the radio.

Dran: Okay.

Livingston: Every once in a while they'll ask me to walk back there and have a face-to-face conversation but that did not happen in this incident. Um, neither did any phone calls, it was all over the radio.

Dran: Okay and then um, on the map um, I, I was looking at where you were pointing out where that room was. I'm gonna show you the map that I have in front of me. Um, right about uh, here is where you met with Sergeant NICE.

Livingston: Yeah.

Dran: And then, and I'm pointing to the units on the north side of the property, then the south side about middle was where unit 16 was, where the suspect was?

Livingston: A little further.

Dran: Kind of a little further to the uh, to the east?

Livingston: Yup.

Dran: Um, did you ever, did you ever have eyes on back here from, at any point?

Livingston: No I never went back there.

Dran: Okay you were just concentrated up here basically in the, the middle?

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Livingston: Yeah we, we landed right here, I got out um, and walked. So we landed on the uh, kind of even with the southern end buildings.

Dran: Uh-huh.

Livingston: And I got out and walked into the courtyard. Really never left this area, only once to grab a piece of equipment.

Dran: Okay.

Livingston: From the armored vehicle.

Dran: Okay but then, but you never got, you never had eyes on the south side of the...

Livingston: ...no...

Dran: ...the building where the uh, the sniper team was, or one of the sniper teams.

Livingston: As I walked by, like I visually could see down there and saw um, I, I, out of the corner of my eye saw officers on the elevated platform, I couldn't even tell you who they were for sure.

Dran: Okay.

Livingston: But I, I did see them there but I never physically walked down there and um, checked their location. Um, Sergeant McCONNELL who set them up, you know typically if you're the IP sergeant and you're walking around um, you set people up, you kind of walk around and see their positions.

Dran: Okay and from this point where you were operating were you able to hear the suspect inside the, the uh, motel room?

Livingston: I never heard one word out of him from any of the spots I was in.

Dran: Okay.

Livingston: I spent time here, just initially talking to Sergeant NICE and then initially right on the uh, south side near the office. There's like a Pepsi machine and a little alcove. We were back in that alcove for a little bit talking with the hasty team while they were still working on evacuations and then um, I stood here for a while and kind of um, organized things and got things set up in that same alcove and then I was, once things were set my plan was to join the [REDACTED]. But I could not do that until we had enough resources and I directed everything. They asked for that um, they asked for a, a piece of equipment, a um, stool as we call it, but it's more of

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like a uh, fold out little table but it's about shin high. So it's a, it would be for that break in the...

Dran: ...for the break...

Livingston: ...front, front window. So I walked back to the piece of armor, I grabbed that, that uh, stool and then I started walking back into the courtyard. I walked along the north wall and I cut across the parking lot to the hasty team which was in apartment 17 and as I got to the apartment I heard uh, what I would describe as a muffled gunshot. I was not sure if it was one of our snipers or if it came from inside of number 16.

Dran: Okay. Um, and then after, so after you hear the shot um, what, what happens then?

Livingston: Well um, my thought was it either came from a, a sniper or from inside the apartment. Um, after we, we are trained if a sniper takes a shot to get on the radio and announce. Um, and we announce by saying [REDACTED] just so there's no um, if you say uh, like shot away or sniper shot it's, there could be some confusion, did we shoot or did they shoot. So [REDACTED] means I shot and uh, followed up by some information like uh, side one, window one. So as we make entry into the, the room we know where to look for the suspect. Um, so I, there was a little bit of a pause, I was waiting for that [REDACTED] and I just about clicked onto the radio and asked was that us and Officer VANBLOKLAND um, gave a [REDACTED] suspect should be down um, right there, or something to that effect. Um, it's a small little apartment. Um, it's a single hostage event um, I did not say this on the radio but this is just the way we train um, in an event like that its standard that we support a sniper shot by making entry into the location. Um, so as I dropped the stool to the ground, guys were already coming out and I, we all went up to uh, make entry into the uh, apartment 16.

Dran: You said guys were coming out so the hasty team is coming out of...

Livingston: ...coming out of...

Dran: ...they were in 15 I believe you said.

Livingston: They were in 17.

Dran: Okay.

Livingston: Yeah.

Dran: So they're already coming out to make that entry?

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Livingston: Yeah and as, as they're coming out to make entry I hear um, the [REDACTED] from 15 go off. Um, I see the two man key step up and start ramming the door. I can tell that it's barricaded, the door is going in but it's getting resistance. Um, the break and rake team um, at some point smashes the window as well and finally we get the door enough open um, Officer GRADWAHL who was pre-designated I think to do it, I think FRANKUS assigned him the role. Uh, tossed a flash bang in, once the flash bang went off we uh, we forced our way into the room past a bunch of debris. There was a bed um, that was stood up um, on its side, two mattresses, there was a bedframe stood up on its side and like a chest of drawers or an end table was pushed up against the door as well. Um, I want to say I was about fourth into the room. Uh, we pushed our way in, I could see a female um, that I believe Officer TOWNLEY intercepted and had her shielded against the wall and then we made our way back to um, what we would refer to as the two-three corner of that uh, motel room and I could see uh, the suspect laying on the ground. Um, I could tell he'd been shot in the head, there was a little blood um, forming around his head. Um, at that point um, it looked to me, based on his no movement, I didn't see any breathing um, it was my belief that he was uh, dead. I uh, got on the radio, said, I tried a couple times but people were talking. I got on the radio and advised that we were okay and asked for medics to come up so we could provide, render aid to the uh, to the suspect and then I verbalized to Officer TOWNLEY to start working on getting the, the female out of the residence. I was worried about the traumatic experience she just went through and I realized that's a significant other of hers of some sort and I did not want her to linger in there very long so we facilitated getting her out of the residence. Um, Officer or Medic FINK came up, he works for Portland Fire Bureau, he's assigned to us as a SERT medic. He walked in and pronounced the suspect deceased.

Dran: Okay.

Harris: Uh, is this a one-story or two-story?

Livingston: It's a one-story.

Harris: Okay.

Livingston: Yeah.

Harris: Okay.

Livingston: And uh, the suspect was like what I would describe a bathroom area. Um, when I went in there it was complete darkness other than the, the little window where he was laying below. Um –

Harris: And is this a motel room or an apartment?

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Livingston: It's a Del Rancho Motel.

Harris: Okay.

Livingston: Um, I mean you can, I think people do live there long term.

Harris: Okay.

Livingston: Um, but he was in number 16 um, I'm not sure what their living status was.

Dran: Um, when you guys make entry and secure um, the room um, and then bring medical in do you then start, do you, do you conduct a search, do you, for like for, for evidence? Do you, or is your job just to make sure that it is safe and contained and then pull your people out?

Livingston: Uh, safe, contained and pull the people out. So um, after he was declared deceased and we'd got the female out um, I started retracting all of our officers out of the apartment. We got out front um, I knew it was gonna take a while for everything to get resolved. Um, I could see East Precinct uh, starting to set up crime scene tape and I just separated the officers. Like if you're on the hasty team stand in front of apartment 17, if you're on the explosive breach stand on um, in front of apartment 15 and the fire/medic unit um, it's an ambulance, we call it Rescue 99, had pulled up and I asked if any of the IP or containment guys stand in front of the rescue just so I kind of had everybody separated and uh, I was kind of waiting for, I knew, in these events we have um, several homicide detectives assigned to us. Uh, Brad Clifton, Eric Kammerer, Billy Winters is a robbery detective. Um, usually one of those guys will make their way up and kind of talk to us. TODD GRADWAHL was there um, so we just kind of held that position for a while. Um, KAMMERER did come over and have a conversation with us um, we uh, the direction was we stay out of all the rooms, do not um, mess with anything that we left in there as far as gear wise um, but I knew it was gonna be a while so I allowed officers who were staged kind of out in front in that courtyard to strip their gear. Um, when I wear that gear it's 60, 60 pounds. We'd been uh, on a, an operation since 0400 so it'd been a long day. Um, I, I let them unload their rifles, take off their vests and helmets and uh, just hang out to receive further direction.

Harris: Okay did uh, when you came in you saw the female?

Livingston: I did see the female.

Harris: What was...

Livingston: ...she was...

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Harris: ...how'd she look?

Livingston: She was shielded um, by Officer TOWNLEY in what I would say, kind of along the four-side of the apartment back to the three-four corner. Um, she looked uh, upset um, and shocked. Just kind of like uh, almost like a white face. You know really a, a, almost in a condition black, like she didn't really know what was going on. Um, but like not agitated with us, very like stoic calm.

Harris: Did she look injured or?

Livingston: No not injured. Um, and when we asked her to, you know go out, Officer TOWNLEY was very polite, took her out and she –

Harris: She could walk, she could –

Livingston: Walk, yeah, yeah.

Harris: Okay.

Livingston: No issues.

Harris: Alright. Um, can you just put a number one where you met with KYLE NICE here. I don't know if that pen works but – and then a two where you hung out in the alcove. And then maybe a little box where you parked your car. And then just initial down here somewhere in case you ever see this again.

Dran: Um, I mean I imagine that you guys train for a myriad of, of scenarios. A, a hostage scenario, a high-risk search warrant um, a high-risk stop. Um, do, do you, is there, and I'm not familiar with the, with the, the SERT world um, but is there, is there a, are there types of scenarios that you that, that you believe or that the profession believes that are um, more urgent, well like one over another? Does that, does that make sense?

Livingston: Yeah. Um, so I think the policy kind of drives that a little bit too. Uh, hostage rescue uh, definitely up there at the top um, active shooter um, also a sniper situation. These are all things that are mandatory SERT call-outs for the police bureau.

Dran: Um-hm.

Livingston: Um, the other, so the fourth one would be um, a search warrant that uh, rates high enough but that's not a rapidly evolving event so in terms of like calls that we respond to, hostage rescue um, active shooter and a sniper situation, all those have a high potential for loss of life and drive um, tactics um, to be more um, I guess rapid and uh, your response should be uh, quick in the situations where you can

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resolve those at an early level where there is no loss of life or a limited loss of life.

Dran: Okay.

Harris: And I think lastly all I have is uh, you said you did break everybody, separate them uh, Detective KAMMERER came over. Did you talk to anybody else besides representation about this matter before speaking to us?

Livingston: Uh, you know no. I mean we talk. There's so much going on there.

Harris: Sure.

Livingston: You know like, are you okay, are you okay, but no not specifics about what I did or tactics, no.

Harris: Okay. Uh, that's all I have, Detective Dran?

Dran: That's all I have.

Harris: Do you have anything you would like to add?

Livingston: Not at this time.

Walters: I, I just have one question...

Harris: ...sure...

Walters: ..if you don't mind me asking me DON.

Livingston: Not at all.

Walters: Sergeant LIVINGSTON when the victim came out and you took a look at her and she looked uninjured to you at the time, how close of an examination did you give her? Just took a cursory walk past her or?

Livingston: Cursory walk past, I did not...

Walters: ...okay so she could've had maybe other injuries perhaps that weren't easily visible at the time? On, on a more level affecting her walking?

Livingston: Yeah.

Walters: Okay.

Livingston: I did not do like an exam on her.

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Walters: Okay.

Livingston: I guess my –

Walters: Nothing that was urgent or obvious?

Livingston: Yeah there was nothing...

Walters: ...okay...

Livingston: ...that I thought was like urgent, she needed like medics or anything I did not see.

Walters: Okay.

Livingston: But I did not, it was a quick glance.

Walters: Okay.


Livingston: I had a million things going on in there.

Walters: Perfect, thank you.

Livingston: Yeah.

Walters: That's it.

Harris: I'll go ahead and conclude this it's, what is that, 2:21.

Transcribed Verbatim with Punctuation Added 101218 / 1149 T. Bradshaw 

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IMAGE ATTACHMENT (2746209) INTERVIEW WITH TOM SNITILY 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

October 10, 2018

**Interview with
TOM SNITILY
TAPED STATEMENT TRANSCRIPTION**

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PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL TAPED STATEMENT TRANSCRIPTION

Case #18-347005

October 10, 2018

Page 1

Dormady: It's October 10th, 2018, the time is, uh, 1349 hours, and my name is Detective Ross Dormady with the Portland Police Bureau, and I'm here with Detective William Crockett. And we are investigating Portland Police case #18-347005, in regards to an incident that occurred at the Del Rancho Motel, 7622 SE 82nd Ave, in room #16. And, uh, we are here today at North Precinct, and we're going to be, um, interviewing Officer...

Snitily: SNITILY. S-N-I-T-I-L-Y. First name TOM.

Dormady: And your, uh, DPSST number?

Snitily: 42016.

Dormady: Okay, and you're employed at the, at the Portland Police Bureau?

Snitily: Right yep.

Dormady: Yep. And you're aware this is being recorded?

Snitily: Yes.

Dormady: Okay and you are, uh, with a union uh, rep, and your name?

Kenney: Uh, ZACHARY KENNEY. K-E-N-N-E-Y. DPSST 44439. And I'm here in, as a PPA rep.

Dormady: Okay, and you're here speaking, uh, uh, with us today in compliance with, um, the directives that say you are required to talk to us. Is...

Snitily: Correct.

Dormady: ...that correct?

Snitily: Yes.

Dormady: Yes, alright. And so, um, if you wouldn't mind just, um, tell us what unit number and what radio number, you have.

Snitily: Um, well my radio number's SERT 22.

Dormady: Okay.

Snitily: But usually I just, we end up using our names, on the radio.

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Dormady: Okay. Okay. And so, you-your unit number is, you-, is SERT 22 then?

Snitily: Yeah...

Dormady: Okay.

Snitily: ...in the computer that's what I am.

Dormady: Okay and then, who in your command, who's your Lieutenant?

Snitily: Uh DAKIN.

Dormady: Okay, and then your Sergeant?

Snitily: LIVINGSTON and DARBY.

Dormady: Okay.

Snitily: Well, and we have five Sergeants but, LIVINGSTON, DARBY, and MCCONNELL.

Dormady: Okay. And then, um, today who was your Sergeant?

Snitily: LIVINGSTON and MCCONNELL.

Dormady: Okay. And what, um, what is your role on the SERT team?

Snitily: Uh, I'm assigned to the entry element, and the, uh, [REDACTED]

Dormady: Okay. And then, uh, today you were at the Del Rancho Motel...

Snitily: Yes.

Dormady: ...and what was, I guess, what were your instructions or, or what were you told to, what were you supposed to do there?

Snitily: [REDACTED]
[REDACTED]

Crockett: This was an adjacent room?

Snitily: Yeah number fif-...

Crockett: Immediately adjacent?

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Snitily: Yep, I was in number 15, which is, uh...

Dormady: Yeah, could you actually use that map, um, and will you mark where you were?

Snitily: Yeah, it's kinda hard to...

Dormady: Yeah.

Snitily: ...I mean 'cause you just got roof line, but...

Dormady: Um-hm.

Snitily: ...uh we were one, one room to the west. So

Dormady: Oh, is that even writing? Here, try mine.

Snitily: Maybe.

Dormady: Why is it (unintelligible).

Snitily: So we were one, one room to the west is 15...

Crockett: Okay.

Snitily: ...we were inside of 15.

Dormady: Inside of 15, okay. And, so your role individually we've already covered, but as a unit what was your guys' role, or what was the instructions your guys were given, as you were going to the scene, or when you got there?

Snitily:



Dormady: Okay, so who was all in that room?

Snitily: The three of us.

Dormady: Is...

Snitily: PARKER, DAUL and myself.

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Dormady: Okay. Um, what, um, I guess what were you hearing, uh, was going on? Or I guess, actually let's cover, what were your guys' rules of engagements? I guess, when, or that you were instructed.

Snitily: Um, just s-, like, use of force rules? Is that what you're asking or?

Crockett: Was there any, uh, prior to going there, did you guys have a briefing prior to you going into room 15?

Snitily: Um, not a briefing, I wouldn't, like we didn't stage up and brief...

Crockett: Okay.

Snitily: ...we were just, I knew I, what we call a [REDACTED]..

Crockett: Okay.

Snitily: ...team, had gone um, to make themselves available if they needed to make entry immediately to, try and rescue the female.

Crockett: Okay, and so had, had you been provided any instructions, say there was an opportunity that certain action would be taken?

Snitily: [REDACTED]

Crockett: Okay.

Snitily: [REDACTED]

Crockett: Okay, and at whose instruction would you be operating? Did you have a leeway to make that decision yourself to [REDACTED] or, or would that...

Snitily: Uh it goes through LIVINGSTON and then...

Crockett: Okay.

Snitily: ...um, he kicks it up to, DAKIN which, is usually sitting with the IC.

Crockett: Okay.

Snitily: Either DAKIN or PEARCE, whoever the...

Crockett: Okay.

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Snitily: ...lieutenant.

Crockett: Okay. And then what was your understanding of, of what the situation was?

Snitily: Uh, my understanding is the, um, and I don't know what his name is, sorry.

Crockett: Uh, it's, uh, a SAM RICE.

Dormady: Yeah, SAM RICE and...

Crockett: Yeah, yeah.

Snitily: Yes.

Crockett: Okay.

Snitily: My understanding is he had, um, what, from what I heard, went into the store and possibly stabbed someone or tried to stab someone.

Crockett: Okay.

Snitily: Had left that location and gone back to the Del Rancho, to room 16...

Crockett: Um-hm.

Snitily: And was inside room 16 with a female that may have been his wife or girlfriend.

Crockett: Okay.

Snitily: And, um, was threatening to hurt her...

Crockett: Okay.

Snitily: ...and he was armed with a knife. And at one point, um, I think before we'd even arrived we were updated, uh, by patrol that he was saying threats that if they came in he was gonna kill her.

Crockett: Okay. And when you were in room 15, were you able to hear anything that was taking place in...

Snitily: I could hear him yelling. But I couldn't make out what he was saying. It was just, I could just hear somebody yelling. Like a male voice.

Crockett: Okay.

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Snitily: And then I could hear, um, as it, as it progressed, I could hear what sounded like furniture being moved around.

Crockett: Okay.

Snitily: And, my assumption is he's trying to barricade the doors.

Crockett: Okay, did you hear any other voice inside the room?

Snitily: I only heard his. I only heard...

Crockett: Okay.

Snitily: ...male voice.

Crockett: You just couldn't make out, or hear anything else.

Snitily: No it was just, yeah I couldn't tell what he was saying but you could just, every once in a while, hear. And then...

Dormady: Was it, was it loud or was it...

Snitily: Uh not like...

Dormady: Like conversational tones, or was it...

Snitily: ...no it was like loud yelling, I don't, I don't know if he was yelling at her, or if he was yelling out at...

Dormady: Um-hm.

Snitily: ...the guys outside but, uh, yeah, definitely yelling but I just couldn't tell what he was saying.

Dormady: Okay.

Snitily: Um and then I heard the, like, the furniture moving and then at one point I heard, what sounded like knocking. Like a knocking noise.

Crockett: Like a, a, at the do-at their door? At...

Snitily: I don't know if...

Crockett: ...somewhere in the vic-, the room 16?

Snitily: Somewhere from room 16, it sounded like...

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Crockett: Okay.

Snitily: ...like, yeah, just like, and I don't know if it was knocking like, him moving stuff and he's knock, like...

Crockett: Yes.

Snitily: ...hitting the wall, I don't know. It was just definitely different than, it was a noise I just remember.

Crockett: Right, right.

Dormady: Okay.

Crockett: Do you remember if it was like, say your wall?

Snitily: I think it was our wall, and that's why I was hearing it.

Crockett: Okay.

Dormady: Um-hm.

Crockett: [REDACTED]

Snitily: Yeah.

Crockett: And you said you're set up in this room essentially, and then...

Snitily: Yeah so, the first...

Crockett: Let me just continue to do, we'll just go through the whole event here.

Snitily: [REDACTED]

Crockett: [REDACTED]

Snitily: [REDACTED]

Crockett: [REDACTED]

Snitily: [REDACTED]

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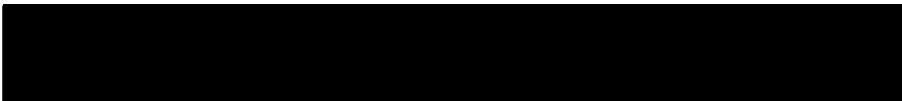
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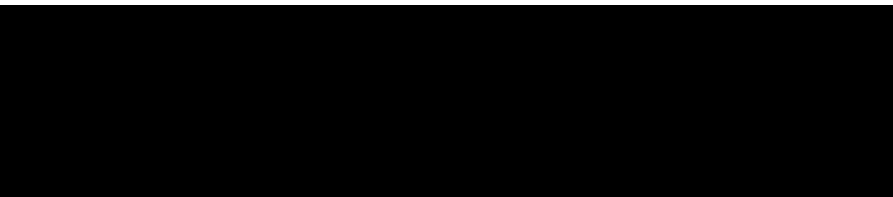
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Crockett: Okay.

Snitily: 

Crockett: Okay.

Snitily: 


Crockett: Okay.

Snitily: 

Crockett: Okay.

Snitily: 

Crockett: Okay.

Snitily: Um, that came out of the radio so I knew one of our guys had taken a shot, and he  so I knew it came from, the back. Um...

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Crockett: And in side three, where, where, where's your understanding?

Snitily: Oh sorry.

Crockett: Will you show me?

Snitily: So side one was the parking lot.

Crockett: Okay.

Snitily: So that there. Yeah that. So side, side one was the parking lot.

Crockett: Um-hm.

Snitily: You know clockwise, two would be, basically, guys down over here. Three's off this back side.

Crockett: Okay.

Snitily: And four.

Crockett: Okay. And do you know, I mean, uh, are they in elevated positions, did you know where they were (unintelligible).

Snitily: I did not know they were, no I just knew we had, guys on side one and side three.

Crockett: Okay.

Snitily: Um.

Crockett: And then after the shot, what did you hear inside the room?

Snitily: 

Crockett: Um-hm.

Snitily: 

Crockett: Through, through the 16th-...

Snitily: Through the main door, through the si-...

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Crockett: ...front door, okay.

Snitily: ...16, main door. And they, um dropped their [REDACTED] ..

Crockett: Um-hm.

Snitily: [REDACTED]
[REDACTED]

Crockett: Okay.

Snitily: [REDACTED]
[REDACTED]

Crockett: Um-hm.

Snitily: And I could see to my right, like, the bathroom door was open.

Crockett: Um-hm.

Snitily: And I could just see what looked like a, kinda, hand laying on the floor, like this, and so I was hollering, you know, guys, bathroom, bathroom, go bathroom.

Crockett: Okay.

Snitily: And then [REDACTED] and then at that point, once they had it, I just backed off.

Crockett: Okay. Okay, did you see anybody else in the room other than...

Snitily: I could never find where she was, I could just see that hand, and I...

Crockett: Um-hm.

Snitily: ...I assumed since it was side three, you know, obviously that...

Crockett: Yeah.

Snitily: ...was probably him laying there, so I wanted to send them to...

Crockett: Okay.

Snitily: ...to him, and I couldn't tell where she was, I was trying to find her, but.

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Crockett: And did you ever make entry in 16 yourself, or?

Snitily: No.

Crockett: Okay. I'm trying to think, I think that might be all we need. Is there anything else that...

Dormady: Hmmm, let me look here. (pause). I think that's it.

Crockett: Yeah.

Kenney: Can I ask coupl-, just a couple questions.

Crockett: Yeah.

Kenney: So, um, you understand the deadly force policy, we're allowed to use deadly force to protect somebody from death or serious physical injury.

Snitily: Yeah.

Kenney: And wa-, when you guys were there, were you thinking that there's a high probability that you were going to have to protect somebody from death or from serious physical injury?

Snitily: Absolutely.

Kenney: Okay. And you guys were prepared, I mean SERT gets called out for something like that because it's escalated to the point where you're concerned about somebody's life.

Snitily: Yeah, yep.

Kenney: And you were prepared at any moment there you like you may end up having to go in and shoot this guy yourself or do so-, what you had to do to save this lady?

Snitily: Correct, yeah.

Kenney: Okay. And there, was there any doubt in your mind that this lady was in any situation other than in mortal peril at this point? I mean, she's...

Snitily: No, not at all, yeah...

Kenney: Okay.

Snitily: ...she was, yeah.

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Kenney: Alright.

Crockett: It's good.


Dormady: Alright.

Crockett: Okay, we'll end it at that. Do you have anything you want to add before we're done?

Snitily: No.

Crockett: Okay.

Dormady: Alright, so the end time is fourteen-oh-(unintelligible).

Transcribed Verbatim with Punctuation Added 101218 / 1407, K. Hess, 

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CASE NUMBER
GO 42 2018-347005

CONFIDENTIAL**IMAGE ATTACHMENT (2746387) A106332 -CD W/HARRIS INTERVIEW & MAP**

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

RECEIPT NUMBER No. A106332	DATE/TIME 10-10-18/1507	AM <input checked="" type="checkbox"/> PM	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE	<input type="checkbox"/> FOUND PROPERTY	<input type="checkbox"/> PRISONER'S PROP. GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>		<input type="checkbox"/> SAFEKEEPING
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB				I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING
DENIED OWNERSHIP <input type="checkbox"/> N/A				
HOME ADDRESS CITY STATE ZIP				
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB				SIGNATURE
HOME ADDRESS CITY STATE ZIP				
PHONE				
TYPE OF INCIDENT OIS		DELIVERING OFFICER V. Cui DPSST/ASSIGN 36881/DET		
LOCATION WHERE SEIZED, FOUND, SURRENDERED NORTH PRECINCT		INVESTIGATOR (IF DIFFERENT) DPSST/ASSIGN		
<input type="checkbox"/> DEFENDANT	LAST NAME FIRST M.I. SEX RACE DOB			
<input type="checkbox"/> 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 CD DISK W/RECORDED AUDIO INTERVIEW WITH OFC. LEO HARRIS (SECT)			
ITEM 2	ONE (1) MAP OF INCIDENT AREA			
ITEM 3				
ITEM 4				
ITEM 5				
ITEM 6				
ITEM 7				
ITEM 8				
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input checked="" type="checkbox"/> SATELLITE PROP ROOM <input type="checkbox"/> PED		PRECINCT & LOCKER# CETV		
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER		DATE 10-11-18		
RECEIVED BY				
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY				
RECEIVED BY PED		BY		
DATE:	TIME:	WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT		

07/12

Portland Police Bureau

PUBLIC RECORD RELEASE

 CASE NUMBER
 GO 42 2018-347005
CONFIDENTIAL**IMAGE ATTACHMENT (2747063) PROPERTY RECEIPTS A106726,7,8,9**
 BUREAU OF POLICE
 2619 NW INDUSTRIAL ST., STE. B4
 PORTLAND, OREGON 97210
 503-823-2179
PROPERTY/EVIDENCE RECEIPT
 HOURS OF OPERATION:
 9:00 AM TO NOON &
 1:00 PM TO 4:00 PM, M-F
THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER No. A106726	DATE/TIME 10-11-18 / 1100 AM	REFER CASE NO. 18-681478	PPB CASE NO. 18-347005
CHECK ONE TYPE <input checked="" type="checkbox"/> ONLY EVIDENCE	<input type="checkbox"/> FOUND PROPERTY	<input type="checkbox"/> PRISONER'S PROP. GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>	<input type="checkbox"/> SAFEKEEPING
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB DENIED OWNERSHIP <input type="checkbox"/> HOME ADDRESS CITY STATE ZIP			I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING SIGNATURE
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB HOME ADDRESS CITY STATE ZIP PHONE			
TYPE OF INCIDENT OIS		DELIVERING OFFICER Posey	DPSST/ASSIGN 29821/DET
LOCATION WHERE SEIZED, FOUND, SURRENDERED Detective Division		INVESTIGATOR (IF DIFFERENT) Broughton	DPSST/ASSIGN 40218/DET
<input type="checkbox"/> DEFENDANT	LAST NAME FIRST M.I. SEX	RACE	DOB
<input type="checkbox"/> 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	CD with Recorded Interview of Ronald Pearson		
ITEM 2			
ITEM 3			
ITEM 4			
ITEM 5			
ITEM 6			
ITEM 7			
ITEM 8			
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input checked="" type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED	PRECINCT & LOCKER# CE/016	DATE 10/18	RECEIVED BY
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER			
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RECEIVED BY PED DATE:	TIME:	BY	WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT

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CONFIDENTIALCASE NUMBER
GO 42 2018-347005BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

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HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

RECEIPT NUMBER No. A106727	DATE/TIME 10-11-18/1100 AM	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND PROPERTY <input type="checkbox"/> PRISONER'S PROP. GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>	<input type="checkbox"/> SAFEKEEPING		
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB		I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING	
DENIED OWNERSHIP <input type="checkbox"/>		SIGNATURE	
HOME ADDRESS CITY STATE ZIP			
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB			
HOME ADDRESS CITY STATE ZIP		PHONE	
TYPE OF INCIDENT OIS		DELIVERING OFFICER Posey	DPSST/ASSIGN 29521/DET
LOCATION WHERE SEIZED, FOUND, SURRENDERED Detective Division		INVESTIGATOR (IF DIFFERENT) Broughton	DPSST/ASSIGN 40218/DET
<input type="checkbox"/> DEFENDANT <input type="checkbox"/> SUSPECT	LAST NAME FIRST M.I. SEX RACE DOB		
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	CD with Recorded Interview of Andrew English		
ITEM 2			
ITEM 3			
ITEM 4			
ITEM 5			
ITEM 6			
ITEM 7			
ITEM 8			
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input checked="" type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED	PRECINCT & LOCKER# CE/06	DATE 10/15/18	RECEIVED BY
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER			
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY			
RECEIVED BY PED	BY	WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT	
DATE:	TIME:		

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CONFIDENTIALCASE NUMBER
GO 42 2018-347005BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

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HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

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CHECK ONE TYPE	<input checked="" type="checkbox"/> EVIDENCE		<input type="checkbox"/> FOUND PROPERTY		<input type="checkbox"/> PRISONER'S PROP.		GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>		<input type="checkbox"/> SAFEKEEPING			
PROPERTY TAKEN FROM:			LAST NAME	FIRST	M.I.	SEX	DOB	I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING SIGNATURE				
DENIED OWNERSHIP <input type="checkbox"/>			HOME ADDRESS									
OWNER OF PROPERTY			LAST NAME	FIRST	M.I.	SEX	DOB					
HOME ADDRESS			CITY	STATE	ZIP	PHONE						
TYPE OF INCIDENT			OIS			DELIVERING OFFICER		DPSST/ASSIGN				
LOCATION WHERE SEIZED, FOUND, SURRENDERED			Detective Division			INVESTIGATOR (IF DIFFERENT)		DPSST/ASSIGN				
<input type="checkbox"/> DEFENDANT			LAST NAME	FIRST	M.I.	SEX	RACE	DOB				
<input type="checkbox"/> 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	CD with Recorded Interview of Roberta Stewart											
ITEM 2												
ITEM 3												
ITEM 4												
ITEM 5												
ITEM 6												
ITEM 7												
ITEM 8												
DELIVERED TO:			<input type="checkbox"/> STATE CRIME LAB		<input checked="" type="checkbox"/> SATELLITE PROP. ROOM		<input type="checkbox"/> PED		PRECINCT & LOCKER#		DATE	RECEIVED BY
CHECK ONE ONLY			<input type="checkbox"/> FED		<input type="checkbox"/> OTHER				CE/06		10/15/18	
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY												
RECEIVED BY PED			DATE:		TIME:		BY		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT			

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CONFIDENTIALCASE NUMBER
GO 42 2018-347005BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
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PROPERTY/EVIDENCE RECEIPT

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HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

RECEIPT NUMBER	No. A106729		DATE/TIME	10-11-18/1100 AM PM		REFER CASE NO.	18-681478		PPB CASE NO.	18-347005	
CHECK ONE TYPE	<input checked="" type="checkbox"/> EVIDENCE		<input type="checkbox"/> FOUND PROPERTY		<input type="checkbox"/> PRISONER'S PROP.		<input type="checkbox"/> SAFEKEEPING				
PROPERTY TAKEN FROM:		LAST NAME		FIRST		M.I.		SEX		DOB	
DENIED OWNERSHIP		<input type="checkbox"/>									
HOME ADDRESS		CITY		STATE		ZIP				I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING	
OWNER OF PROPERTY		LAST NAME		FIRST		M.I.		SEX		DOB	
HOME ADDRESS		CITY		STATE		ZIP		PHONE		SIGNATURE	
TYPE OF INCIDENT		OTIS		DELIVERING OFFICER		Posey		DPSST/ASSIGN		29521/DET	
LOCATION WHERE SEIZED, FOUND, SURRENDERED		Detective Division		INVESTIGATOR (IF DIFFERENT)		Broughton		DPSST/ASSIGN		10218/DET	
<input type="checkbox"/> DEFENDANT		LAST NAME		FIRST		M.I.		SEX		RACE DOB	
<input type="checkbox"/> 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		CD with Recorded Interview of Starla Starn									
ITEM 2											
ITEM 3											
ITEM 4											
ITEM 5											
ITEM 6											
ITEM 7											
ITEM 8											
DELIVERED TO:		<input type="checkbox"/> STATE CRIME LAB		<input checked="" type="checkbox"/> SATELLITE PROP ROOM		<input type="checkbox"/> PED		PRECINCT & LOCKER#		DATE	
CHECK ONE ONLY		<input type="checkbox"/> FED		<input type="checkbox"/> OTHER				CE/016		10/15/18	
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY											
RECEIVED BY PED		DATE:		TIME:		BY		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT			

07/12

CONFIDENTIAL

IMAGE ATTACHMENT (2748834) INTERVIEW WITH ANDREW ENGLISH 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

October 10, 2018

**Interview with
ANDREW ENGLISH
TAPED STATEMENT TRANSCRIPTION**

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Posey: Okay, we're recording. And, uh, ANDREW, um, you know that this is being recorded, you're okay with that?

English: Yes I am.

Posey: Okay. And, uh, ANDREW, um, how do you spell your name?

English: A-N-D-R-E-W E-N-G-L-I-S-H.

Posey: Uh, E-N-G...

English: Yes, L-I-S-H.

Posey: S-H, okay. And, uh, what's, uh, what's your, uh, date of birth?

English: March 1st 1987.

Posey: Thank you. And what's a good phone number for you?

English: 971-601-2004.

Posey: 2004?

English: Yeah.

Posey: Alright. And that's a cellphone number?

English: Yes it is.

Posey: Okay. And, uh, do you have a mailing address?

English: Uh, not currently.

Posey: Okay. D-uh, d'you-, eh, is there a particular place that you're going to be staying at, eh?

English: The Dar-Ron, I usually stay here.

Posey: At the Del-...

English: We-, yeah so...

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Posey: The Del Rancho.

English: ...Del, no, I usually stay at the Dar-Ron, but, so, you can only stay 29 days...

Posey: Oh...

English: ...out of the month...

Posey: ...I gotcha.

English: ...so I had to go over there for a day to come back and it was jus-, yeah.

Posey: Ha-, how-, it's...

English: This is the Dar-Ron, D-A-R-R-O-N.

Posey: Ah. Motel?

English: Yeah.

Posey: Okay. And you're in 206 currently?

English: Yes, 206.

Posey: Okay. So you're planning to stay there for...

English: Yeah...

Posey: ...the next...

English: ...we u-, that's where we usually stay.

Posey: Okay, gotcha, cool, thank you. Alright, um, so, um, why don't we start from, you know, you heard about a disturbance going on at the 711 from your girlfriend, is that correct?

English: Yes, my fiancée...

Posey: And...

English: ...and she...

Posey: ...and what's her name?

English: Uh, ROBERTA.

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Posey: ROBERTA what?

English: STEWART.

Posey: Okay. Um, alright, and so what happens?

English: Well, I'm just, so I'd, we'd, I'd just drop my daugh-, like, the school bus came, picked up my daughter. I hopped in the shower after my fiancée says she's leaving to go to the store to get something, I'm not sure exactly what she was getting, um. Then, as I get out of the shower, my phone is blown up three times, so I tried to call her back and we do this back and forth and I can't understand her, so she texts me, come outside right now. So I come outside and I see the guy and his girlfriend scuffling, pretty much, she was, she's flew-, kr-, fear for her life. No, she was not, she was scared, clearly.

Posey: Okay.

English: And he threw her into the room and said I'ma kill you and myself, then he's proceeded to say, get away from here officers or I'ma kill all you. Then...

Posey: And I'm going to just pause you for a second.

English: Um-hm.

Posey: Just so that we understand. You were at the Del Rancho in unit number 11, is that...

English: Yes.

Posey: ...correct?

English: I was at...

Posey: Okay.

English: ...in room number 11...

Posey: Okay.

English: ...when I g-

Posey: When you seen this.

English: Yes, when I w-, looked out the door from, 'cause that's what my fiancée asked me to do, so...

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Posey: Okay.

English: ...I'm not sure what was going on...

Posey: Right, right.

English: ...I look out the door, and I'd d-, again I didn't, I just, wasn't even meant to see it, it's just, I was trying to figure out what was going on with her and I seen it on the phone, and I sit on the corner...

Posey: Um-hm.

English: ...and she's just, like, pointing, so, he has a scuffle with the police, I guess. Not like a scuffle, but a altercation, like a back to, back and forth, um, he's-...

Odil: Verbally?

English: Yes, like a verbal, th-, the guy's trying to mediate it out, I would assume he was, he's just trying to talk to 'em, he was just like, screw you, uh, she cheated on me, uh, you-, she's prostitutin', um...

Posey: And what was the...

English: ...she's going to hell.

Posey: ...what was the officer trying to do?

English: He was just trying to g-, c-come out, hey come outside here and talk to me, you know...

Posey: Um-hm.

English: ...uh, calm down, why are you being so erratic, pretty much...

Posey: Um-hm.

English: ...why, why you doin' all this?

Posey: Right.

English: He was trying to defuse the situation the whole time, he was, until he started to getting like, really threatening and s-shutting the door, and then he was kicking the inside of the door and all kind of stuff, so...

Posey: Okay.

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English: ...they took it to a whole 'nother level, you know, they's called the SWAT in and that's when they said we can't leave our rooms.

Posey: So, um, I'll back you up just a little bit, um, 'cause as we were talking just before this...

English: Yeah.

Posey: ...um, you kind of saw some other things that, that you mentioned to us, um, as the officers are trying to calm him down...

English: Um-hm.

Posey: ...um, and find out what's going on, um, you said, you said the guy did some other things.

English: The, um...

Posey: A-and, and the girl did some things too.

English: When they were fighting, when he was physically forced her into the room, yeah, no, yeah, well he was, that was, so when I looked out the, the win-, the door...

Posey: Um-hm.

English: ...the, uh, guy was screaming at her, get into the room because we're going to get in trouble, so he s-snatched her into the room...

Posey: Okay.

English: ...and then, like, really pushed her. He's w-w-way more big, bigger than her, clearly, and, like, crazy. So she just w-was fearful, look, like, ahhh, pretty much, and then she ran in and slammed the door, and then I hear a bunch of kicking, because it's like, right, so, oh wa-, the walls are probably this thin, and...

Posey: Wh-, where did she go into the room? You said she went in...

English: She went...

Posey: ...to the door.

English: ...straight back into the bathroom, because you hear t-the door open and then, like, you see the door opened and you hear a boom, like, the slam...

Posey: Okay.

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English: ...which I assume was the, uh, bathroom door slamming...

Posey: Okay.

English: ...because it's right, it's in earshot, you can hear everything.

Posey: Could you s-, actually see into the room and see her go...

English: No.

Posey: ...into the bathroom?

English: I did not see that, but I-

Posey: It just sounded like she...

English: Yeah, because...

Posey: ...went into the bathroom.

English: ...all the rooms are basically set up the same...

Posey: Okay.

English: ...so I know from my room that the only other op-, there's not a backdoor, she can't, there's not...

Posey: Okay.

English: ...there's not no backdoor slamming, there's no windows slamming or anything...

Posey: Right, right.

English: ...so the only other...

Posey: Okay.

English: ...would be the bathroom door.

Posey: So ther-, the only other door in those rooms are...

English: The bathroom.

Posey: ...the bathroom.

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English: Yeah...

Posey: Okay.

English: ...the bathroom.

Posey: Okay.

English: So that's the, so you hear that and then we are ask-, told to get out of the room.

Posey: Okay. By the, by the police...

English: The SWAT people.

Posey: Okay.

English: Yeah.

Posey: Right, okay. And, um...

English: But they never let my girl come back in the room, so...

Posey: Right, right.

English: ...they never let anybody go back in there, or.

Posey: Okay, and what did you see afterwards?

English: Well, while I was out here I'd-, was, uh-

Posey: Did you see any other interactions with the police officers, and, and...

English: I didn't s-, I did see them surf around the building and, other than that, they've had a b-, pretty good job of shutting it down...

Posey: Okay.

English: ...and making sure nobody...

Posey: Okay.

English: ...was seeing anything.

Posey: Okay. Did you s-see any, a-any other use of force by the...

English: No...

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Posey: ...by officers?

English: ...no, the officers, they was just giving that guy so many chances, so many chances to, uh, calm down...

Posey: Um-hm.

English: ...you know, 'cause he was, they stood across the thing for a minute, I mean, I have it on camera. They had, like, they was there in a group talking to the guy...

Posey: Right.

English: ...saying, please stop, uh, what are you doing, why are you doing this?

Posey: Right, right, right. Okay.

Odil: So you have a regular video of it?

English: Well, it's Snapchat.

Posey: So, um, and just, I, e-, so it went straight to Snapchat, it didn't go onto your phone?

English: Well, I don't know how that, s-some phones do g-go into, like, go into the camera and some...

Odil: Yeah...

Posey: Okay.

English: ...don't.

Odil: ...do you mind if we have, we've got one of our tech guys here that knows what he's doing. Do you mind if we, potentially try to pull that off your phone later?

English: Yeah, that's fine, I...

Odil: Okay.

Posey: Okay, cool.

Odil: Perfect.

Posey: Yeah, we'll have you, we'll have you do that...

Odil: Yeah.

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Posey: ...that will be great.

Odil: Yep.

Posey: Alright, um, ANDREW, is there anything else...

English: Nope.

Posey: ...that, that we should know about? Anything else that you witnessed that you're, like?

English: No man, not that I can think of...

Posey: Okay.

English: ...besides the fact that I d-, I always speak, uh...

Posey: I'm sorry.

English: ...I speak my mind, so I don't know, like, the guy was being very, very, very, you know, threatening to his, huh...

Posey: Okay.

English: ...his woman, so.

Odil: Yeah, and that's what I was going to ask you, you know, do you remember, um, I know you mentioned the one that he said when he first push, pushed her in, was there anything else that you heard?

English: Well, I acquired more information as the, um, I don't know where they're at, but they was in the room next me, that was next, right next to them...

Posey: Um-hm.

English: ...and she said that he was, um, he'd be out, so they got woke up because he was out front beating her up, literally, like, on the ground, beating her up, slamming her around, and s-...

Odil: Earlier today?

English: Yeah, earlier. She said it was about 0845.

Posey: Oh, okay.

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English: That he was, he was doing that, and s-so I didn't see that, I just seen the part where he th-threw her in the room, he's already beat her, she was, he was beating her up, and then, then he pushed her into the room. I only seen the part where he hit both her and him was up.

Posey: Okay.

English: And she was just looking scared, you know.

Posey: Okay, okay.

Odil: Was that a separate incident, or was that...

English: That's what it has to be, i-it all had to have been, unfold so fast, this...

Odil: Okay.

English: ...that's what I'm saying, 'cause it just, like, my, I drop my, it was, it was calm, I, the school bus came, we watched her leave...

Posey: Right, right, right.

English: ...and two seconds later it was just complete and utter chaos, man...

Posey: Gotcha.

English: ...you know, like, not two seconds, I guess, I took a shower, it's probably 30 minutes later.

Posey: Right, right, okay.

Odil: Okay.

Posey: Alright. Okay, we're gonna stop the recording there.

English: Okey-doke.

Transcribed Verbatim with Punctuation Added 101618 / 1741, K. Hess, *2/1*

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IMAGE ATTACHMENT (2749153) INTERVIEW WITH LT JAMES DAKIN 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

October 10, 2018

**Interview with
LIEUTENANT JAMES DAKIN
TAPED STATEMENT TRANSCRIPTION**

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Merrill: My name is Anthony Merrill, detective, Portland Police Bureau, BPST 35227 and my partner Detective Vince Cui, BPST?

Cui: 36881.

Merrill: And if we can just have you announce your, your title, your name and uh, your BPST please.

Morgan: Sure, it's Lieutenant Craig MORGAN, BPST is 38846 and I'm here as the union representative on the PPCOA.

Dakin: Uh, Lieutenant JAMES DAKIN, 25235 and I'm the commanding officer of SERT.

Merrill: Thank you. Alright we're here at uh, North Precinct, we're out in the uh, front community conference room. A private area where uh, doors are shut so we have privacy here and confidentiality. We're here regarding case number 18-347005. Today is October 10th, 2018, it's approximately 1:54pm, and we're here regarding an officer involved shooting that occurred today in the area of Del Rancho Motel. Uh, off SE 82nd Avenue. So uh, there's a recording device on, everybody's aware of that and we're okay with that?

Morgan: Yes.

Dakin: Yes.

Merrill: Okay, thank you. Alright so what I'd like to start off with uh, if we could um, Lieutenant DAKIN if you can just kind of tell me how your day started today and how you came to be involved in this call please.

Dakin: Uh, my day started at 2:00am. With a uh, a page out for a pre-planned, two pre-planned search warrants. Uh, both for uh, [REDACTED] um, we conducted the first one at 4:00am and then uh, because of school starting uh, well let me just say that we conducted a simultaneous warrant with [REDACTED] at 4:00am. Um, that was successfully completed and then we took a fairly lengthy break. Uh, returned back to North Precinct to do a debrief on that warrant service and then took a, a break uh, because of the location where the next warrant was gonna be was nearby some schools and we were running up on time for school to start. So we intentionally planned to serve that warrant about 9:00am. We proceeded up and served that search warrant successfully and uh, as we were, the, the team was already inside clearing the apartment and uh, starting to uh, Sergeant

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LIVINGSTON was starting to give orders concluding the search warrant. Uh, to various elements of the team and uh, we all got a page. We're notified on the pages for CNT and uh, the first page that came out was a uh, call for CNT uh, only and a consultation page for the SERT sergeant.

Merrill: Okay.

Dakin: And Sergeant LIVINGSTON who was the uh, team leader right now uh, Sergeant DARBY is out of town uh, he asked Sergeant McCONNELL who is our detached sergeant to uh, field the consultation call while they completed this warrant. Um, shortly after that we wrapped up that warrant and uh, Sergeant LIVINGSTON cleared all the, you know all the inner perimeter officers and they turned over any prisoners to the investigators and we were basically in the process of clearing that scene. Um, Sergeant McCONNELL came on the air and I can't give you the exact times of this uh, but Sergeant...

Merrill: ...okay...

Dakin: ...McCONNELL came on the air as the uh, the guys on SERT were making their way out of the apartment going back to their, back to their car. He had spoken with Sergeant NICE uh, about this incident. He came on the air and, on [REDACTED] which is the SERT tactical channel and advised that uh, on the face of it this sounded like a legitimate hostage call.

Merrill: Okay.

Dakin: And gave a brief, you know very brief uh, uh, suspect too-took a woman hostage at knifepoint uh, and took her into a hotel room and is barricaded at uh, uh, the hotel that we were at. Um, of course right now I'm drawing a blank on the name of that hotel. It's uh, the Del Rancho Motel.

Merrill: You got it there, okay, yeah.

Dakin: Right so but at this point this was still not a SERT call-out um, but due to the nature of the information and the fact that CNT was already actually going as a team we usually deploy together. Um, or at least an element of SERT deploys with CNT and uh, so just as a uh, proactive measure the entire team and the CIC who was uh, Assistant Chief RESCH uh, started heading that way. And this was from about [REDACTED]

Merrill: From the last warrant that you were clearing?

Dakin: From the warrant we were just clearing.

Merrill: So the entire team you said and, and the CIT?

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Dakin: Yes.

Merrill: Okay.

Dakin: Yes. Um, and keep in mind that at this point uh, the, the timing, it was, the timing of this call-out worked very well because we already had everybody there and all of our gear there, our response time was very quick.

Merrill: Okay.

Dakin: And um, so uh, some of the, you know team had already pulled out and was heading back towards North uh, the CIC went back to North because she had some people in her car. Uh, and let me, let me add something in there. Part of the reason she went back there is that, that I wasn't in her car was because as, for training on that search warrant Lieutenant PEARCE was the SERT Lieutenant. Um, and so he was in the, the car, I was standing by the window as a coach.

Merrill: Okay so you're, you're helping to, to train Lieutenant PEARCE for this...

Dakin: ...to get him up to speed on the, yeah and that was on the search warrant call.

Merrill: Search warrant, okay.

Dakin: Um, so when this call came out uh, she was already heading back to North Precinct to, so that these other people that were in the car could get their cars and then they were immediately responding out there. This was all uh, A/C RESCH was aware of this.

Merrill: Okay.

Dakin: Um, you know she was in turn going to respond. I called her and basically repeated what McCONNELL had said over the air. Uh, to let her know that this was likely going to become a call-out. Um, I pulled a U-turn and headed back towards I-205 um, and Lieutenant NAKAMURA who is the CNT lieutenant uh, was right behind me and we basically caravanned our way down 205 and as we were on our way it became a full team call-out. A full SERT call-out uh, the page came out for that.

Merrill: While enroute then...

Dakin: ...yeah the team was enroute. I was just arriving in the area and at that point when, when SERT is responding on a call-out uh, any type of staging that sort of response uh, is the responsibility of the team sergeant. So Sergeant LIVINGSTON uh, was giving locations to stage uh, for us to just stage thinking that it wasn't a call-out yet but we wanted to be nearby if it became on. Uh, he

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had picked 82nd and Foster. Um, uh I believe it was Sergeant KING from CNT got there uh, first before anybody else did and he identified uh, 82nd and Johnson Creek to uh, Lieutenant NAKAMURA as a staging area. So –

Merrill: Can, can I ask you something real quick too?

Dakin: Um-hm.

Merrill: Before you get further. How, so when you first realize it's a call-out, a full blown call-out, you said you learned that on the way. Who makes that announcement or how do you find that out? Or how did you find that out?

Dakin: Um, that came out and I think that it was, if I remember right it was Sergeant KING. I think it was the, somebody from CNT who had arrived on-scene and spoke to Sergeant NICE uh, who at that point was the sergeant on-scene and, which made him the incident commander.

Merrill: Oh.

Dakin: Uh, and at that point that person got on the air and said this is going to be a full team call-out and, and then the page came out.

Merrill: Okay.

Dakin: So to correct the timeline a little bit. That came out as NAKAMURA and I were uh, uh – that did not come out until after we had taken the exit and I got up to 82nd and Johnson Creek and looked around, I'm well ahead of any of the other team members and the SERT members and looking around and there's a Fred Meyer parking lot there but it's, you know at this point it's like 9:30 or somewhere around there and uh, it was pretty crowded. And I knew we were not gonna be able to get SERT and CNT into that parking lot so I turned right heading northbound on 82nd and just the next block north, I can't remember the name of the street but it's an odd name. Uh, just north of a 76 station there there's a dead-end street that was wide, that we could turn things around and so I got on the air and told Sergeant LIVINGSTON our staging area will be this spot right here.

Merrill: And that's on the uh, the east side of 82nd, is that right or?

Dakin: Yes, yeah.

Merrill: Okay.

Dakin: The 76 station was the east side of 82nd and this street is, it's like something memorial way. Uh- Arlington Memorial Way or something like that. It's an odd name, I'd never heard of it before.

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Merrill: And it was just north of uh --

Dakin: It is.

Merrill: You know while we're talking about this have an overhead.

Dakin: Yeah.

Merrill: So this will be a good time where this, I don't think it's close enough to that, but this is a Google overhead.

Dakin: Um-hm.

Merrill: Of the area of the crime scene area to refer to for you and if you, do you have a pen too handy by chance?

Dakin: So where we stage is not on this map, it's actually...

Merrill: ...oh okay.

Dakin: South of here.

Merrill: Okay.

Dakin: Um, Johnson Creek would be like down here.

Merrill: Uh-huh.

Dakin: And there's a 76 station right here on the, on the corner.

Merrill: Okay.

Dakin: I turned northbound on 82nd and this very first street dead end just on the other side of the 76 station.

Cui: Okay, I think I know where you're at, yeah, yeah.

Dakin: Is the street I'm talking about.

Cui: Yeah.

Merrill: Okay.

Dakin: Um --

Merrill: Okay.

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Dakin: So having said that I park and sat there waiting for the rest of the team to arrive. That's when the full team page came out.

Cui: Okay.

Merrill: Got it.

Dakin: So at that point it was a resp- that, when the page comes out we respond to the scene. Uh, so we're no longer...

Merrill: ...okay...

Dakin: ...in a staging and wait to see if we're needed mode.

Merrill: Gotcha, okay.

Dakin: And Sergeant LIVINGSTON came on and directed everybody to proceed straight to the scene. Um, and as, so it was the bear cat and the bear truck and then 99 turned the corner and actually went past me. I pulled out behind them and uh -

Merrill: And what's 99? Just to make sure for -

Dakin: Oh I'm sorry, 99 is our medic unit. SERT medics.

Merrill: Got it, okay so bear cat, bear truck and 99 medic.

Dakin: Yup.

Merrill: Unit.

Dakin: Medic unit.

Merrill: Okay.

Dakin: Um, and I can't, I, I think again it was either Lieutenant NA- NAKAMURA actually went, he turned the corner too and he actually went past me because Sergeant KING was already up closer to the scene.

Merrill: Okay.

Dakin: So he went straight up there and I think it was NAKAMURA that came on the air and said the staging area would be uh, uh, 82nd and Malden Court. So that's where I pulled up to. Uh, the bear cat, the bear truck and the medics pulled up beyond that to get into a closer position to where the Del Rancho is which is just right on the right hand side there. Uh, and I stopped back behind them in the

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center median knowing that the rest of the team was coming behind me along with the CIC and the CNT lieutenant.

Merrill: Okay.

Dakin: And um, so that's how we got to where we were there with an actual page out.

Merrill: So at that point right there you're, you're still not on this yet though right?

Dakin: Right, right here, Malden Court.

Merrill: Oh you're on Malden, that's right, I thought you said...

Dakin: ...yup so this is Malden Court.

Merrill: Got it.

Dakin: That's where I stopped uh, and then the Del Rancho is right up here at Malden Street.

Merrill: Are you okay with maybe just making like a, a, I don't know maybe like a one to show your first stop point or a mark showing where you staged maybe or something.

Dakin: Uh, sure. Um -

Merrill: And maybe like, maybe like an X or something.

Dakin: Okay.

Merrill: And that's not working eith- I got more pens.

Dakin: Let me just use -

Cui: Might have to be like a Sharpie.

Merrill: Yeah maybe a Sharp- does that work?

Dakin: Yup.

Merrill: Okay.

Dakin: Um, so that's where my vehicle was stopped. Uh -

Merrill: After the full call-out came this is where everybody start...

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Dakin: ...after the full call-out.

Merrill: Or where your vehicle stopped.

Dakin: Right.

Merrill: Okay.

Dakin: Uh, a number of SERT vehicles passed me.

Merrill: Okay.

Dakin: Uh, moving up behind the bear cat and they started to move into position and uh, and then very shortly after that uh, A/C RESCH who was the critical incident commander for this pulled up and parked almost across from me. I was in the center median, she, she was off to the right. Uh, she didn't see me there so she got out of her car and started walking right up. Uh, so I jumped out and came up behind her.

Merrill: Okay.

Dakin: Um, and then we backed off a little bit because we were in view of the back side of the hotel.

Merrill: Okay.

Dakin: Uh, so we backed off a little bit and at that point we were static waiting for um, a brief from Sergeant NICE who was still the IC.

Merrill: Okay.

Dakin: And the way that works is that the, the senior person on scene or the sergeant, which is usually a sergeant on these incidents. The CIC's do not take command until after they've been fully briefed.

Merrill: Okay.

Dakin: So -

Merrill: So waiting for that brief.

Dakin: Waiting for them.

Merrill: To change hands, okay.

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Dakin: Right. Uh, Captain GOLLIDAY was already there uh, East Precinct captain and he was up kind of uh, I think in the cul-de-sac area, the entry for the hotel with Sergeant NICE getting a, a lay out. Uh, 'cause they knew which room that he had gone into. Um, and then JAMIE, A/C RESCH actually called him and said hey we're here, come back to where we are and uh, so he and Sergeant NICE and then Sergeant LIVINGSTON and uh, the CNT lieutenants joined us and that's where we conducted our uh, briefing with Sergeant NICE.

Merrill: So that's back uh, in what area exactly then? You mean back in the staging spot or?

Dakin: That's probably –

Merrill: A little bit closer?

Dakin: You can see the Del Rancho right here and we were, we were, that's the back side of it and you can see how there's like this open spa- this is the back side of the Del Rancho.

Merrill: Okay.

Dakin: And there's this open space here so we backed up and were actually, I would make us zero.

Merrill: Okay.

Dakin: And so we were kind of blocked by that building. So 'cause otherwise it was a straight view.

Merrill: Gotcha.

Dakin: Out to us.

Merrill: Okay, alright. So you marked a circle on the, I'm just for reference for this uh, recording. You marked a circle where that little ar- spot was in, in the middle of 82nd.

Dakin: Right.

Merrill: Okay.

Dakin: And then that's where the, we didn't actually get into my vehicle or go into a mobile precinct or anything, we were standing at the back of a, a CNT car using the trunk to take notes on.

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Merrill: Okay.

Dakin: And uh, right at that spot basically.

Merrill: Okay.

Dakin: That's where we ran this incident from.

Merrill: And obviously based on what you just described you're, you're in a position of cover where you can't be seen from the Del Rancho right?

Dakin: Right.

Merrill: Okay.

Dakin: Out of line of sight of the hotel.

Merrill: Okay, alright and what happens next then?

Dakin: So at that point uh, after getting the scene uh, getting the briefing um, and some quick discussion so Lieutenant LINDSEY was, he's a fairly new CNT lieutenant.

Merrill: Okay.

Dakin: And he is getting brought up to speed by Lieutenant NAKAMURA, Lieutenant LINDSEY was actually assigned to this incident as the, as the CIT uh, CNT commander. So it was the three people in command of this incident at the command post was A/C RESCH who was in overall command and then me for SERT and Lieutenant LINDSEY for CNT.

Merrill: Okay.

Dakin: And because we have a lot of new people, including myself uh, uh, as part of SERT and CNT and the CIC program we have a lot of what are called shadows that accompany us on these calls.

Merrill: Okay.

Dakin: Um, Lieutenant PEARCE was there uh, he is the alternate SERT lieutenant. Um, but technically, at least according to Commander Shearer he's still considered a shadow. Um, and then Lieutenant LINDSEY is not a shadow but he had uh, Lieutenant NAKAMURA with him. Lieutenant BATES is a shadow and he was there also. He's a shadow for CNT and the reason there's two CNT uh, new CNT folks is Commander Shearer picked two with the anticipation that Lieutenant

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NAKAMURA is probably gonna get promoted and that we would need to replace him and Captain Hager who has been promoted and has backed away from CNT.

Merrill: Okay.

Dakin: So that's why and then also uh (laugh) uh, Commander FROME from the Transit Division was there and he is a CIC shadow. So he is attending, he, he responds to all call-outs and warrants. Uh, to observe whoever the CIC is, to learn that job.

Merrill: Okay.

Dakin: With the anticipation that he'll eventually become a CIC.

Merrill: Got it, okay.

Dakin: So it gets crowded.

Merrill: Yeah, yeah. Okay.

Dakin: But, and then I will say that on these incidents its vitally important, and this was the case in this one and it's how we positioned ourselves that A/C RESCH, Lieutenant LINDSEY and myself are joined at the hip. We're right next to each other, we're discussing this back and for the between each other uh, the shadows are listening and pitching in things that might be overhe- or missed on the radio because something, you know and various discussions are going on.

Merrill: Um-hm.

Dakin: So there's a lot of ears involved there uh, as they're learning.

Merrill: Okay.

Dakin: But uh, yeah so A/C RESCH, Lieutenant LINDSEY and myself were all standing right next to each other.

Merrill: Okay um, as that's going on are you getting any more um, so you're getting, you got the briefing you said, right?

Dakin: Um-hm, um-hm.

Merrill: So how did the briefing go, what did you learn uh, from that briefing?

Dakin: Um, so Sergeant NICE explained. He, he knew a name for this person and, and said that this is a, a suspect that they'd been having repeated issues with in the

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past. Uh, he either has some drug or mental health issues and they've had numerous calls on him similar to this or causing disturbances.

Merrill: Um-hm.

Dakin: But th-they, Sergeant NICE had so much experience with him that, that he said, you know the reason we didn't call-out SERT right from the get go is because a lot of times when he's really amped up if we back off the problem, you know he stops being a problem.

Merrill: Okay.

Dakin: And that's the reason he consulted with CNT but didn't or called out CNT but didn't activate SERT right off the bat is that, and, and he also said that this uh, female who he, he named is uh, TALON BAILEY.

Merrill: Um-hm.

Dakin: Uh, he said they have some DV history together. Uh, with SAM RICE was the suspect's name he gave us.. A male white with a shaved head. That they had a DV history, they're, they're known to East Precinct and he thought that in this instance if they backed off with uh, a little bit, which they did, that he would tone it down but very quickly he could actually hear him start to barricade the door. That's when they activated SERT. Um -

Merrill: So very quickly on, in this call he, he realizes or hear him, the guy barricaded...

Dakin: ...he said they could hear him barricading the door was, was how KYLE described it.

Merrill: Okay.

Dakin: Um, and that's after they backed off trying to give him space to see if he would calm down which is apparent according to their experience that's his -

Cui: Way to diffuse it.

Dakin: Yes. Uh, and, and it usually diffuses it with this person. And in this instance...

Merrill: ...okay...

Dakin: ...it didn't. Um, so uh, from the, the time...

Merrill: ...because he, he didn't, he didn't, sorry to interrupt you, he didn't have any, they'd never seen him do this before like barricade the door?

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Dakin: Not that sort of thing, no.

Merrill: Right.

Dakin: He said the barricading the door was new.

Merrill: So that was different for him.

Dakin: Uh, and that was a red flag for him so uh-

Merrill: Okay.

Dakin: Uh, and, and he'd already apparently tried to stab somebody else in the parking lot and I believe it was at 7-11 across the street.

Merrill: Okay.

Dakin: Uh, that's what the original call for patrol was. Um, and uh, ultimately during this uh, during this incident uh, not long after there was uh, PC was established for Attempt Assault II. I think it was Attempt Assault II, I should've brought my reading glasses in here. Um, no it was, it was PC for Assault II.

Merrill: Okay.

Dakin: Uh, and from the 7-11 incident and then he also had a warrant for Criminal Mischief II. That was -

Merrill: Oh okay.

Dakin: That was put out over the radio at 10:14.

Merrill: Okay.

Dakin: Um, so going back to the, the page uh, I wrote down here that we received the page at approximately 9:43.

Merrill: Okay.

Dakin: Um, and then things were happening very quickly and I didn't write a time down but uh, after the briefing lieutenant or uh, sorry, Lieutenant RESCH, Assistant Chief RESCH got on the air and took command. Uh, of the incident and uh, so do you have any questions up till now?

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Merrill: No um, it uh, it sounds like you're giving me kind of a nice summary of, of what you learned up to that point, went right with the briefing from Sergeant NICE. Anything else that you got from Sergeant NICE or is that pretty much?

Dakin: Uh, just that this was very different and uh –

Merrill: Okay.

Dakin: I seem to remember him talking about her screaming and that – he said something about uh, her behavior. Oh that, that she will usually talk to them but in this case she wouldn't. And it was, we were unsure of the, the reason for that. That, that TALON would usually talk to the police and in this instance she wouldn't talk to the police.

Merrill: In, in some way or shape or form right?

Dakin: In some way or another, yes.

Merrill: Okay.

Dakin: Um –

Merrill: Okay.

Dakin: So now going back to as everybody's arriving and, and I told you that the bear cat and the bear truck passed me. Um, this is where we get to uh, the authority of the team sergeants. Uh, uh, authoritative initiative and they, they basically have the authority on dynamic calls like this before a CIC arrives uh, to start making, taking certain steps, based on what they know uh, about the situation and I have not talked to Sergeant uh, Sergeant LIVINGSTON specifically about this because the, the way the event went. Uh, and then the, you know not wanting to talk about the incident after the shooting occurred. But in most instances as soon as they arrive Sergeant LIVINGSTON would be giving commands to SERT people as they arrive and that could be deploying a, the IP officers which is the, the snipers and putting together a [REDACTED] Um, and in many cases before they even deploy an IP team they will, the sergeants will be talking to the IC, which at that point would've been Sergeant NICE. Asking for permission, can we start taking these steps. I don't know if that occurred because of the situation, but I know that when I arrived it had already occurred.

Merrill: That those teams were in position as is what you knew?

Dakin: Well the, the IP had uh, was either, you know there's multiple positions, multiple officers moving out to establish an inner perimeter and uh, they were either

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somewhere in position, some were moving to their positions but that, that process had started.

Merrill: Because you're visually seeing that happening?

Dakin: I'm seeing some of it from where I'm standing.

Merrill: Gotcha, yup, okay.

Dakin: Yeah.

Merrill: Okay.

Dakin: Um, so then, like I said Sergeant LIVINGSTON came up and joined us uh, and uh, he uh, so we got the information from uh, Sergeant NICE. Um, Sergeant LIVINGSTON did broadcast on the air that he was uh, taking charge of the custody team. In the stance that the guy just decides to come out and give up while all this beginning process is in motion. Does that make sense?

Merrill: Um-hm.

Dakin: Uh, and that the hasty rescue team was in place, which would be the breaching team. Um, and very quickly, and this was approved by uh, us uh, uh, A/C RESCH had taken command at this point.

Merrill: Okay.

Dakin: Um, at 10:03 uh, CNT asked permission to make a call into [REDACTED] and was given perm-permission to do that. Um, and at that same time um, I became a little bit distracted because of a request from Sergeant LIVINGSTON to uh, request uh, personnel from Washington County's Tactical Negot-Negotiation Team to bolster our presence. Um, so while I was paying attention to this incident I was also sending a text to their commanding officer requesting uh, [REDACTED]
[REDACTED]

Merrill: From their uh, SWAT team?

Dakin: From their team.

Merrill: Washington County?

Dakin: Yes, yup.

Merrill: Okay.

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Dakin: And approved...

Merrill: ...and Sergeant LIVINGSTON asked you to, to do that? For more -

Dakin: Sergeant LIVINGSTON made that request.

Merrill: Okay.

Dakin: Um --

Merrill: Okay.

Dakin: I can't remember if he called me on the phone to ask that or if he asked for it over the air. I think he asked for it over the air because I, I asked him to repeat the numbers of what, yeah it was over the air because I asked him to repeat the numbers of each uh, uh, position that he wanted.

Merrill: Okay.

Dakin: From them. Uh, I contacted their commanding officer uh, his name is uh, JOHN KOCH, K-O-C-H, and uh, he authorized the deployment and made that happen from TNT's end. Uh, but I'll finish that up by saying that they never arrived before the incident con- uh, concluded.

Merrill: Okay.

Dakin: Um, information was concer- uh, I wrote down that it was confirmed uh, by CI uh, by the uh, CNT I believe that we were talking about unit number 16, was the barricaded door. Uh, and then Sergeant LIVINGSTON broadcast at 10:08 that all the rooms except 16 had been evacuated by SERT. Um --

Merrill: All rooms except 16 were --

Dakin: Right, right.

Merrill: Okay, got you.

Dakin: So basically the whole hotel had been evacuated except maybe the front office area. Um, also uh, he advised that uh, the hasty team was completely ready at 10:09 and then uh, they were waiting as their [REDACTED] they, they, they create these [REDACTED] with them. Uh, they are quickly put together based on the size of the door, what the, what the specific mission is, they [REDACTED] that are, that are mission specific for whatever it is...

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Merrill: ...okay...

Dakin: ...they're trying to, to breach. So they were...

Merrill: ...okay...

Dakin: ...it was broadcast that the, the hasty team was ready and they were waiting on the charge for the door to be completed. Um –

Merrill: Okay.

Dakin: So also at that point, at 10:09, and this is well within uh, this is considered compromise authority, you know it's well within Sergeant LIVINGSTON's authority as the team leader uh, right up front uh, he broadcast what his expectations were in a certain instance and because of some of the information coming out, you know about the knife and the uh, what had happened in this instance and that it appeared to be a legitimate hostage uh, scenario. Uh, he advised all of the SERT members that he would execute a breach on hearing screams from the apartment which would, you know to us indicate that he was, that the suspect was intentionally trying to uh, uh, not intend uh, was apparently trying to kill this uh, (loud beeping noise) this hostage, his girlfriend.

Merrill: Okay.

Dakin: Um, so this is, you will not hear this on the radio, this was at 10:09 and uh –

Merrill: What you just talked about?

Dakin: Yup.

Merrill: Okay gotcha.

Dakin: And I looked at uh, A/C RESCH who was the CIC and I said did you hear that plan? And she looked at me and she said yes that's approved and I was trying to key in on the radio to tell him that that plan was approved by the CIC.

Merrill: Oh.

Dakin: It doesn't have to be approved by the CIC, its within his authority in that scenario where uh, he doesn't have to ask for permission to potentially save somebody's life.

Merrill: Okay.

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Dakin: In a dire situation, but a-side from that at 10:09 uh, Assistant Chief RESCH approved that plan to me.

Merrill: Okay.

Dakin: I was, but I was unable to get on the air to broadcast that. This was a very quick, dynamic incident and uh, there were a lot of voices taking the radio. (Beeping noise).

Merrill: Okay, sorry, can you give me one second here.

Dakin: Yup.

Merrill: I just need to make sure this is (pause). Did you get a message?

Cui: Yeah.

Merrill: Okay.

Cui: I already responded to it.

Merrill: So we're all good. Okay. Sorry about that. So, so on, what was on the radio was Sergeant LIVINGSTON and if I heard that correctly sa- giving out this uh, expectation?

Dakin: Um-hm.

Merrill: Right?

Dakin: Yeah.

Merrill: So because of the things that everyone knew, the intelligence at that point that this man is armed with a knife, there's apparently a, a legitimate hostage situation where this person can't leave the room.

Dakin: Um-hm.

Merrill: The door has been barricaded; Sergeant LIVINGSTON advised over the radio the [REDACTED]

Dakin: Yes.

Merrill: Because it sounds like there's some sort of injury or physical problem.

Dakin: An attack.

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Merrill: An attack going on.

Dakin: Yeah.

Merrill: Okay and then when you heard that at 1009 hours some, just right after you heard that.

Dakin: Um-hm.

Merrill: You're right next to the CIC.

Dakin: Um-hm.

Merrill: And you said did you hear that.

Dakin: Yeah.

Merrill: And are you approving this and she said yes.

Dakin: Yeah.

Merrill: Okay.

Dakin: I said, I looked at her, I said did you hear that and, and, and she said yup I did and that's approved.

Merrill: That's approved, okay, got it. Thank you.

Dakin: Um, but like I said in, in that scenario that you just summarized.

Merrill: Uh-huh.

Dakin: He doesn't need CIC approval or approval from me.

Merrill: Okay.

Dakin: He can take that initiative uh, to save a life.

Merrill: Okay and because, like you explained it already but just so I kind of got it in my head is, Sergeant LIVINGSTON is there, he's already developing everything as it's happening.

Dakin: Um-hm.

Merrill: Very quickly and fluidly and so that's why he has that ability to try to attempt...

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Dakin: ...right...

Merrill: ...to save a life if that's what's needed.

Dakin: Absolutely.

Merrill: Right, okay.

Dakin: And also you've got to remember that, you know we are, in this call we're half a block away and we don't have eyes on it.

Merrill: Um-hm.

Dakin: Um, which is a good thing for, it takes out a certain element and helps decision making because you're viewing it from a distance and, and have a little bit of a distance from it. Uh, it gives you the ability to, to look at it from a different level um, trying not to make this sound simplistic but like that 30,000 foot level where we're not getting sucked in by just seeing this scene, staring at this door.

Merrill: Um-hm.

Dakin: Uh, and, and it helps us as commanding officers make decisions a little bit uh, just smoother.

Merrill: Okay.

Dakin: And uh, create a balance I guess.

Merrill: Okay.

Dakin: Would be the best way to say that. But also the breachers and the sergeant are right there um, the hasty team is very close so when they're hearing this uh, it, it, its, it's a different thing and they, they, that gives the sergeant the ability to say that person is being attacked. I mean they are hearing something like that and that's why they have the ability to make those decisions too, lifesaving decisions.

Merrill: Okay.

Dakin: Um -

Merrill: Yeah.

Dakin: As opposed to somebody that is screaming, you know for help or like they're being assaulted uh, taking, in this instance, assault, just hypothetically in this instance I couldn't get on the air. He gets on the air, he's able to get on the air

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and ask me permission to breach, but then I can't get on the air because somebody else starts talking, that could cause that person their, their life.

Cui: Yeah.

Merrill: Okay.

Dakin: That's why uh, the, the sergeant has that authority to move forward. Um, and it's also uh, kind of the same philosophy, it really is the same philosophy with the inner perimeter positions. Um, you know there's uh, well anyway I'll get to that, more of that I guess as...

Merrill: ...okay.

Dakin: As, because this is quickly coming to a, a head, this incident. Um, things are happening very fast. I can't get out on the air, I didn't write a time down but uh, at some point uh, it was either CNT or SERT intelligence officers who work closely together uh, CNT will broadcast information on the CNT radio, which I can hear because Lieutenant LINDSEY is standing right next to me. SERT intel will broadcast information on the SERT radio to me uh, and the team and we can hear that.

Merrill: Okay.

Dakin: Uh, so I can't remember which radio it was coming from but somebody broadcast that they had an open line with the suspect on the phone and he was rambling about uh, stacking and formations. Which to me that, that's, that's a term that tells me that he is thinking about a SWAT team or that maybe he can see us, see the SWAT members, knows there's a SWAT team out there.

Merrill: Okay.

Dakin: But it was described as rambling. And those words are picked up out of this rambling.

Merrill: Okay.

Dakin: Uh, that was broadcast as information. And then at 10:13, I wrote this time down, information was broadcast that, the first information that was broadcast said that they heard the sub- 'cause the phone line was open, I don't know if it was a cell phone or the room phone, but it was open, like the person set it down without hanging it up. And uh, he might've actually said this in the phone "if you don't leave I will cut her throat." And then probably less than a minute later another person came on the air, and like I said I don't know who it was but it was, it was either CNT or SERT intel and they said we heard him say something that sounded

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like – if you don't leave I will cut her throat. So initially it sounded like they heard this person say this. The second information was that's what it sounded like. But it's pretty specific wording to just sound like.

Merrill: Um-hm.

Dakin: To me. Uh, but that right there is a huge indicator of this person's mindset.

Merrill: So both times you heard this it's somebody, either CNT or SERT intel on the radios...

Dakin: ...um-hm..

Merrill: ...talking about this open line to the subject?

Dakin: Yeah.

Merrill: And the subject saying if you don't leave I will cut her throat is what they think.

Dakin: Right.

Merrill: That person said, so it's being told to you second hand from somebody that's hearing it.

Dakin: It's being put over the radio, so now keep in mind that SERT intel is in the CNT van with CNT.

Merrill: Okay.

Dakin: And it would be somebody from CNT either talking to this person on the phone or listening.

Merrill: Got it, okay.

Dakin: Because they tried to talk to him, that's, that's the Crisis Negotiation Team.

Merrill: Okay.

Dakin: Because they're trying to negotiate and...

Merrill: ...right...

Dakin: ...and calm him down but uh, but his, his behavior was one of either screaming this stuff or saying it or setting the phone down without hanging it up and having an open line.

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Merrill: Okay.

Dakin: But the SERT intel officers are in there as liaisons so a lot of times, in my short experience running the team, which has been about five months now. Uh, a lot of times that same information is being broadcast at the same time to the CNT lieutenant and to me, just by different people that are both in the CNT van.

Merrill: Got you.

Dakin: Okay.

Merrill: So, so they're, the SERT intel and the CNT negotiators they're in this, it's a, the CNT van, is that what it's called?

Dakin: It's a very large uh, it's that great big white uh, you know the best word is van.

Merrill: Okay.

Dakin: But its, its bigger than the SERT truck which is a freightliner.

Merrill: Okay.

Dakin: Um, and it's full of communications equipment.

Merrill: Got it.

Dakin: Um –

Merrill: Okay.

Dakin: And, you know that sort of thing.

Merrill: Okay.

Dakin: Um –

Merrill: So and that was at 1013 hours the first time and then –

Dakin: Um-hm.

Merrill: And then a second time its said again.

Dakin: Right.

Merrill: Same thing.

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Dakin: So this is at 10:13.

Merrill: Okay.

Dakin: Uh, mine does that too so – (beeping noise).

Merrill: Sorry.

Dakin: Um, at 10:14 uh, like I said it was either CNT or SERT intel broadcast um, that they'd done some research on this suspect and that they, they confirmed that there was PC for Assault II from the incident at the 7-11 which happened, that's what caused East Precinct to respond.

Merrill: Okay.

Dakin: And that there was a warrant for Criminal Mischief II. I broadcast that information over the air to SERT and that at 20, about 2014, maybe a little bit after and then uh, uh, the sniper shot was fired at 10:15 is the time. I looked down at, I pressed the button on my phone to bring up the clock and wrote down at 10:15 that the sniper shot was taken and uh, Sergeant LIVINGSTON executed the [REDACTED] Uh, and then the, they made a [REDACTED] and uh, saved the hostage. Or I should say rescued the hostage. Um, at 10:16 the, the, they broadcast that the suspect was down and called for medics to come up and 99, the SERT medic truck was parked right in front of us. It immediately fired up and straight into the, into the scene. So there was zero delay for the medics.

Merrill: You're saying, I'm sorry, catch up with you, 99 trucks are like right next to you, the medical?

Dakin: Parked right in front of us.

Merrill: In front of you.

Dakin: Yup.

Merrill: And they just instantly respond.

Dakin: And the truck started and off they went. So their, their truck is in a position where it's not blocked by anything.

Merrill: Yeah.

Dakin: Nobody's allowed to park in front of it. Uh, so they were able to respond immediately.

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Merrill: Okay.

Dakin: So they were probably, they were probably in the room in 30 seconds.

Merrill: Okay.

Dakin: To, to render aid to the suspect.

Merrill: Okay and when you heard the shot um, you heard one single shot, is that what I heard you say?

Dakin: One single shot.

Merrill: Okay.

Dakin: And then very quickly there was a different boom which was quite clear to me that that was th [REDACTED]

Merrill: Okay so you heard that?

Dakin: Yup and uh, this was almost simultaneous to Sergeant uh, Sergeant LIVINGSTON saying breach-breach-breach or execute-execute-execute was the command over the radio. And uh, and that again is the compromise authority meaning our mission is compromised uh, in one way or another or the safety of the hostage is compromised and we have to take immediate action to save a life. Um, so that's when they –

Merrill: Okay.

Dakin: They entered the room.

Merrill: Okay and I think I interrupted you too, you said uh, did Sergeant LIVINGSTON, who, did somebody radio out once they made entry to the room about the subjects condition?

Dakin: Um-hm.

Merrill: That, yeah that's when you said they called for –

Dakin: That I'm not sure who that was that said that over the radio because there's uh, multiple officers on the other team.

Merrill: Okay, okay.

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Dakin: And uh, somebody came on the radio at 10:16 and said the suspect was down, called for medical uh, and also at 10:16 another SERT member broadcast that the hostage was safe. Um –

Merrill: Okay.

Dakin: And at 10:17 somebody in that room broadcast that medics were on-scene.

Merrill: 10:17, okay.

Dakin: Yeah. And keep in mind, you know the, you, you know as well as I do that the, the transcript from dispatch will actually have seconds and so it will know if that was 30 seconds or whatever, but this is me just looking at my phone just so on my own notes I have a, an idea of the timing.

Merrill: Okay.

Dakin: Um, and, and, yeah. So uh –

Merrill: Question for you while, while we're on this kind of getting towards the, sort of towards the end here. So the whole time all this last part, the, the, this last part you just described for us up to the shot and medics responding, are you still in that same location of the, the...

Dakin: ...yup.

Merrill: Circle that you marked on here?

Dakin: Yeah.

Merrill: Okay.

Dakin: The three of us did not move from the trunk of that, it was a Ford uh, FIS I think they call it, it was a sedan, a Taurus sedan.

Merrill: Okay.

Dakin: Police car and we were using the trunk to write on.

Merrill: Okay so Assistant Chief RESCH, CIC.

Dakin: Um-hm.

Merrill: Lieutenant LINDSEY.

Dakin: LINDSEY.

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Merrill: And yourself, okay.

Dakin: And then Lieutenant PEARCE was standing to my right.

Merrill: Okay.

Dakin: And I believe that Commander FROME was standing to his right. Uh, uh, just listening and learning and, you know pitching in some information that they thought we might've missed or, or whatever. If they hear something that they think we didn't hear uh, I can't remember specifically what it was but there were a couple of times that Lieutenant PEARCE said did you hear them say that and I, and I did.

Merrill: Okay.

Dakin: I just didn't take time to note that because it, I'd, I heard it.

Merrill: Okay.

Dakin: So I don't know exactly what it was but that's how that kind of works. It can get noisy (laugh).

Merrill: Right.

Dakin: Especially when we're inside a command post and then I believe that Lieutenant BATES was kind of standing behind uh, Lieutenant LINDSEY and A/C RESCH uh, observing from that standpoint.

Merrill: Okay.

Dakin: I'm not sure if uh, I'm not sure where Lieutenant NAKAMURA was standing in that whole –

Merrill: Okay.

Dakin: Room.

Merrill: At this point too I mean uh, uh –

Dakin: Actually I take that back.

Merrill: Oh okay.

Dakin: Lieutenant BATES I believe was actually in the CNT van.

Merrill: Oh okay.

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Dakin: Observing that standpoint because he, he's a CI, a CNT shadow and I believe that he was in the CNT van and it was maybe Lieutenant NAKAMURA that was standing up there with us.

Merrill: Okay.

Dakin: But, you know like I said when, when it's me running the incident I'm not, I'm paying attention to the incident.

Merrill: Sure.

Dakin: And then the, then the CNT lieutenant and the CIC I'm not looking around paying attention to whoever's just kind of around us.

Merrill: Okay.

Dakin: Um –

Merrill: Alright and, and this, I, I mean I think obviously it's probably clear but this whole area here is all cleared off. There's nothing but police officers in this area?

Dakin: Um-hm.

Merrill: Of uh, of the map that we're looking at here.

Dakin: Yes.

Merrill: Leading up northbound from your location uh, past the motel up to Flavel at least, as far as you know or?

Dakin: So it was a chaotic scene when we first arrived and East had already taped off parts of 82nd.

Merrill: Okay.

Dakin: But there was a group of people over here in, I remember seeing a group of citizens standing over here in this uh, 7-11 parking lot.

Merrill: Okay.

Dakin: Kind of watching and, you know this other hotel that's down here, the Dar-Ron uh –

Merrill: Okay.

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Dakin: There were some people out in that parking lot and officers were trying to move people out.

Merrill: Okay.

Dakin: Get them all out. Um, but at that point we're talking about a perimeter position and they were dealing with that and I was focusing...

Merrill: ...okay...

Dakin: ...on the incident.

Merrill: Okay.

Dakin: As it moved quickly.

Merrill: Okay.

Dakin: So I don't know how they got some of them out of there but even once it was over I remember seeing citizens standing in the 7-11 parking lot but on the Del Rancho side of the street it was cleared out.

Merrill: Cleared out, okay and then the uh, the IP is what you refer to it as right? The uh?

Dakin: Inner perimeter.

Merrill: So the sniper team?

Dakin: That's the IP.

Merrill: The IP right?

Dakin: Yeah they're considered so —

Merrill: Okay.

Dakin: You've got the outer perimeter which is uh, the perimeter that's set up by patrol on...

Merrill: ...okay...

Dakin: ...on various incidents.

Merrill: Okay.

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Dakin: You know blocking traffic, citizens, that sort of thing were the yellow tape is. The inner perimeter when it is referred to SERT we're talking about uh, the snipers and observers who are getting eyes onto any given incident and acting as a, an information source for the assault element which is the...

Merrill: ...okay...

Dakin: ...you know the [REDACTED], quick reaction team, that, that's considered the AE, assault element.

Merrill: Okay.

Dakin: Um, so whenever I say IP I'm talking about the snipers and observers.

Merrill: Okay so various different people in that inner perimeter.

Dakin: Right.

Merrill: With a role. Uh, so do you know where the um, at this point where, you know when this is starting to unfold before the shots fired do you know where the sniper team is set up?

Dakin: I did not, no.

Merrill: Okay.

Dakin: Um, and many times that is uh, uh, it's been my experience that when they deploy they're specially trained uh, in sniper tactics and obs-observation tactics, unobserved um, they're given authority to deploy but they are picking their spots.

Merrill: Okay.

Dakin: And you'll hear them on the air telling Sergeant LIVINGSTON I've got the two-three covered, I've got the three-four covered but we don't necessarily know exactly where they are.

Merrill: Right, okay.

Dakin: We just know that they have, when they say we've got the two-three covered we know that they're in an observation point where they see everything on the two-three side.

Merrill: Okay.

Dakin: Um -

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Merrill: So leading...

Dakin: ...and -

Merrill: Oh go ahead, sorry.

Dakin: And it could be, it could be very close.

Merrill: Yeah.

Dakin: It could be a couple hundred yards away, it just depends on the situation and the, and the scene, the surrounding area.

Merrill: Okay.

Dakin: Um, and that is, that, those are decision making points by the, the, the IP teams.

Merrill: Okay.

Dakin: Um, but generally there will be teams out covering all angles.

Merrill: Okay.

Dakin: Or trying, especially if there's windows.

Merrill: Um-hm.

Dakin: They will, you know there could be some spots that like this looks like a great spot but I can't see in that window very well 'cause there's like a sun glare on it so they might shift to where they're, okay now I can see in that window, there's no sun glare. They might be sacrificing a part of the room.

Merrill: Okay.

Dakin: But now they can see in at least partially as opposed to over here where they couldn't see any of the room because the sun's reflecting off the window.

Merrill: Gotcha.

Dakin: Does that make sense?

Cui: Um-hm.

Merrill: Okay, yeah absolutely.

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Dakin: Um, so they will move around a little bit but generally once they find a spot where they have a good field of view and can uh, inform the assault element and ser- the sergeants.

Merrill: Okay.

Dakin: Of what they're seeing um, confidently then generally that's, those are the spots they will take.

Merrill: Okay.

Dakin: Um --

Merrill: Do you know um, were there any radio transmissions that you could hear before the shot uh, from the snipers or anybody in those inner perimeter positions talking about the movement of the subject or where the subject was or what he was doing?

Dakin: Um, there was a voice talking on the radio and uh, but I was speaking to uh, Lieutenant LINDSEY and, and CIC RESCH, I was speaking to them. I cannot say what that voice was saying. Um, I know what I heard afterwards but I cannot, I cannot give you a uh, an answer on who it was that was saying that.

Merrill: Okay.

Dakin: That I heard specifically.

Merrill: Okay. Because you have, as you've stated you have a certain role, a thing that you're concentrating on.

Dakin: Um-hm.

Merrill: With the team around you and what you're focusing on, right?

Dakin: Yeah. And they're...

Merrill: ...and so you're conferring with people at the same time as --

Dakin: Yes.

Merrill: Things are unfolding is what I'm getting.

Dakin: Yeah.

Merrill: Okay.

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Dakin: And like I said we're talking about a very short timeframe here.

Merrill: Um-hm.

Dakin: Um, but you know what, so this is what I kind of started to talk about earlier. Uh, the officers, any individual SERT officer um, a lot of my training to date came from now Captain OSSENKOP and 'cause prior to taking over SERT I was the Gang Enforcement Team CO.

Merrill: Um-hm.

Dakin: And I was at the same office, I spent a lot of time listening to him talk about SERT tactics and philosophies to the serg- to SERT sergeants and we would have lengthy discussions about it. Um, and doesn't really happen anymore but in years past you would have SERT saying we'd like permission to take a shot of opportunity. Something along that or they're making a, a blanket statement like that, this is years ago. Um, the question there is for a CIC is what does that even look like? Because as police officers, we as individuals have to be able to justify that use of force and articulate the need for that use of force, not just say because that lieutenant told me to. Um, and so even though there's this voice talking on the radio while I'm having a, a quick discussion with the CIC about something involving this call.

Merrill: Um-hm.

Dakin: Uh, the sniper who fires the shot is clearly seeing something that he believes is life threatening to the hostage and is feel, and felt compelled to take action to save that hostages life. That would be my expectation. Uh, that he is taking that action in defense of somebody else, the hostage in this instance.

Merrill: Okay.

Dakin: But it, it's the decision making is his.

Merrill: Okay.

Dakin: He's not being told to do it um, that, that does not happen anymore.

Merrill: Okay.

Dakin: Um, and uh, and based on the, the way things are set up, I know that that voice was not the person who fired the shot. It's not possible.

Merrill: Okay.

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Dakin: To be talking on the radio and on the scope of a rifle at the same time. That's why, that uh, that's why there is a sniper and a spotter.

Merrill: Okay.

Dakin: You know in lengthy incidents they switch, you know.

Merrill: Okay.

Dakin: You can, you can only be on the scope for so long and then you, then you're given a break and you rotate.

Merrill: Okay.

Dakin: Um, but uh, so that's the philosophy there is, is, is that uh, the person taking this sniper shot, the execute, authority given to Sergeant LIVINGSTON is based on that shot being fired. Um, shot fired, we are going to execute because that sniper saw something that led him to believe that he had to take action to save the hostage's life.

Merrill: Okay.

Dakin: And then the breaching team immediately assaults behind that to get in there and rescue the hostage uh, or the victim and then render aid for the, the suspect.

Merrill: Okay.

Dakin: And that's, that's what occurred here.

Merrill: And that's, you know that was kind of what I was leading to next and it sounds like I think you're talking about all of that right now and summing it up here but the rules of engagement basically is what we're looking at here? That sniper's in position to make that judgement?

Dakin: Yes.

Merrill: For a situation like this?

Dakin: Yes and it's expected of them. It's expected of any member of SERT and its really expected of any police officer to make their own decisions uh, you know they're objectively reasonable based on the totality of the circumstances that that sniper is seeing at that given moment...

Merrill: ...okay...

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Dakin: ...when he pulls the trigger.

Merrill: Okay.

Dakin: Um --

Merrill: And, and just to make sure that I covered it, just 'cause I, you know a lot of this, there's a lot going on like you said. There's a lot of radio transmissions, I just want to make sure we cover it.

Dakin: Um-hm.

Merrill: So you didn't hear anything uh, at least that you could tell for sure because you were having other conversations, you're doing other things at the time, you didn't hear any radio chatter about observations of the suspect right before the shot or anything like that?

Dakin: No.

Merrill: Did you?

Dakin: No.

Merrill: Okay that's what I want to make sure about on that.

Cui: And you describe afterwards there was an acknowledgement from the IP that they, they're the ones that took the shot and it wasn't coming from the location?

Dakin: Um, I did not hear that, no.

Cui: Okay.

Dakin: I did not hear that. Um, because the breach immediately happened uh, and it was Sergeant LIVINGSTON on the radio calling the execute-execute-execute. Keep in mind this is a small hotel room.

Cui: Yeah.

Dakin: And they blew that door and they are inside and, and have a view of this entire space pretty quick, I mean almost immediately and that's, and then they almost immediately were advising that the suspect was down and calling for medical and the voice transmissions from that point were all done by the [REDACTED]

Cui: Okay.

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Merrill: And that the hostage was safe too, right?

Dakin: The hostage was safe.

Merrill: So that was pretty apparent then at that point.

Dakin: Yeah.

Merrill: There wasn't –

Dakin: Um –

Merrill: Unfriendly fire there going on.

Dakin: Correct.

Merrill: At that point so –

Dakin: Correct.

Merrill: Okay.

Dakin: So that, that was uh, you know the sniper shot happened at 10:15 and then 10:16 call that the suspect's down, calling the medical. Uh, again at 10:16 hostage is safe. At 10:17 uh, it was broadcast that medics were on-scene and then also at 10:17 somewhere in that minute Sergeant LIVINGSTON broadcast that he was moving the [REDACTED] out of the room. And back into the uh, the uh, parking lot uh, you know. It's, it's a parking lot that's surrounded on all three sides by motel rooms.

Merrill: Okay.

Dakin: Uh, and so at that point the room is secure. Uh, the incident for SERT, up to that point, has essentially ended and uh, at 10:18 uh, A/C RESCH notified uh, command or uh, Acting Assistant Chief KRANTZ and Deputy Chief DAY and uh, also at 10:18 um, Sergeant McCONNELL who in this insta- incident was the IP sergeant uh, broadcast that he was moving to the sniper's position and essentially that's a supervisor role checking on his officers. Um, and then uh, uh, at 10:18 um, Sergeant LIVINGSTON, I wrote down, called up by DON which uh, I'd have to go back and listen to the recording again to what that means in this incidence but it may very well have been for the investigators because the medics were already on-scene.

Merrill: Okay.

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Dakin: Uh, investigators and then um, and then that was the end of the incident tactically.

Merrill: Um-hm, okay.

Dakin: And at that point uh, CIC RESCH and I moved up to the scene to check on the SERT officers.

Merrill: Okay and I guess did you, did you, did you learn more about what had occurred there at that point? Uh, in terms of the incident itself, the, the sniper part of it or anything like that?

Dakin: No, no.

Merrill: Okay.

Dakin: And, and part of that was intentional because I knew that there was going to be a follow up investigation and I knew uh, it's not appropriate for me to be asking questions that could color my perception of it.

Cui: Um-hm.

Dakin: Or the person I'm talking to. Um, really my conversation with uh, with, my conversation with the SERT members was with Sergeant LIVINGSTON, making sure everybody was okay and what they needed. Um, he knew that his element was not going to be leaving the courtyard area and at that, by the time uh, uh, CIC RESCH and I got up there they were already stringing the red tape which shows the inner crime scene and uh, we crossed into the outer crimes scene and both signed the crime scene log. And, but we did not cross into the inner crime scene. We just had a discussion with Sergeant LIVINGSTON uh, I asked him, you know what can I get for you, what do you need and at that point he just asked for water for everybody which we supplied and uh, and then as more people started to arrive, investigators uh, CIC RESCH and I kind of stayed together. Um, and then command staff started to arrive and, and we, we weren't really talking about the incident. We were just trying to figure out what are we missing here, what am I missing. Uh, right now I'm the acting commanding of the Tactical Operations Division. So there was also that element in my head because almost everybody out there is assigned to TOD at this point. So I was trying to look around to determine what do I need to do for everybody else out here. CNT is Tactical Operations Division. Uh, to make sure that everybody is squared away and then uh, uh, other command people started to arrive and took over uh, elements of the investigation. Um, we did make sure that the SERT officers that were involved in it stayed in that area and weren't discussing the shooting. Um, and then Command KRAN- or Assistant, Acting Assistant Chief KRANTZ arrived and

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instructed CIC RESCH and I to not discuss the incident, which we hadn't been.
Um, other than just check, like I said checking on everybody.

Cui: Um-hm.

Dakin: And uh, (clearing throat) excuse me. And then ultimately he had uh, he instructed me to make sure that there was a uh, a member, an of- whether it's an officer or a TIC officer who wanted me to make sure that somebody was with the SERT officers who were on the breaching team. Uh, just to make sure that they weren't discussing it amongst themselves so uh, I gave that task to uh, Lieutenant PEARCE, the alternate SERT lieutenant and he, I'm not sure who he assigned to that but he did, I asked him, did you take care of that and he said yes. Um, and then eventually I was somewhat removed entirely from any involvement. I knew that was gonna happen so I called Lieutenant MIKE LEASURE who is the new Gang Enforcement lieutenant. Uh, Commander SHEARER is out of town right now and I told him that I am going to be kind of secluded in this incident and I asked him to respond to the scene to take care of any, anything administrative that, that the TOD personnel might need. And he did, he responded and at that point uh, uh, Acting A/C KRANTZ instructed myself and alternate lieutenants for CNT and also Lieutenant PEARCE, Lieutenant LINDSEY, Lieutenant uh –

Merrill: NAKAMURA?

Dakin: And NAKAMURA and uh, Lieutenant BATES to stay together, not discuss the incident and they assigned Lieutenant JAY CLARK to stand with us.

Cui: Um-hm.

Dakin: And at some point I just kind of ended up just kind of standing by myself. Uh, some of them were having conversations uh, with their union representation and uh, and that was the remainder of my involvement in the incident until I was advised by uh, uh, Acting Commander DELAND that I could return to North Precinct to check in to be interviewed.

Merrill: Okay, alright, do you have any other questions?

Cui: No.

Merrill: Did you have any questions?

Morgan: I don't think so.

Merrill: And you know we covered a lot, is there anything else that you think we didn't ask that you, you think's important and we need to discuss further?

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Dakin: Um -

Merrill: Or any emphasis on anything or?

Dakin: No. Well - we have an extremely professional SWAT team. Portland Police Bureau does. Extremely professional uh, and a lot of that goes to the former command uh, and the current command but a lot of that goes to the two sergeants there full-time assigned to this team which is DARBY and LIVINGSTON. DARBY's out of town, very professional team and I am confident that uh, this action was taken to save that hostage's life.

Merrill: Okay.

Dakin: And that's all I have.

Cui: Just -

Merrill: One thing I'd ask is that you...


Cui: ...sign...

Merrill: ...sign, yeah, yeah. If you can just print out your name and then sign your name and your BPST here.

Dakin: Okay.

Merrill: And the date. It's October 10th. I'll go ahead and shut down the recording, it's now 2:56pm. Appreciate it.

Dakin: Thank you.

Transcribed Verbatim with Punctuation Added 101418 / 1035 T. Bradshaw 

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IMAGE ATTACHMENT (2750625) A084020, A086059

 BUREAU OF POLICE
 2619 NW INDUSTRIAL ST., STE. B4
 PORTLAND, OREGON 97210
 503-823-2179
PROPERTY/EVIDENCE RECEIPT
 HOURS OF OPERATION:
 9:00 AM TO NOON &
 1:00 PM TO 4:00 PM, M-F

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER No. A084020	DATE/TIME 10/10/18 2000 PM	AM	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE <input checked="" type="checkbox"/> ONLY <input checked="" type="checkbox"/> EVIDENCE	<input type="checkbox"/> FOUND PROPERTY	<input type="checkbox"/> PRISONER'S PROP.	<input type="checkbox"/> SAFEKEEPING	
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB			GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>	
DENIED OWNERSHIP <input type="checkbox"/>			I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING	
HOME ADDRESS CITY STATE ZIP			SIGNATURE	
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB			PHONE	
TYPE OF INCIDENT 015			DELIVERING OFFICER B. Clifton DPSST/ASSIGN #37152/DET	
LOCATION WHERE SEIZED, FOUND, SURRENDERED 7622 SE 82nd Ave.			INVESTIGATOR (IF DIFFERENT) S. BROUGHTON DPSST/ASSIGN #40218/DET	
<input type="checkbox"/> DEFENDANT	LAST NAME	FIRST	M.I.	SEX RACE DOB
<input checked="" type="checkbox"/> SUSPECT	Rice	SAMUEL	E.	M W 12/5/87
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	DVD containing interviews with Talon Ochoa			
ITEM 2	Consent Form, Motorola Cell Phone, signed by Talon Ochoa			
ITEM 3	Consent Form, 7622 SE 82nd Ave. #16, signed by Talon Ochoa			
ITEM 4	Google Earth Map of AREA around the Del Rancho Motel			
ITEM 5	Rough sketch of the Del Rancho Motel Room #16			
ITEM 6				
ITEM 7				
ITEM 8				
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input checked="" type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED		PRECINCT & LOCKER# C-016		DATE 10/17/18
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER		RECEIVED BY		
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY				
RECEIVED BY PED		BY		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT
DATE:		TIME:		

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CASE NUMBER
GO 42 2018-347005

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

RECEIPT NUMBER No. A086059	DATE/TIME 10/10/18	AM PM	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND PROPERTY <input type="checkbox"/>	<input type="checkbox"/> PRISONER'S PROP. GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>		<input type="checkbox"/> SAFEKEEPING	
PROPERTY TAKEN FROM: LAST NAME Ochoa FIRST TALON M.I. F/W SEX 9/17/88 DOB	I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING			
DENIED OWNERSHIP <input type="checkbox"/>	HOME ADDRESS			
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB	SIGNATURE			
HOME ADDRESS CITY STATE ZIP PHONE				
TYPE OF INCIDENT OIS	DELIVERING OFFICER M Jones		DPSST/ASSIGN 36240/DET	
LOCATION WHERE SEIZED, FOUND, SURRENDERED 7622 SE 82nd AVE		INVESTIGATOR (IF DIFFERENT) DPSST/ASSIGN		
<input type="checkbox"/> DEFENDANT	LAST NAME	FIRST	M.I.	SEX RACE DOB
<input type="checkbox"/> 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	Returned Rent from Room #16 \$ 360 TOTAL			
ITEM 2	Returned to Ochoa			
ITEM 3	x Taken Ochoa			
ITEM 4				
ITEM 5				
ITEM 6				
ITEM 7				
ITEM 8				
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED	PRECINCT & LOCKER#		DATE	RECEIVED BY
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER				
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY				
RECEIVED BY PED	BY		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT	
DATE:	TIME:			

07/12

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IMAGE ATTACHMENT (2751443) INTERVIEW WITH OFFICER LEO HARRIS 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

October 10, 2018

**Interview with
OFFICER LEO HARRIS
TAPED STATEMENT TRANSCRIPTION**

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Portland Police Bureau
PUBLIC RECORD RELEASE
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PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL TAPED STATEMENT TRANSCRIPTION

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Cui: So today is October 10th, 2018. It's approximately 3:07 PM. Present is myself, Detective Vince Cui, DPSST is 36881. Also present is my partner, Detective Anthony Merrill...

Merrill: BIPS is 35227.

Cui: And we are speaking to Officer...

Harris: LEO HARRIS. Uh, BPST 39655.

Cui: And he has representation, or observance from...

Reagan: Ryan Reagan, BPST 36623.

Cui: And we are talking to Officer HARRIS regarding an officer-involved shooting that happened today near 82nd and Flavel, at the Del Rancho Motel. But before we go into the details of the actual incident, Officer, can you just tell us m-how many years have you been on the bureau?

Harris: Almost 17, I think, in November.

Cui: And how many years have you been on the Special Reaction Response Team, or Special Emergency Response Team?

Harris: Uh, a little over 10 years.

Cui: And on...

Harris: 10 years in June.

Cui: And on the team, wh-what's your, what's your general position on the team?

Harris: Um, I'm the IP, so I do, um, a little bit of everything, obviously everybody on the IP still does entry training also, but, um, containment, gas, um, long-range shooting, sniping, um, observing.

Cui: Okay. And for us non-operators, the IP stands for?

Harris: Inner Perimeter.

Cui: And what are the general duties of in-uh, Inner Perimeter position?

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Harris: Uh, containment, being able to take action if, um, a suspect either were to, you know, take action against officers, or community members, um, if they were to try to break out and get away, we'd be the first line of defense for catching them.

Cui: Okay.

Harris: Um, things like that, potentially delivering, uh, chemical agents if we were, you know, it was a barricade situation, we were trying to force them out, um, observing, reporting the things you see around the perimeter.

Cui: Okay. And generally you guys are often the first eyes on the subject for the team?

Harris: Sometimes. Yeah, it depends...

Cui: Okay.

Harris: ...depends where they come out, or, you know.

Cui: Okay.

Harris: A lot of times on the three, on the three sides that aren't whatever is technically the front. We're the only eyes.

Cui: Okay. So just kind of like, generally, today, how did your day start off?

Harris: Uh, started off with an early morning search warrant, that we executed, I think, around 4 o'clock, and then we had breakfast, and then we did another one at 9 o'clock, or 8:30, somewhere in there.

Cui: Okay.

Harris: Um, got back in the truck after that one, it was almost wrapped up, they had cleared the perimeter, there was 12 entry guys in that house, and they were bringing detectives up. Um, KELLY VANBLOKLAND and I got in, uh, RUSS CORNO's truck, 'cause we had driven it up there, and the radio was on, it was on scan mode.

Cui: Okay.

Harris: And we both heard this call dispatched at East, and we're like, ooh, that sounds like a potential call-out. Um, they were saying that it was a guy that had tried to stab somebody at the 7-11, um, he had gone across the street to the Del Rancho, um, forced a woman inside, uh, Room 16, that he had a knife, um, patrol started going there pretty quickly, and then trying to set up stuff, and then pretty quickly they asked for a consult, so it was weird listening to two radios, so in my ear I had

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[REDACTED] which we had done our um, warrant on, so hearing stuff on East, and then I don't know if there were phone calls made, but pretty quickly we heard this stuff on East, and then on [REDACTED] you hear, hey, we're having a consult on whatever, I think DON asked, maybe, PETE MCCONNELL to take it.

Cui: Okay.

Harris: I think, 'cause he was doing something, um, not a hundred percent sure I have that right, it's what I remember. And, um, we rarely do this, but it sounded good enough that I think people were like, we're heading that way, it sounded like a full hostage type, you know, victim of a barricade situation.

Cui: Okay.

Harris: Um, KELLY and I were in a weird position, 'cause normally we would drive our own vehicles out there and have all of our gear, so I felt a little bit, um, behind the curve, because we had RUSS' truck, um, because they needed some potential breaching stuff there for the warrant, so we then had to wait for a few minutes, grab RUSS, and the three of us drove back to North. KELLY and I got into our own individual trucks.

Cui: Okay.

Harris: Uh, because we didn't take, for a warrant we take slightly different gear, um, so we wouldn't have had long-range rifles, or some of the more precision type stuff that we would want, or hide material, all that kind of stuff.

Cui: Okay.

Harris: On a warrant. Um, so we wanted to have all that, have our own gear, um, so we did all that and went back to North, then all three of us drove out there.

Cui: Okay.

Harris: So the whole way we're listening to East Precinct, you know, heard that they had, um, they were talking to him in a doorway, I think, and he said if you come in here, she's gonna die. Um, so that didn't sound good, um, heard that he had tried to stab somebody, sounded like he tried but was not successful, at the 7-Eleven, um, and I don't know how that matches up with later, I know we got information that there was PC for Assault II.

Cui: Okay.

Harris: Um, which I don't know, maybe he did stab him, I don't know. Um, but remember hearing that...

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Cui: And hearing this all over the radio?

Harris: Yep.

Cui: Okay.

Harris: All-m-mainly at East Precinct at that point, 'cause we don't have any different information than East Precinct has, 'cause there weren't any SERT people on scene yet.

Cui: Okay.

Harris: So initially they had us stage off Johnson Creek down near the Fred Meyer, um, and then that's all happening, by the time we get to North, and we get all the way out and go down 205, um, by then they're saying it's full SERT activation, and just come on in, and so KELLY and I got there a little bit later than everybody else, 'cause they were mostly, I think, near the Fred Meyer.

Cui: Okay.

Harris: So we pulled up, and there were a lot of people, like, deploying, um, so they already had, um, IP guys on the front, and I don't, I think there was IP containment maybe on side three, but they didn't have eyes on side three.

Cui: Okay.

Harris: 'Cause I remember later seeing some, uh, IP guys, um, on what would be the southwest corner, I think, of the, um, strip of motel rooms...

Cui: Okay.

Harris: ...but there was nobody that was way off side three and had a view. Um, I remember there was initial confusion about who's taking what, I thought KELLY and I would eventually get split up, 'cause we both had, you know, different gear.

Cui: Okay.

Harris: Um, but we ended up going together, 'cause they had other stuff that they needed, which was good, so they sent he and I around to side three to get eyes on. PETE MCCONNELL said something about getting an el-he was in charge of the IP.

Cui: Okay.

Harris: That's why we were talking to him, um, he asked us to maybe get an elevated position where we could see down into the, um, motel room.

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Cui: Okay.

Harris: 'Cause there were windows across the back, um, and I don't know the name of the business, I think it was a green building, had a tall fence with barbed wire around it.

Cui: Okay, and that kinda perfectly segues to, here's a map...

Harris: Okay.

Cui: So here is Flavel.

Harris: Okay.

Cui: Here's 82nd.

Harris: Okay.

Cui: Um, this is the Del Ranch, Del Ranch Motel.

Harris: Okay.

Cui: And we'll leave, this might be the building here that you were...

Harris: Correct.

Cui: ...referencing here...

Harris: I think so.

Cui: It's like a, uh, gardening supply, type building, hydroponics...

Harris: Yes-yes, 'cause there were lots of pallets in the back with different kinds of...

Cui: Okay...

Harris: ...(unintelligible) stuff...

Cui: ...so if you want to just go ahead and put an X in the-where, the area where you believe you put your position at, you know...

Harris: Um, this is probably out a ways, but somewhere in here.

Cui: Okay.

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Harris: I think, like, we came in the gate over here, and that took us a while, 'cause there

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Cui: Okay.

Harris: ...related to the entry, so he took off, which was good, we ended up getting in, worked our way over here, um, I don't know how far away we were, um, we didn't have time, normally we would range it, and know exactly how far we were, I'd say 25 or 30 yards, probably.

Cui: Okay.

Harris: Um, and we ended up, unknowingly, about in line with his room...

Cui: Okay, and you said probably about 20, 20 to 30...

Harris: 25 to 30 yards...

Cui: ...30 yards out...

Harris: ...out, somewhere in there, just a guess...

Cui: Okay.

Merrill: [REDACTED]

Cui: The gate here?

Harris: Yes.

Merrill: Okay.

Harris: 'Cause they had some pretty good security, um, tall fence, barbed wire all around the outside...

Cui: And I'm just gonna circle your X, it's a little more...

Harris: Okay.

Cui: ...distinctive, but right in the area here?

Harris: Yep.

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Cui: Okay.

Harris: Um, so our plan was to get onto a conex box, 'cause they were higher.

Cui: Okay.

Harris: Um, I looked all around, I couldn't find a ladder back there, it was pretty tidy, um (pause), um, (unintelligible – referring to his phone/text message) give me something, I probably just (unintelligible). Um, looked around for a ladder, didn't find one. There was a barbecue that was maybe the right height to climb onto, which, with all of our gear, plus us, wasn't sure it would work. I didn't like the idea of being super close to his room, or as close as possible, because then we're in view, a lot of times.

Cui: Okay.

Harris: You know, on the IP, we try to be concealed, we'll build a hide, we don't want them to see us...

Cui: Okay.

Harris: ...this felt a little bit different on-for a couple different reasons, um, we were pretty, we were very concerned about her, you know, we were worried that she was, you know, not free to leave in there, he had already said she might die, all that stuff. Um, but in some senses it-I felt more comfortable being exposed, 'cause he didn't have, a lot of times it's firearms, so we know he has a knife. Could he have a firearm, sure, but we're, you know, balancing the risk...

Cui: Yeah.

Harris: ...versus us being able to either get more info or get into a position quicker.

Cui: Okay.

Harris: 'Cause one of the things was getting a concealed position and sorts, it takes a long time.

Cui: Sure.

Harris: You're working into a spot, um, so we ended up finding a flatbed truck that had wood rails around the side, and there was a bunch of junk in the back, maybe a, I don't know if it was a hot tub, I don't even know what it was, something upside down.

Cui: Okay.

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Harris: I didn't, it's funny, I spent time there, I didn't even look at what was in the back there, it occupied a lot of the back. Um, but the very back, probably foot or two, was clear all the way across the bed.

Cui: Okay.

Harris: Um, so we ended up climbing up and into it, and I was looking for a better route up on the conex behind us, but it would have, we would have had to climb onto that wood rail that was kind of rickety, um, and then our backs would have been to him, and I don't know, we just, I was not feeling like it, so we were kinda taking stock of our situation, trying to figure out which room was what, um.

Cui: Okay.

Harris: So we had a lot of windows, um, we were kinda guessing it was in the middle, um, some of the windows you could see through, other windows had curtains and stuff in front of them, um, we started getting on the radio, it was really hard throughout the entire call for us to get on the radio, um, throughout any scenario or, um, real-life situation that I've been in like this, it's usually the same, because there are so many things, it's hard to almost prioritize, there's so many things that have to be getting done...

Cui: Yeah.

Harris: ...on a victim of the barricade, which is a little bit different even than a hostage situation where they're, like, making demands, and it's like bank robbers or whatever, [REDACTED] heard something about [REDACTED]

Cui: Okay.

Harris: Um, because we had heard.

Cui: And this is all over the-the [REDACTED]?

Harris: It's all on [REDACTED] net, yeah.

Cui: (Unintelligible) that you guys are hearing that?

Harris: (Unintelligible) on east (unintelligible).

Cui: ...yeah, okay.

Harris: They're talking about building through-all charges, because I heard them talking about, it sounding like the guy might have been barricading the front door.

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Cui: Okay.

Harris: So if you don't have access to go help her, that's not good. Um, we did hear that we had SERT guys in apartments on both sides.

Cui: Okay.

Harris: Or put motel rooms on both sides, so I hear them talking about through-all charges, I heard them talking about [REDACTED] you can just have, um, an avenue to potentially use deadly force, or maybe less lethal, to stop him from hurting her while they're doing the entry.

Cui: Okay.

Harris: Um, it also is a big distraction, so that he's not in there potentially hurting her, if they end up having to make a [REDACTED]. Um, so hearing all that, we eventually got in on the radio, even though it was a challenge, and we had SERT guys come to the windows of the rooms they were in, and then they both were pointing, it was funny, at one point.

Cui: Okay.

Harris: They both were at the window, pointing this way, and it was very obvious it was these two windows, uh, but our other concern was on the west side of those two windows was a door that had a number 29 marked on it. I was worried that he would have access, potentially, out the back door.

Cui: Okay.

Harris: So KELLY, I think, got on the radio, and that's where a little bit of it overlaps, um, if you're in a hide long enough, and you have one person, um, on a rifle, and they are the sniper, or...

Cui: Okay.

Harris: ...they are the shooter, um, they may have a different role, and a lot of times the spotter will take the role of doing other stuff, setting up the hide, looking for a better position, uh, maybe the spotter also has to do containment.

Cui: Okay.

Harris: Maybe there's nobody else on the back side if he were to come running out this door, you would have a 40mm or a taser ta-containment action, and try to, um, take him into custody. Uh, we didn't really have time to even divvy all that up.

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Cui: Okay.

Harris: And I wasn't thinking that we would be responsible for containment, 'cause I remember seeing guys over the fence, I assumed it was open, but I couldn't see it, 'cause there was a fence along the back, I don't know if I mentioned that, that had blackberry bushes...

Cui: Okay.

Harris: ...that were almost the height of the windows, so we couldn't see below the windows to the back of those, but I could tell it looked like there was a line of, an open area behind there, on the other side of the fence.

Cui: Okay.

Harris: And that's where I think there were other SERT guys that had containment to the west end. So if he broke out, it wasn't totally feeling like I would need to run and go do something...

Cui: Okay.

Harris: ...uh, containment-wise. Obviously we would, if he jumped the fence into our place, but the windows were small enough, and high enough, that I didn't think somebody would jump out, but they certainly could have. And there were actually a couple windows open, and I thought, it's unlikely they're gonna crawl out, but a smaller person, um, and I remember hearing that I thought he was bigger, like, 6'2", 240 or something? I don't remember, but big.

Cui: Okay.

Harris: I remember bald head, white guy. At some point, through all of this, I don't remember when, we got pictures on our phone...

Cui: Okay.

Harris: ...of a guy, bald head, round face, um, and I showed it to KELLY, and I can't remember if he said I already seen it or not, but I showed it to him, we both looked at it, um, I remember looking at a picture of the victim.

Cui: Okay.

Harris: Um, I don't remember hearing name on either of 'em throughout the whole thing, they might have said it, but when you're cutting...

Cui: Sure.

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Harris: ...fences and climbing trucks, sometimes you don't hear stuff even with two of us. Um, so at some point, when we nailed down whose room it is, it seemed like very quickly after we nailed down yes it's these two windows...

Cui: Okay.

Harris: ...and the door is out of place, at some point KELLY asks, and somebody says, the manager told me for sure, um, that the door with the number 29 on it is a boiler room, and doesn't have any other access in or out of the room, that door, no rooms access it.

Cui: Okay.

Harris: So felt pretty good, I mean, you never know even when they're in-could be different terms, but I felt pretty good that he's not gonna come out that door, um, pretty quickly after that, and we'd seen the pictures, um, I don't know at what point I became aware that there was a guy in the window, and he was looking out, I don't know if he pulled the shade back, um, I, it start, you know, coming all together, I'm like, oh, that's him, and KELLY's like, yep, there he is, and you could tell he's looking out, and at some point, you could tell, it almost sounded like he was yelling, but I don't know that I could hear it.

Cui: Okay.

Harris: And then he was flipping us off, um, so he clearly saw us.

Cui: Okay.

Harris: Um, and then I realized-I don't know if it got moved there, or if I just realized it, but there was a mattress up against the bottom half of the window, and he was like, holding down the mattress, looking over the top...

Cui: Okay.

Harris: ...and yelling at us, and at some point he might have left, and it like, came back up, and then the curtain was there too, so kinda two things obscuring the window. Uh, so let me back up, before we got up on top of the truck, and were in view, um, I was feeling like if he looked out the back and saw us, 'cause we were going to be visible, I was feeling like that's not somewhat normal, like, we wouldn't normally be visible, we try pretty hard to not be visible.

Cui: Yep.

Harris: But in order to have some advantage where maybe we could see down into that room, and see if the victim was in there and injured or not, um, see where they

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were, in case there was some kind of separation and they would want to, um, take advantage of it and separate them, uh, we had to have a little bit of risk-taking, and the r-get the reward of having that view...

Cui: Okay.

Harris: ...but what I didn't want to do was have something get kicked off on the front, because they didn't know we were moving into a visible position instead of an invisible deployment position, um, so I asked on the radio, I, I talked to KELLY, I said, hey, before we climb up here and everybody can see us, let's make sure that everybody on the front knows...

Cui: Okay.

Harris: ...I didn't say, double check with CNT or anything like that, I'm hoping, or assuming, that it got passed through our intel folks to them, um, but I did say, you know, LEO to DON, and DON LIVINGSTON said, go ahead, and I said, hey, just so you know, we're gonna be up, we're probably gonna be in an exposed spot, he's gonna know we're there, is there anybody that's not good with that? He said nope, we are all good with that. I said, okay, didn't hear anybody else that came on and said, no we're not.

Cui: Okay.

Harris: 'Cause I didn't want there to be any surprises on the back, sometimes you take a small action over here, and it causes something to happen, and people don't know why, you know, you just want to be...

Cui: Yeah.

Harris: ...normally they would expect us to be in a, in hidden, invisible spots.

Cui: Okay.

Harris: Cleared that up, moved up on top of the truck back to, uh, seeing him, um, up to that point, threat-wise, we were feeling like she was in quite a bit of danger, um, this was what we would call a victim of the barricade, or a barricade with a victim.

Cui: Okay.

Harris: Um, where, you know, you're using a structure or some kinda area to keep police at bay, um, a lot of times with a weapon. Um, standard barricade procedure, if they're alone, um, we would assess the situation, you know, if it's somebody that is suicidal, um, there's not a threat to anybody else, and they're not willing to talk

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or negotiate, um, we would certainly give it some effort, try to get them help, and then if they're not willing to do that, we would probably end up leaving if we didn't think they were a risk to the public.

Cui: Okay.

Harris: This obviously felt different than that, in that he'd already tried to stab a member of the public out in the open, you know, at a 7-Eleven store, then he drags this lady back in there. At some point, I don't know when, I heard or became aware of, that we were calling her his wife, or that he had said it was his wife, 'cause...

Cui: Okay.

Harris: ...initially I didn't know that, it was just a woman, I don't remember knowing that she was related to him or not, um, so feeling like she's in a lot of danger, he's already put the community in danger, so in that sense, this isn't something we're gonna disengage from...

Cui: Okay.

Harris: ...patrol would, and SERT probably wouldn't, 'cause there was too much risk here. Um, but that she's in a substantial amount of danger, uh, because they either know each other, this isn't a situation where he's like, a corner criminal trying to get away, and he's asking for, you know, pizza, and a million dollars, and a helicopter, um, still, we know that even though she's in, you know, statistically higher risk, these things get negotiated out, normally, and so that's how, the direction we want it to go.

Cui: Okay.

Harris: It's obviously way safer for her, and way safer for him. Um, and way safer for us...

Cui: Yeah.

Harris: ...'cause if we do have to do some sort of crisis entry, and do all this stuff that we put into place, we're taking on a lot of risk also, which we're willing to do for a victim, um, but hoping not to. So I remember being conscious of, um, updates that were, like, you know, ro-at one point, I heard, and I don't remember if it was when I was listening to East on the way there, but at one point I heard that he was on the phone with 9-1-1...

Cui: Yeah.

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Harris: ...and they were gonna patch him together, maybe, um, I know that when we were there, at least I feel like I remember, hearing several times, CNT's making a phone call, they're on the phone with him, off the phone with him, um, a lot of times it sounded, well, they always want to keep talking, so when we get off the phone with them, it's usually not a good thing, and usually it's the, you know, guy on the other end hanging up. The information, I remember, was not good, I heard that he was on meth, um, at no point throughout this did I hear anything about mental health, so I was feeling like this was more of a, um, drug-induced criminal type thing.

Cui: Okay.

Harris: You know, not somebody that was in crisis that we're just trying to get help, um, he may have been in crisis and we would have got him help, but, more of a criminal, you know, as far as defining the event, criminal, um, drug related. Um, dangerous, um, in the fact that, you know, she's in there with him, sometimes, in my mind, maybe, I don't know if statistics bear this out, but, you know, with alcohol and some other things, people black out, pass out, and then some kind-you know, sometimes they even, maybe, come down sooner, I don't know.

Cui: Uh-hm.

Harris: Same with mental illness, um, or maybe we're there putting in de-escalation efforts enough that it actually has time to work.

Cui: Okay.

Harris: Um, I was a little more worried that the meth side of it, um, in conjunction with all of the updates, like, he was rambling, something about stacking? Or like, he was talking about prostitution and stacking, and something else, I don't remember...

Cui: Is this stuff you're hearing over the air, or?

Harris: Hearing over the air.

Cui: Okay.

Harris: And I remember, and I saw in here, too, I remember-and KELLY and I were like, stacking, that doesn't make any sense, um, and that didn't make me feel like it was somebody that was reasonable or rational, which made me feel like she was at more risk.

Cui: Okay.

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Harris: This wasn't a guy that was even making rational arguments about, just like, hey, just leave and I won't hurt her, you know, that was like, you know, I'd feel better if there was, um, some kinda ongoing negotiations with them, and he's willing to make any good statements, instead it seemed-what, the image that I got from the updates, from CNT, was he was making no sense, um, was agitated, you know, and was making threats, so at some point, I was feeling like it was getting worse, um, we didn't see him at that window anymore, and he pulled the curtain shut, and I thought, oh, we're not gonna see him again...

Cui: Okay.

Harris: ...in that window, that was just a feeling I got when he pulled the curtain shut. Um, KELLY and I were like, hmm, and we didn't talk about it, I know I was thinking, if her life's in danger, you know, that would have been an opportunity for us to potentially use deadly force to protect her.

Cui: Okay.

Harris: Um, but it felt like we were maybe headed that way, but like, that wasn't the right time, um, and then at some point, more stuff happened, he hung up the phone, I think, with CNT, and said, um, if you don't get the cops out of here, I'm gonna slit her throat.

Cui: Okay.

Harris: And I'm like, okay, that's bad. And then DON, right after that, LIVINGSTON, said, if we hear her screaming, um, we are going to kick off a crisis entry to go rescue her.

Cui: Okay.

Harris: And I thought, that's bad too, in the sense that, um, you know, just the danger factor has gone up, you know, she's obviously in a lot of danger, we may have to go rescue her, um, there are so many different factors at play, well-if he has a firearm, in some sense that's almost better, because if he shoots her, there's almost no way to hide the pistol shot...

Cui: Yep.

Harris: ...or rifle shot, so then we know, and then we go take action.

Cui: Okay.

Harris: Um, obviously that's riskier for us, you know, if we go in and do an entry, versus somebody that has a firearm, um, but on the flip side, for her, I actually thought it

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was worse, him having a knife, because he maybe covers her mouth and stabs her, and we don't even know.

Cui: Okay.

Harris: So I thought it was good that the decision was made that we were going to use appropriate initiative, which might be what DON was talking about...

Cui: Okay.

Harris: ...if we hear, um, something that tells us, like, hey, we don't have time to act, um, we need to act right now, um, because somebody's life's gonna be in danger, and then they are taking that decision on themselves, as supervisors say, we're gonna go do a crisis entry.

Cui: Okay.

Harris: Um, so I thought that was appropriate, given the totality of the circumstances, I mean, at no point has negotiations helped, I had not heard anything about, like, hey, you know, he's, like, somewhat rational, or we're talking to him, or he wants something, none of that is good for her, because if he doesn't want anything, he's in a state where he's not thinking rationally, um, he's already made a lot of threats to kill her, slit her throat, he told patrol, I'm gonna kill her, um, he's already out in communities, this isn't even, you know, just an isolated DV thing...

Cui: Yep.

Harris: ...he's across the street, in public, um, you know, tried to stab somebody. At some point, right after we lose view of him the first time, we also hear that we have PC for Assault II.

Cui: Okay.

Harris: So I'm like, okay, we have PC for Assault II, um, he's not on the phone, he's saying get cops back, so I'm feeling like we are very close to shooting him, um, if we see him again. Um, at some point, he then comes to the other window, and I was, at that point, feeling like okay, we're getting ready to potentially use deadly force if we see him again, um, KELLY said, um...

Cui: Can we do this real quick, so when you say...

Harris: Yep.

Cui: So when you say other window, if you go in the back?

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Harris: Uh-hm.

Cui: So the room, can you describe, like, because you're, now you're mentioning two windows that you can see right there.

Harris: Yep, so this is our view, I don't know what was here. This is the fence, this is all blackberries.

Cui: Okay.

Harris: And this is like, the roof line, um, there's a window here, I remember a piece of wood being through here diagonal...

Cui: Okay.

Harris: ...that he opens. The first window he came to is right here, and that's where the mattress was across here, and he's like, bending it down, we saw him in here...

Cui: Okay.

Harris: ...flipping us off and stuff.

Cui: Do you want to put, uh, mattress, on this, that one, so we know that one's the mattress?

Harris: Yeah.

Cui: Perfect.

Harris: I think this is east, and this is west.

Cui: Okay, so this would be towards, uh, 82nd?

Harris: Yep.

Cui: Okay.

Harris: And then this is the door that had 29 on it...

Cui: 29.

Harris: ...kinda threw us off, and then I saw SERT guys in here, and SERT guys in here.

Cui: Okay.

Harris: And they both pointed this way, so...

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Cui: Okay.

Harris: ...we were worried about the door, but we knew it was here. So where we see him, um, and where KELLY ended up using deadly force on him, was in this window, and I...

Cui: Okay.

Harris: ...think it was split, I think he opened it and came to this side of the window, I'm not sure, there was a little bit of blackberry here, um, from my memory, um, and so I don't know if he came to the window, and I couldn't see his hands, what I remember is not seeing him there, and he wasn't here yet.

Cui: Okay.

Harris: We had this conversation after we saw him here, he disappears, the curtains close, and then we're talking about, like, um, some of it was maybe my thoughts, and some of it was maybe what he and I were talking about, like, was that our only opportunity to potentially use deadly force, like, if he goes and kills her, this is like, the worst situation...

Cui: Okay.

Harris: ...you can put a sniper in...

Cui: So you guys are having that discussion when you guys first see him?

Harris: Um, no, and this is where it's like, overlapping my thoughts plus what we're talking about...

Cui: Okay.

Harris: ...I know I was thinking, hmm, did we make a mistake in not shooting there, 'cause af-like, if he goes and kills her...

Cui: Sure.

Harris: ...I will be very sad that we didn't shoot him right there. But it just feels like we haven't been there that long, and all the other stuff.

Cui: Okay.

Harris: But, and a lot of times that's how some of these critical incidents happen, they happen quickly, and...

Cui: Yeah.

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Harris: ...are very dynamic, and you don't get a lot of good information to make decisions, it's like, CNT hasn't been able to do anything, he's done stuff out in public, put people in danger, PC for Assault II, he's not making any demands, you know, there's a victim, you know, inside a barricade, her life's in danger, throughout the entire thing, all we, I shouldn't say all we care about, but our main focus was her safety.

Cui: Yep.

Harris: You know, and obviously if we can get him out safely, that's awesome too, but she's the one that's in danger, being put there by somebody else. Um, so all those thoughts are going through my head, when we don't see him anymore, should we have done it, should we not, um, and KELLY said something like, man, I want to get on the air and tell 'em that I might use force next time...

Cui: Okay.

(Beeping)

Harris: Sorry, one of my pager's going off. (Pause) Um, so something that we do talk about, I think that as much as we talked, it was KELLY saying something like, I wanted to get on the air, or I want to get on the air and tell 'em that I might use deadly force next time I see him.

Cui: Okay.

Harris: 'Cause in some of our training, part of our...

Cui: And you mentioned that ap-appropriate initiative, so basically, if you haven't, if you have the opportunity to address the threat, you address the threat, versus having to say, hey, give me permission to do it.

Harris: Um, appropriate initiative is more for the entry guys.

Cui: Okay.

Harris: Um, where maybe they would do an entry based on something, the IP guys, I don't think we think of it as appropriate initiative, it's more standard rules of engagement.

Cui: Okay.

Harris: And deadly force, where if somebody's life's in immediate danger, and we have to go in and take action, and based on the totality of the circumstances, that makes

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the most sense, and is it the best situation for the victim, then that's what we would do.

Cui: Okay.

Harris: Now we don't really think of it or use the terminology, um, appropriate initiative, with the IP doing that, it's more like a coordinated entry, like, um, based on something they're seeing there, but normally they would ask the CIC and all that. Um, so, KELLY and I didn't have time to talk very much, it felt like we were in the back of the truck for like, two minutes, when this all happened, like, super quickly. Um, the truck is like, here, and that'd be like 25 yards away...

Cui: Okay.

Harris: ...the cab is here, the bed's here, this is all full of stuff, the only area that's ri-that's open is back here...

Cui: Okay.

Harris: ...the conex is right here that I wanted to use the bedrail to climb up onto and see over here, 'cause we were still a little bit of a diagonal, it was more like that. KELLY was here, and I.

Cui: Okay.

Harris: Was here, so I couldn't really do anything.

Cui: Okay.

Harris: So I was kinda looking for a better spot, and so he disappears from this window, KELLY says something like, I wish we could put out on here that, um, I'm thinking about using deadly force, and I was thinking, should we ask for shot of opportunity, and then I'm thinking they would probably, like, we're almost there, but I don't know that they would give it to us...

Cui: Okay.

Harris: ...but like, if we feel like her life's in immediate danger, which I felt like it was, it might be appropriate to take a shot.

Cui: Okay.

Harris: So I turned to look this way, and I'm realizing that this truck is full of stuff, and there's nowhere for me to get clear, 'cause I don't have a way to, like, look through a scope, I actually brought a spotter scope with me...

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Cui: Okay.

Harris: ...and, uh, you'll find it on the truck, spotter scope, and a, um, tripod, 'cause I thought we were gonna be farther away than 25 years...

Cui: So is KELLY the only one with his weapon out right now?

Harris: Yes.

Cui: Your's down at the ready?

Harris: Yeah, mine I think was just on my chest.

Cui: Okay.

Harris: Um, and we were, you know, in the bed of the truck, probably a foot apart.

Cui: Okay.

Harris: Um, and so I had just turned to look, thinking, I need to find a spot potentially, to be able to shoot also, which, sometimes a spotter would do, sometimes a spotter wouldn't do.

Cui: Okay.

Harris: Um, but I couldn't really do anything, even see, so I can't set my tripod up, there's no flat surfaces, I was thinking of maybe laying on the conex, with a flat spot, maybe looking through there, with the extra power you can look through the window, a lot of times look deep into a room...

Cui: Okay.

Harris: ...and people wouldn't know, where normally our scopes on our rifles aren't as high-powered as a spotting scope. So I turn and I look, and I don't remember if I set down my spotter scope, realizing I'm not gonna have time to set this up, and then all of a sudden, I don't know what KELLY said, either there he is, or something, and I looked back up, and he was in that window.

Cui: Okay.

Harris: And I remember seeing him slide the window open, um, and so I knew that he was, there was no blast barrier, 'cause that's something that we talk about quite a bit, um, and actually, that was something we talked about here, or after here, so after he disappears, I remember asking KELLY, um, if we were gonna shoot, what round we'd use, or what gun we'd use.

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Cui: Okay.

Harris: Because we brought two, he brought a sniper rifle, which is a .308 caliber.

Cui: Okay.

Harris: And then our main AR-15s are .223 caliber.

Cui: Okay.

Harris: Um, a lot of times when you're a sniper, um, or if you decide. You have to take some kind of hostage shot, um, you have to think about barriers, a lot of times people are gonna be behind a glass window or something, front door, um, so you want the most accurate gun possible, especially if there's any distance, and at this distance today, an AR-15 is totally accurate.

Cui: Okay.

Harris: Um, but sometimes, you know, at hundreds of yards, or even a hundred yards, you definitely wanna have, um, on our, um, sniper rifles, a higher magnification scope, um, the rounds more powerful, um, and then we have different rounds for shooting through glass if needed. In this case, uh, it's a smaller motel room, and sometimes a .308, so all the benefits of a .308 can also be a bit of a negative, right, maybe potentially over-penetrate, um, we had heard that there was nobody else in this room other than the two of them.

Cui: Yeah.

Harris: But we didn't know where the victim was, so if she for some reason is behind him, and we use the more high-powered rifle, and it over-penetrates, that's not a good thing. We also have, potentially, um, entry guys coming in, um, 'cause at any point, if she screams and they come in, um, or even just, it goes all the way through, um-

Cui: Okay.

Harris: We were at a little bit of an upward angle, but not, not severe. Um, so KELLY and I talked, and he's like, no, I have my .223, and I thought, okay, good, you know, it's the right, you know, weapons platform and caliber for that, so, not that you wouldn't have over-penetration, but you're less likely to.

Cui: Okay.

Harris: So we're always trying to make the situation better, we can't make it perfect. Um, so that conversation happened. I look away, come back, realize his face is in

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the window, and he'd either moved the window, I don't remember if I saw him open the window, or if it was just already open, um, and at that point, and I couldn't see his hands, and at that point, KELLY took one shot.

Cui: Okay.

Harris: Um, and he went down out of view. We both, and I heard the victim screaming, almost immediately, and of course, you know, the very first thought, I'm like, uh, I hope she's all right, you know, I hope that we didn't do anything to hurt her, I don't know if she's reacting to him getting shot, I'm assuming he's shot, I didn't see the hit, right, I wasn't looking through optics...

Cui: Okay.

Harris: ...or anything, I didn't see a reaction on his face, I just saw him disappear. Um, but at that distance, I wasn't thinking he would miss. Um, we, there was no set perimeter for who gets on the radio first, um, a lot of times in a sniper partnership, you might have that worked out, this happened so quickly, we weren't really, um, hadn't really discussed that yet, and we're not normal partners.

Cui: Yep.

Harris: Um, so we both started to talk, I started to say, [REDACTED] and then I was gonna say where he was, then I realized KELLY at the same time was saying, um, [REDACTED]

Cui: Okay. For us non-operators, what does [REDACTED]?

Merrill: Yeah.

Harris: Uh, basically that means, um, that a sniper shot was taken, we try to pick a word that is unlike anything else we say, and we say it three times, so that everybody's clear, because a lot of times, the entry is always, the entry team is always gonna follow up with a crisis entry, in the off-chance that we only wounded him, or we missed him, and then they try to injure or kill the hostage, so they're...

Cui: Okay.

Harris: ...gonna do an entry after we shoot, um, so if you only hear the hulu, you want it to be pretty clear, so we picked a term, um, [REDACTED].

Cui: Okay.

Harris: And then we try to say he was down on side three.

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Cui: Okay.

Harris: So that they know, you know, we didn't see all the way through there, and shoot him by the front door, like, you need to expect to push most of the way through the structure, even though it's really small. So I heard [REDACTED] and the, um, breach happening, um, I didn't know if they had done [REDACTED] like they talked about, or if they had tried the front door, um, so I didn't know how fast it would be, because I didn't know how much barricading he had gotten done, I didn't know if he had gotten barricading done, there was just noises that we were hearing, that were making us think that he had...

Cui: Okay.

Harris: ...barricaded and made it harder to get in. Pretty quickly, I heard that they were, um, something about, um, suspect was down, and bring medical in, um, I don't know if they said it or not, I remember all I really wanted to hear was that the victim was fine.

Cui: Okay.

Harris: Um, and I don't remember hearing that. Um, I see and hear, when I was reading through it, that they said, you know, the dispatcher typed in that suspect was down, that the victim was okay...

Cui: Okay.

Harris: ...but I don't remember hearing that in person. And I wanted to. I was happy when I got back out there to the street, and I saw the lady that matched the picture, it was the victim, walking out, so I was happy...

Cui: Okay.

Harris: ...that she was okay, um, at least she looked uninjured. Um, KELLY and I didn't talk about much, KELLY said something like, you know, you know, that sucks, or something, I was hoping that I'd never have to do that, um, and then we just kinda looked around, realized his brass probably went in a certain direction, and it's hard to not, you know, start thinking about all the aftermath...

Cui: Yeah.

Harris: ...you know, 'cause it's like, we do a lot of training, we do a lot of, um, thinking through situations like this, so it certainly, it's weird because it's real, but it still feels very familiar.

Cui: Yeah.

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Harris: It's not like, um, some of the patrol situations that I've been in where it's like, you hadn't thought about it before, it just kind of, random, happens, you know, whatever, this is like some, at least that you've trained for, and, um, so. We made sure not to touch anything, move anything, he set his gun down, um.

Cui: Did you guys come back out, get separated?

Harris: Well, PETE MCCONNELL came back there with us.

Cui: Okay.

Harris: Uh, made sure everything was good, neither of us were injured, obviously, um, told us not to talk, had, you know, asked us where the round might be, I think, because we did an entry, there wasn't a whole lot of-he didn't have to ask us public safety questions, there was...

Cui: Okay.

Harris: ...you know, we knew there was no outstanding suspect, and the victim was, um, inside and getting looked at. Um, so I asked him if I needed to leave my spotter scope there, he said yeah, I wanted to take it with me, so I'd have all my gear with me, but left it there. Um, told us not to talk, told us not to change, um, we didn't leave until, um, some precinct personnel got there, I don't remember who it was, that came to sit with that rifle, (unintelligible).

Cui: Okay.

Harris: And leave the rifle there that was loaded. Um, and then there was red tape getting put up, so we, I think signed in with, um, whoever the...

Cui: Okay.

Harris: ...crime scene log person was. And then, uh, we walked out and got put in two different cars, and...

Cui: Okay. Uh, just a couple quick, at no point did you ever fire your weapon?

Harris: No.

Cui: Okay. Always, it was always in a down position, never really addressed the threat?

Harris: I do not think so.

Cui: And you just, only remember hearing just the one shot?

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Harris: Correct, yeah.

Cui: Okay.

Merrill: Um, uh, can you, can you, just to make this a little easier for next time, can you mark here, uh, I don't know, just, S1 for SERT person, or, or whatever you think is best...

Harris: S1 is bad guy.

Merrill: I'm sorry, yes, let's do...

Cui: Just do, just write in SERT. Yeah.

Harris: Yeah.

Cui: Perfect.

Merrill: Yeah, there you go, there you go.

Harris: And I don't know who I was talking to, I couldn't even tell, but...

Merrill: Oh, okay.

Cui: Okay. Do you have any questions of us, or do you think, uh, anything we didn't ask you that would be pertinent to the investigation?

Harris: I'm sure I'll remember something on the way home, or tomorrow.

Merrill: And you know, uh, you covered it pretty good, but just, uh, just to make sure, 'cause I'm doing a lot of writing while we're-we were talking, but, um, so when you, when you first get in position on the, the bed of the truck, you decide that's a place to be, uh, h-you said you weren't sh-certain who was gonna take what role, I think, 'cause things happened so quickly, but KELLY, uh, was in position, Officer VANBLOKLAND was in position...

Harris: Uh-hm.

Merrill: ...that he had his rifle...

Harris: And we had brought his sniper rifle...

Merrill: ...up first...

Harris: ...so it just kinda...

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Merrill: He had a sniper rifle, is that what you said?

Harris: We didn't bring it out, um...

Merrill: Okay.

Harris: ...he just had it, so I was thinking...

Merrill: Oh.

Harris: ...we both were kinda thinking, by default, he has all of his gear...

Merrill: Okay.

Harris: ...so if we had had time to set up, he probably would have set up, or maybe he would have set up with it...

Merrill: Okay.

Harris: ...don't know. Um...

Cui: But it was still like, in its case, kind of thing, or?

Harris: Yes, yeah, we never took...

Cui: yeah.

Harris: ...it out.

Cui: Yeah.

Harris: Yeah.

Cui: Okay.

Harris: And then -

Merrill: Oh, gotcha, okay.

Harris: Because of the back of the truck being so narrow, he just climbed up there first, and I climbed up there second, 'cause I was looking for, a lot of times what we'll try to do, um, when one person is setting up the hide, we try to get one person with eyes on right away, so if there's a look, or if there's a whatever, we can get that, get that information out to people, while somebody else is trying to make our spot better. This in no way was like our final spot, we just got into that position, suddenly had a look, and then it all happened. It felt like a minute or two, I mean,

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it was quick, like, I would have much rather been in a different spot, laying prone, like, we were both just standing there.

Merrill: Yeah.

Harris: So this wasn't like our final spot.

Cui: So, normal.

Harris: Anyway -

Merrill: So that timeframe was like, as soon as you get up on top of that truck, maybe a minute goes by, before all these things start happening?

Harris: Yeah, it felt like probably two minutes or less, felt like the entire time we were trying to hammer out which windows were which, and then right about the time we did that, he showed himself, and then left, and then we were thinking, man, we're getting close to deadly force, like, she might be in a lot of trouble. It obviously concerned me that he had a knife, you know, it's like, well, if we hear screaming, which I liked that DON said it, if we hear screaming, we're gonna call a, you know, crisis entry, call an execute, but I'm like, what if he stabs her and we don't hear her screaming? So it's like, she's in a lot of danger, um, and we may not know it, so that, you know, obviously played into it, I think for us.

Merrill: And, and your rule is, like you said, sort of the rules of engagement for you in this position, and a IP, the, uh, being in that position, uh, with KELLY, uh, Officer VANBLOKLAND and you, um, that all these things are going through your mind, of all the information that you've received from the radio that's coming out on [REDACTED] as well...

Harris: Yep.

Merrill: ...about what this subject was involved in just prior to your arrival, what the subject's made threats of doing to the sub-the, the female that's inside there with him, the fact that the, the door apparently was barricaded, you heard too, you said?

Harris: At least possibly, yeah.

Merrill: And then you see this mattress on the back window, initially, that he's pulling down to look at...

Harris: Yep.

Merrill: ...on the first window? And so...

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Harris: Yeah, it's hard, totality of the circumstances, you know, you're on a team like this, obviously everybody wants everything resolved peacefully, you know, and that's what we want too, I've been on the team almost 10 years, this is only, maybe, the third SERT shooting I've been involved in, or you know, around, so the majority of these, seems like I've been on a lot of these, I don't know if it's more than a hundred call-outs in that time, probably is.

Merrill: Uh-hm.

Harris: Um, might be hundreds, I don't know. Um, most of 'em get negotiated out, that's how we want it to be, you know, 'cause that's way safer for that lady, um, obviously better for him, um, and obviously better for us, you know, 'cause there's people taking a lot of risk to go in there and, and, uh, try to keep her safe, which we're absolutely willing to do, that's why we're there, um, but totality of the circumstances, start to finish, um, this one was definitely faster flowing and higher risk than a lot of 'em, a lot of 'em there are some factors, um, that lead us to, you know, think, okay this might be resolved peacefully. More communication, you know, with CNT. Um, take away the thing, maybe the thing didn't happen at 7-Eleven, that's out in the community where he does something to somebody else, um, maybe it's just that he's in crisis and he's not making threats to other people, and we're always trying to define the event, is she free to leave, or not? This felt very much like she wasn't free to leave, where some of 'em it's like, they're still in there trying to help, get the person help, so they might be in danger, but they're also not willing to leave, that's totally different, and then this, or at least, we felt like she wasn't free to leave. I don't know what she would say, maybe she would say she was, but, um, didn't feel like there were a lot of other options, um, to get her out safely at that point, you know, this wasn't, didn't feel like something that was gonna taper off as we allowed, or tried to allow de-escalation efforts to work, this felt like...

Merrill: So yeah, like I mean...

Harris: ...(unintelligible)...

Merrill: ...and, and you know, just to rephrase, i-in the totality of the circumstances as you put it, based on everything you know, the build-up and the, the, the quickly evolving situation here, were you in fear that she, that he was gonna kill her, or stab her, or cut her throat, like he said?

Harris: Absolutely.

Merrill: Okay. Anything else?

Cui: And, uh, we'll end this recording, and it's approximately 3:48 PM.

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Transcribed Verbatim with Punctuation Added 101118 / 1620, A. Chasteen 

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IMAGE ATTACHMENT (2751644) INTERVIEW WITH A/C RESCH 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

October 10, 2018

**Interview with
ASSISTANT CHIEF JAMIE RESCH
TAPED STATEMENT TRANSCRIPTION**

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Dran: This is Detective Arjay Dran with the Portland Police Bureau. It is approximately 3:21pm on Wednesday, October 10th, 2018, I am at the North Precinct roll call room with Detective Tony Harris. Uh, we are present with Assistant Chief JAMIE RESCH and she represented by um, Nicole Robbins. Um, and then we had a brief conversation before I started this interview and I want to confirm that I have your consent to record our conversation?

Resch: Yeah, yes.

Dran: Okay.

Robbins: And that uh, will it be provided to her attorney?

Dran: Yes I'll, I'll, I will uh, speak with the homicide sergeant about uh, getting that information out to you. Tony I have your permission to record you?

Harris: Yes.

Dran: Okay, thank you. Alright so we're here today because we're investigating an officer use of force that uh, deadly force that occurred this morning um, out in East Precinct. Um, the location was actually um, 7622 SE 82nd Avenue um, unit number 16, which is the Del Ran- Del Rancho uh, Motel. Um, and that's in reference to Portland case number 18-347005. Um, so Assistant Chief RESCH can you tell me how you got involved in this call today?

Resch: Uh, so I was the critical incident commander for this call. Um, I was actually the critical incident commander on-scene for a warrant that SERT was serving just prior to this call coming out.

Dran: Okay.

Resch: So we were in the [REDACTED] serving a completely unrelated warrant when this call started in East Precinct and uh, we were paged out for that.

Dran: Okay and um, can you explain what the CIC is, what, what does that mean and what is that –

Resch: Right.

Dran: What is that role?

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Resch: So it's a critical incident commander, so for the Portland Police Bureau we have a Crisis Negotiation Team, CNT then we have um, our SERT team which is our Special Emergency Reaction Team, some places call it SWAT. Um, there is a lieutenant for each one of those and uh, I supervise both teams on call-outs and warrant activations um, and that kind of thing. Basically what that means is I have command of the call-out and I work in coordination with the CNT lieutenant and the SERT lieutenant to decide uh, how the call proceeds.

Dran: Okay, are you the dedicated CIC or does that rotate?

Resch: It rotates.

Dran: It rotates, okay. So um, my understanding was it was a, it was a search warrant that you were on with uh, [REDACTED]?

Resch: Correct.

Dran: Um, did, did you, were you paged directly or were you informed by somebody at that scene that there was something developing in East Precinct?

Resch: I was informed by, I believe was Lieutenant PEARCE in the car that um, he was in the car with me with Lieutenant BATES and Lieutenant, or Commander FROME um, and uh, we were told that uh, East Precinct was requesting a SERT consult for some sort of call they had going on.

Dran: Okay, did you take part in that consult?

Resch: No.

Dran: Okay um, and then so this consult takes place.

Resch: Um-hm.

Dran: Do you know who, who that consult was, who, who conducted that with uh, with East Precinct?

Resch: I think it was Sergeant McCONNELL uh, but I'm not sure.

Dran: Okay and then what happened, what happened next?

Resch: So um, we're not 100 percent sure whether or not uh, this is gonna be an additional call-out, the call that's at East. So um, the people that were in the car with me didn't need to stay in the car so I drove them back to North and dropped uh, Sergeant or excuse me, Lieutenant PEARCE and Lieutenant BATES off,

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Commander FROME stayed in the car with me and we responded uh, enroute to the Johnson Creek Fred Meyer because that's where SERT was gonna stage.

Dran: Um-hm.

Resch: Till we figured out whether or not this was actually gonna be an activation. That's a little different than normal but since we were already as a group for the previous warrant we just decided we'll just go here and wait.

Dran: Okay.

Resch: Uh, while I was enroute to the Johnson Creek Fred Meyer um, they actually did the full SERT activation.

Dran: Okay.

Resch: And basically, for lack of a, I mean they pushed the button.

Dran: Pushed the button.

Resch: Yeah.

Dran: Okay.

Resch: Um-hm.

Dran: Um, and while you were enroute from the search warrant location back to North and then out to um, eventually the scene.

Resch: Um-hm.

Dran: Um, were you monitoring radio traffic or...

Resch: ...uhh...

Dran: ...were you on...

Resch: ...yeah I was still on [REDACTED] so there was some, I think, I think a little bit of traffic but also um, I think uh, Lieutenant PEARCE was getting some information regarding what the call was at East. Um, 'cause I did know that there was a, an altercation at the Fred Meyer there, or not the Fred Meyer, the 7-11 there at 82 and Flavel.

Dran: Um-hm.

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Resch: And that it had something to do with a man with a knife and possibly taking a hostage in the hotel.

Dran: Okay and just for purposes of clarification [REDACTED] is a radio channel on the, on the, a radio...

Resch: ...yeah, yeah it's a tac channel on our radio.

Dran: Okay. So -

Robbins: Can I interrupt you for just a second?

Dran: Yes.

Robbins: For clarification. Who activates SERT?

Resch: So uh, Sergeant NICE on-scene uh, in consult, uh, when he consults with SERT uh, he actually has the final authority. So he activates SERT. He basically tells dispatch, activate SERT.

Robbins: And how is that decision made?

Resch: Based on, well any sergeant can make, anybody can make, in the police bureau you can, you can uh, decide that whenever you want. So basically he, what I'm guessing happened is he consulted with the, with the SERT sergeant saying this is what I've got, this is the steps we've taken so far um, and then SERT agreed, yeah we should probably come out and take this over. So then Sergeant NICE would get on the radio and tell BOEC, activate SERT.

Robbins: And it's at that point that you become in charge, once it's activ- the activation is made?

Resch: Nope, I'm not in charge actually until I get out there and I get the brief from Sergeant NICE.

Robbins: Got it.

Dran: Yeah so um, it's basically, SERT just doesn't monitor the radio and hear a call and say we're activating.

Resch: Right.

Dran: We're responding to that, it has to come from people that are at the scene that have...

Resch: ...um-hm...

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Dran: ...a working knowledge of what is presented to them and, and they make that ask. They'll either, you mentioned consult so –

Resch: Right.

Dran: Um, run a scenario, run that scenario past and like say what'd you think.

Resch: Um-hm.

Dran: Um, is this something that you should come out to or would you help with.

Resch: Right.

Dran: And then –

Resch: Yeah.

Dran: And if SERT says yes then?

Resch: Then they can activate SERT. I believe at some point too there was also um, a request for a CNT consult.

Dran: Um-hm.

Resch: At some point uh, during this which is basically the exact same thing but for our, our uh, Crisis Negotiation Team where they'll uh, 'cause sometimes we'll have just crisis negotiation officers just go out and assist patrol. Uh, just with the talking piece of somebody that they need. So I think that was also requested during this time. I don't know who they, I think they talked to TROY KING but I'm not sure.

Dran: Okay and he's the sergeant of CNT currently?

Resch: Yes.

Dran: Okay.

Robbins: Is there, and I'm sorry I'm not trying to derail it but I'm just trying to make it clear. Is there a specific protocol that's established for a SERT activat- like if you have, you know.

Resch: Yeah.

Robbins: X, Y and Z.

Resch: Um-hm.

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Robbins: It's a SERT activation.

Resch: So there are, there are certain ones that require a SERT activation.

Robbins: Okay.

Resch: This would not have been, well we weren't 100 percent sure but like an armed barricaded suspect is, you would call out SERT.

Robbins: Okay.

Resch: Armed subject in the blocks running, you would page out SERT. Um, so there are a few where in our policies they say you should call out SERT but there are a lot where it's discretion and we do these consults.

Robbins: Okay.

Resch: Yeah.

Dran: So while, so once uh, you used the term pushed the button.

Resch: Um-hm.

Dran: And that's activate SERT.

Resch: Yeah.

Dran: So the sergeant or uh, I think it was Sergeant NICE that was on-scene.

Resch: Um-hm.

Dran: Um, he activates, he activates SERT, he still, he still has that scene?

Resch: Correct.

Dran: Okay and SERT responds.

Resch: Uh-huh.

Dran: Did you, you said you bypassed the staging location um, where did you actually all wind up arriving?

Resch: So I talked to uh, Lieutenant DAKIN enroute, he gave me just a little bit more information on um, they do think that the, the guy had the girl into the hotel room, they think there's a connection between the two and he told me to go to 82 and Malden, that was gonna be the, basically the staging area for the command post.

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Dran: Okay and during this time period are you, are you giving any, any instruction or, or guidance or direction over the radio or, or via telephone to any, any assets at the scene?

Resch: Not at this point.

Dran: Okay.

Resch: Not yet.

Dran: So you arrive at the location.

Resch: Um-hm.

Dran: Um, and then what happens next?

Resch: So uh, I arrive, go to where the command post is gonna be and I ask for uh, Sergeant NICE to come to me at that point. Uh, Commander GOLLIDAY was there and so I think it was NICE and GOLLIDAY um, I think that was the only two that walked over to where uh, DAKIN and I were at.

Dran: Okay.

Resch: Uh, and basically I just asked KYLE for a brief. I said can you tell me what you've got basically.

Dran: Okay.

Resch: And he gives me the brief on um, there was the altercation in the 7-11 uh, the victim swears up and down the guy has a knife uh, there's supposed video of this altercation in the 7-11. Um, the suspect wasn't stabbed um, or injured but –

Dran: Suspect or the victim?

Resch: Sorry, the victim. Uh, but there definitely was an, an altercation there and then officers arrived. Um, recognized who the suspect was from previous contacts um, and that he'd gone over to the Del Rancho Ho-Hotel, I wasn't sure if the officers actually saw him pull the girl inside or if that came from the hotel manager. But somehow we had that information. KYLE was uh, tracking that down. KYLE did tell me that, or Sergeant NICE did tell me that um, East Precinct had had interactions with this uh, sus- subject before and that um, he had been, he'd had knives on him in the past and that they've kind of been able to calm him down but this time he seemed a little bit different. He wasn't interacting with the officers. Um, they couldn't get through to the girlfriend and normally she's cooperative.

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Dran: Um-hm.

Resch: Um, one of the officers at East I guess has been able to communicate with her during other, I think they had some DV issues, they were able to communicate with her and she wasn't answering anything.

Dran: Okay.

Resch: So –

Dran: She wasn't answering them during this incident?

Resch: Correct.

Dran: Okay but she had in the past?

Resch: She had in the past and so that was, that was a little bit of the feel that Sergeant NICE was, was trying to tell me was he's more amped up than he normally is, we can't get through to her which is unusual. Usually she's very cooperative with the police. Um, but she's not answering us at that point and we know she's in that room.

Dran: Okay um...

Robbins: ...can I ask one clarifying question?

Dran: Yeah.

Robbins: Clarifying question. You said that the East Precinct officers had had prior contact and knew this guy, did they also know him to be a drug user?

Resch: Yeah I think that was, that was uh, some of the information was that um, they weren't sure what he was on but they were under the impression that he was definitely on something just based on how he was behaving.

Dran: Okay.

Resch: Yeah.

Dran: And I think you touched on the incidents that they were familiar with in the past involving this couple, this man and woman were domestic violence related type calls?

Resch: Yeah, just, um-hm.

Dran: Okay, alright. Were you familiar with this guy?

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Resch: No.

Dran: No, okay. Um, so what happens next? Sergeant NICE briefs you up on, on...

Resch: ...he does and so at that point I...

Dran: ...what he knows.

Resch: Yeah so at that point I get on the air and I say I have command.

Dran: Okay.

Resch: Um -

Dran: So now you're, you're in charge of...

Resch: ...correct.

Dran: Of the entire operation?

Resch: Yes.

Dran: Okay, does that include uh, potential direction to uh, precinct resources for what, things that may arise or is that just for, for SERT and CNT?

Resch: No we usually have a, a, a precinct uh, liaison there with us so if for some reason I needed East Precinct to do blah I would ask that liaison, hey can you have East do this, whatever.

Dran: Like block a street or?

Resch: Yeah, um-hm.

Dran: Okay.

Resch: Yeah.

Dran: During, when you, when you, so you come on the air and say that you have command.

Resch: Um-hm.

Dran: At that point do you, do you give an admonishment, do you give uh, rules of engagement, do you make any additional statements for direction or is it just informing everyone and for maybe a timestamp in the call that, I'm in charge now.

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Resch: Correct.

Dran: And, and -

Resch: Yeah.

Dran: Okay so do you give anything else beyond that?

Resch: Not at that point. So at that point I just gave um, the I'm in command and I'm starting to get more information from uh, Lieutenant LINDSEY whose a CNT lieutenant and then Lieutenant DAKIN at this point. Uh, and just right at that point um, uh, is when Sergeant LIVINGSTON came up and he asked me um, just because we were all standing in the group, if uh, they could put gun ports in the adjoining apartments and I did give permission for uh, uh, Sergeant LIVINGSTON to do that.

Dran: Okay and I...

Robbins: ...when you say...

Dran: ...I know that Sergeant LIVINGSTON, sorry.

Robbins: Yeah.

Dran: He's the, he's the SERT sergeant.

Resch: Correct.

Dran: He's, or he's one of the, he's one of the SERT sergeants.

Resch: Um-hm.

Dran: He's in charge of the assault and [REDACTED]

Resch: Yes.

Dran: [REDACTED]

Resch: Yeah.

Dran: [REDACTED]
[REDACTED]

Resch: Correct.

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Dran: [REDACTED]

Resch: [REDACTED]

Dran: Um-hm.

Resch: [REDACTED]

Dran: Okay. And so I mean is that, is that common, is that common practice in, in SERT activations to where a SERT sergeant or their designee will come to the CIC and ask permission to start uh, for, for, for equipment or to do things like this kind of charge?

Resch: Right, yeah, especially as things are getting started because sometimes maybe the SERT lieutenant isn't quite on-scene yet. So if they can find me um, they can ask me that and uh, so he just basically walked over at that point. Normally it would all go through DAKIN when we're separated.

Dran: Um-hm.

Resch: But I was standing right there so –

Dran: Okay.

Resch: Yeah.

Dran: Um, so at any point did you give, over the air, by phone or by voice to anybody else rules of engagement for this, this call as its evolving?

Resch: No, so we, we would stay under standard rules of engagement.

Dran: Okay um, any direction on what some people are referring to as a shot of opportunity?

Resch: There was no shot of opportunity.

Dran: Okay can you explain what a shot of, shot of opportunity is?

Resch: Right, so shot of opportunity is used like in extreme circumstances, like if we have um, a hostage situation where we feel that it is such grave danger uh, to the hostages that if a sniper or anyone else on the perimeter, but most, most likely a sniper were to see that person in the window and had the opportunity they could just shoot him.

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Dran: Okay.

Resch: So I am, I would've basically said, you know shoot that person on sight.

Dran: Had that order been given.

Resch: Had that order been given, yeah.

Dran: But it was not.

Resch: It was not.

Robbins: Who gives that order?

Resch: The CIC.

Robbins: And only the CIC?

Resch: Only the CIC would give shot of opportunity on these types of things, yeah.

Dran: And there's a, there's another term, forgive me I'm gonna try to find it.

Resch: Oh it's fine.

Dran: In my old notes. Um – appropriate initiative.

Resch: Uh-huh.

Dran: Do you, do you know what that is?

Resch: For purposes of?

Dran: For SERT.

Resch: For SERT.

Dran: Yeah.

Resch: Um, so it, I think it, it's more along the lines of the standard rules of engagement where um, it's saying, you know you, you protect your life or the life of someone else. Um, we usually only go with either standard rules um, or shot of opportunity, those are the two...

Dran: ...okay.

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Resch: That we base off so at this point we're running under standard rules of engagement.

Dran: Okay.

Resch: Yeah.

Dran: Okay and those include state and federal law and directives?

Resch: Correct.

Dran: Okay um, what uh, so during this, this, the set up phase with the hasty team um, did you give any uh, plans or directions to SERT on how you wanted things to be set up or, or run?

Resch: Right, so uh, SERT had said that they were getting the perimeter in place um, and that they had, at some point they said they had a, a [REDACTED] team in place and their plan was, if they feel her life was in danger, the girlfriend's life was in danger um, either they heard something that made them think her life was in danger or they could figure out that he was stabbing her or something along that lines, they were going to make entry. And I gave the okay for that. If you feel that he is killing her, in the process of killing her or she is in im-immediate and imminent danger, enter.

Dran: Um-hm.

Resch: So um, they had asked for that from the [REDACTED] team and I had granted that.

Dran: Okay so, so that, that ask came from them?

Resch: Yes.

Dran: Okay um, any other, any other direction or, or plans that you came up with to give to them?

Resch: Not yet. No.

Dran: Okay so it sounds like your just, you're letting them set things up as they...

Resch: ...um-hm...

Dran: ...as they have trained.

Resch: Yup.

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Dran: And, and, and working in conjunction with what they know and what's in front of them to –

Resch: Right.

Dran: Best address this.

Resch: Correct and then I, and then SERT and CNT intel are constantly feeding information. We'd only been there for a few minutes when this was all, when all of this had taken, you know getting the [REDACTED] team set up and getting the perimeter.

Dran: Um-hm.

Resch: And then uh, CNT is trying to make contact inside um, so all of that's going on at about the same time.

Dran: Okay. Um, so that leads right into the next question of, of um, what were you being told?

Resch: So uh, originally um, CNT um, made a call in on, I believe it was the landline uh, to the uh, hotel room and they got uh, the subject on the phone and –

Dran: Which, which one? The male or the female?

Resch: The uh, the male.

Dran: Okay.

Resch: Uh, I think his last name was RICE, so Mr. RICE I think was his name.

Dran: Okay.

Resch: Um, they got him on the phone and I'm being told through CNT that he's very amped up and he's talking fast and kind of, they can't really understand what he's saying and at some point he makes the statement, during that first interaction, that's he's just gonna cut his ears off and throw 'em out to us. And then I think he disconnects the line, like I think he hangs up.

Dran: Um-hm.

Resch: So then they say they're off-line with him and I know at some point then um, they tried to text the girlfriend. Um, and they asked her if she was okay and the only reply that they got on the phone was yes, go away. But we weren't sure if it was actually her answering, but they did get a reply on the phone.

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Dran: And that was via text?

Resch: Yeah text.

Dran: Okay.

Resch: And uh, so CNT is continuing to try and make calls in and I think they get one more in and then the hangs up again and then they think either the phone got pulled from the wall or the phone was um, off-line for a bit. It had like a weird sound or something they were saying. Um, and so then they get a call in again and he's talking and uh, I can't remember who, I think it was Sergeant STEINBRONN that's relaying the information that the negotiators are hearing on the phone...

Dran: ...um-hm...

Resch: ...to uh, CHRIS LINDS- to Lieutenant LINDSEY. And at some point as he's hanging up the phone the second or third time that they're on the line with him uh, they say he makes some comment to the effect of either go away or I'm gonna slit her throat. And they said that they had to listen to the recording a couple times, but, 'cause it was hard to hear, but there was something to that effect of go away or I'm gonna slit her throat.

Dran: Okay.

Resch: So I had that information as well. Um, and so let's see then, yeah the, that's about the information I had. SERT was still setting, oh the only other information that I had from SERT at that point was that he had uh, barricaded a window with like a mattress.

Dran: Okay.

Resch: Or something like that.

Dran: So based on the, the information that you, you had.

Resch: Um-hm.

Dran: Uh, what did you believe this scenario to, to be?

Resch: So I believed it was a hostage scenario at this place I, at this point I didn't believe she was free to leave based on what we had seen. We had, from the information I had she was forced into the hotel room, she wasn't coming out for one reason or another, I mean it was being barricaded. He was on the phone uh, making threats to first himself but then to her and we had not been able to get really any good

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communication with her on, is she staying in there because she wants to, so we're assuming at this point that she cannot come out.

Dran: Okay. Did he make any demands? That you can remember?

Resch: So there was, there was a vague, or not a vague but there was a phone call that came in to 9-1-1 and I believe CNT trying to track it down and that they had figured out that somebody had called 9-1-1 and demanded money and that they had tracked it down to the cell phone number they had for the suspect.

Dran: Okay.

Resch: What I had not um, gotten 100 percent sure on was it a cell phone that they had for the suspect or was it the room to the hotel that they had and they knew they were talking to. But it was my understanding that um, at that point that they were pretty certain and they were tracking down that it was him that had called 9-1-1 and there was some sort of demand for money. But that was as much as I'd heard on that part.

Dran: Okay.

Robbins: When you say they who are you referring to?

Resch: Uh, in that circumstance?

Robbins: In that's, you said...

Resch: ...oh...

Robbins: ...they're tracking down their phone number.

Resch: Oh, uh, CNT.

Robbins: CNT.

Resch: Yeah.

Dran: Okay and then let's talk about the shot, did you hear the shot?

Resch: I did.

Dran: Okay.

Robbins: Before we get into the shot...

Dran: ...yeah...

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Robbins: ...can I just ask a couple of questions?

Dran: Sure.

Robbins: Before you took charge of the scene were you told whether or not they, that the police officers believed they had probable cause to arrest him for any sor-sort of crime?

Resch: It was about the time I got on-scene and CNT uh, double checked uh, with East Precinct that they had PC for Assault II, Attempt Assault II.

Robbins: And was that for the incident at the 7-11?

Resch: Yes.

Robbins: And then is it fair to say that there was probable cause for the conduct he engaged in at the motel with his girlfriend?

Resch: Yeah, I mean at that point yeah, based on what we had but we hadn't talked to her yet so –

Robbins: Sure.

Resch: Um, and then I was also told that he did have a, a warrant for Discon II out of Multnomah County.

Dran: Okay, Disorderly Conduct II being a lower level misdemeanor type warrant.

Resch: Misdemeanor, um-hm.

Dran: Okay. So the, you said you heard the shot.

Resch: Um-hm.

Dran: How many shots did you hear?

Resch: One.

Dran: Okay um, did you know where that shot came from?

Resch: No.

Dran: Okay at what, when did you learn where that shot came from?

Resch: It came across the radio that it was sniper shot.

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Dran: Radio, okay. Um, what happened at that point?

Resch: So uh, snip-sniper takes a shot which then triggers our entry team. Entry team goes in and secures the scene.

Dran: Okay.

Resch: So then at my, at that point my role changes. Um, and I go in more to um, you know notifications and um, scene security at that point. Um, medical was called in almost immediately after the scene is secure. We have uh, SERT medics that are right there.

Dran: Um-hm.

Resch: So they get called in within, it probably wasn't even a minute after our entry team made entry in and I know they got the girlfriend out uh, right away and brought her back and then they, then we just locked down that sc- that scene right there.

Dran: Okay um, while this is happening I mean what, what's going through your head? Uh, is it that, you know maybe focusing on what has to get done.

Resch: Um-hm.

Dran: In the aftermath or is there, I mean I know it's kind of silly question but-

Resch: Yeah. So I guess, as soon as I hear the shot and so like uh, Lieutenant LINDSEY is new in the CNT role and Lieutenant DAKIN is a newer um, SERT lieutenant and um, so my initial thought is the sniper saw something.

Dran: Um-hm.

Resch: Um, and that's why he took that initiative. That would be the standard rules of engagement that he took. He must've felt that her life was in danger and he took the shot. Um, and so then I go into um, how best to preserve the scene and then how best to protect the officers that are there. As far, and when I say protect I mean I want him, the, whoever it was that shot removed and I want a, a, a peer support person there with him and I want his union there. You know we need to notify, when the, when the scene calms down is when you start to say alright we need to make sure that person's family knows that they're okay and that's kind of more the role I turn into. Um, because of my role I knew that I would be sitting here eventually.

Dran: Um-hm.

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Resch: So I hand off, as soon as it's all secure, I handed off uh, command to uh, uh, Commander KRANTZ.

Dran: Okay.

Resch: So he controlled the rest of the scene.

Dran: Okay.

Resch: Yeah.

Dran: Um, so just to sum- just to summarize just briefly. So you never gave any, any commands or orders or instruction, it was uh, just granting requests from SERT for procedural things that they needed to do to set up their, their hasty team and their resources?

Resch: Correct.

Dran: Okay. Tony can you think of anything? Um, I think just...

Robbins: ...I have one.

Dran: Before, before yeah, then just let me get this in just real quick. Um, just so we can say that we did this.

Resch: Sure.

Dran: I have a map, it's a Google satellite image. The Del Rancho is right here.

Resch: Um-hm.

Dran: Um - here's Malden, I think that's where you mentioned that's where...

Resch: ...yeah...

Dran: ...you were staged. Can you um, draw a circle on the map on where, where you were staged?

Resch: Right about right here.

Dran: Okay and if you could initial down there for me. And then I'm gonna write um, stage location. Stage with an arrow.

Resch: Yeah.

Dran: Okay, go ahead.

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Robbins: You, you mentioned that there was the text message back from the girlfriend.

Resch: Um-hm.

Robbins: Or um –

Resch: Yeah.

Robbins: But you didn't know who it was from and then there was the subsequent phone call with, I don't remember his name. Um –

Resch: I think its RICE, Mr. RJCE.

Robbins: Saying that if you didn't leave he would slit her throat.

Resch: Correct.

Robbins: Is leaving the, a scene as has been described here conduct that the police would engage in?

Resch: No.

Robbins: Why is that?

Resch: Because we have to make sure that she's okay and we don't know if he's the one answering the text messages, we don't, we have m-made no contact with her at this point so based on his previous behavior uh, we would have not left that scene.

Robbins: And based on his previous behavior was it believed he was under the influence of some sort of intoxicant?

Resch: Yes.

Harris: Real quick um, did you have any first-hand knowledge or is everything being, is it in-intel that's coming to you, did you hear him yelling out the apartment window, did you?

Resch: I did not.

Harris: Did you see her or, okay.

Resch: No this was all intel that was given to me. Either happened before I got there or as we were going to the scene.

Harris: Right, okay.

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Resch: Yeah.

Dran: Alright, I think I'm done with questions, anyone else? Do you have any questions for us?

Resch: No.

Dran: No, okay. We're gonna go off the recording, the time's approximately 3:48pm.

Transcribed Verbatim with Punctuation Added 10218 / 1450 T. Bradshaw 

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IMAGE ATTACHMENT (2752249) INTERVIEW 1 WITH TALON OCHOA 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

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**Interview with
TALON OCHOA**

TAPED STATEMENT TRANSCRIPTION

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Jones: ...I'll put it right here, it should be fine. So this is Detective Jones with the Portland Police, my DPSST 36240, I'm with Detective Brad Clifton, DPSST?

Clifton: 37152.

Jones: And also in the police car with us is TALON OCHOA and TALON you know that we're recording this?

Ochoa: Hm-um, I didn't know that.

Jones: No, that's why I told you.

Ochoa: Okay.

Jones: We're recorded, you're okay with that?

Ochoa: Yeah.

Jones: Okay um, so I know some kind of disturbance happened with, is it your boyfriend?

Ochoa: Yeah we just went to 7-11 to get something, I got some oatmeal and some, something to drink for us and this guy had the dog. I was in line first, he said sorry then he got in my face. Then he pushed SAM, his name is ARINNI (?sp) right now so -

Jones: So real quick, your boyfriend's name is?

Ochoa: SAM, but we changed it to ARINNI.

Jones: Okay so his real name is?

Ochoa: SAM.

Jones: SAM.

Ochoa: RICE. SAMUEL RICE.

Jones: SAM RICE.

Ochoa: Yes.

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Jones: Is his real name, do you know his date of birth?

Ochoa: Uh, December 5th, 1987.

Jones: December 5th, 1987, so his real name, is it SAMUEL?

Ochoa: Yeah.

Jones: SAMUEL.

Ochoa: But I call him...

Jones: ...RICE.

Ochoa: ...AR-ARINNI.

Jones: But, but, and his last name is RICE?

Ochoa: Yes.

Jones: R-I-C-E?

Ochoa: Yes.

Jones: Okay. Do you know a middle name?

Ochoa: Uh, EDWARD.

Jones: EDWARD, okay, but you call him what?

Ochoa: ARINNI.

Jones: ARINNI?

Ochoa: Yes.

Jones: How, how do you spell it? E-R-I-N?

Ochoa: A-R.

Jones: A-R.

Ochoa: I-N-N-I.

Jones: ARINNI. Okay so, so you and ARINNI go to 7-11 to get something.

Ochoa: Yeah.

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Jones: Okay and you're there and you said there's another person in there with a small dog.

Ochoa: Yeah.

Jones: And what happens with that person?

Ochoa: I was in line then he got in my face then he, then the guy pushed SAM back.

Jones: The guy with the dog pushed?

Ochoa: SAM.

Jones: SAM back?

Ochoa: Yes.

Jones: Okay.

Ochoa: Then I was, I think that was it.

Jones: Okay um, so was SAM, did SAM get mad at the guy for cuttin' in front of you?

Ochoa: Yeah then he got in my face.

Jones: The guy did? The guy with the dog?

Ochoa: Yeah with the dog, yeah.

Jones: He got in your face?

Ochoa: Yes.

Jones: Did he say, what'd he say?

Ochoa: I, I wasn't, let me go through first he said, he said go hhhh- then he gives me a really bad attitude.

Jones: Okay and then what did SAM say or do?

Ochoa: Then he just pulled a knife out to protect me.

Jones: SAM did?

Ochoa: Yes.

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Jones: On the guy?

Ochoa: Yes.

Jones: Okay then what, what happened between those two?

Ochoa: Then the guy, then the guy pushed SAM on the floor.

Jones: The guy pushed SAM on the floor.

Ochoa: Yes.

Jones: Okay, SAM had the knife out though right?

Ochoa: Yeah to protect me.

Jones: Okay so the guy, did the guy see the knife and?

Ochoa: Yeah.

Jones: Did he say anything when the, when SAM had the knife?

Ochoa: No.

Jones: Okay so what'd this knife look like?

Ochoa: It was a, just a kitchen knife.

Jones: Just a kitchen knife?

Ochoa: Yeah.

Jones: Like a, like a little butter knife or like a, a bigger?

Ochoa: It's only like a cutting knife.

Jones: Okay about how long?

Ochoa: Like for cutting, it's like this long.

Jones: So since the recorder can't measure or see you.

Ochoa: Yeah.

Jones: You're saying like about a foot long?

Ochoa: It's like this long.

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Jones: Okay so pretty big.

Ochoa: Yeah.

Jones: Okay so the guy definitely saw it.

Ochoa: Yeah.

Jones: Okay so when SAM pulled it out on the guy the guy pushed...

Ochoa: ...him.

Jones: SAM down?

Ochoa: Yes.

Jones: Did SAM fall to the ground?

Ochoa: Yes.

Jones: Okay uh, what did SAM do then?

Ochoa: Then that was it. Then we left.

Jones: Okay.

Ochoa: I didn't pay for the drink or the oatmeal I was gonna have for breakfast.

Jones: Just kind of chaos and -

Ochoa: Yeah.

Jones: Then you guys left.

Ochoa: Yeah.

Jones: Okay and SAM left with you?

Ochoa: Yes.

Jones: What'd the guy with the dog do?

Ochoa: Just took off.

Jones: Took off, okay. Did, did SAM pick the knife up after that happened or keep it with him?

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Ochoa: Yeah, yes.

Jones: Okay and you guys just walked straight back over to the hotel?

Ochoa: Yes.

Jones: Okay, were you and SAM going at it?

Ochoa: No.

Jones: No?

Ochoa: No.

Jones: Okay. Um, did SAM try to stab or hurt that guy?

Ochoa: No.

Jones: Get after him at all?

Ochoa: No.

Jones: No? So when you say he pulled it out to protect you did he like say get away from my girlfriend or?

Ochoa: Yeah.

Jones: What, what'd he say though?

Ochoa: He told him to get away from me.

Jones: Get away from you. Did he hold, where'd he hold the knife at when he told him that?

Ochoa: He had it in his pocket.

Jones: But you said he took it out to protect you.

Ochoa: Yeah.

Jones: So I mean whereabouts was it so the guy knew that he had a knife to get away from you?

Ochoa: I don't know.

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Jones: You don't know? Okay. So you guys came back over here um, do you know that guy with the dog?

Ochoa: No.

Jones: Never seen him before?

Ochoa: No.

Jones: Nothin' huh? Okay so you guys came back over to the motel, what happened in the motel room?

Ochoa: Then we just blocked the door.

Jones: How come?

Ochoa: With the bed.

Jones: Why'd you do that?

Ochoa: I don't know.

Jones: Were you guys beefin', fightin', arguing before you went to 7-11?

Ochoa: No I just out of the shower when it all happened.

Jones: You got out of the shower –

Ochoa: Yeah.

Jones: Before you went to 7-11?

Ochoa: No I went to 7-11 first, get the oatmeal and the drinks.

Jones: Um-hm.

Ochoa: Then after that then I went in the shower.

Jones: Okay when you got back to the hotel room you went in the shower?

Ochoa: Yeah.

Jones: Okay and SAM put the bed in front of the –

Ochoa: Door.

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Jones: Door.

Ochoa: Yes.

Jones: Why do you think he did that though?

Ochoa: I don't know.

Jones: 'Cause you told me the guy with the dog took off, right?

Ochoa: Yeah.

Jones: So he didn't mess with you when you guys left the 7-11?

Ochoa: No, no.

Jones: He, he's gone?

Ochoa: Yeah he was gone.

Jones: Anybody else chase you over here or do anything?

Ochoa: No, no.

Jones: That's weird, I wonder why he put the bed in front of the door. So you got in the shower and you took a shower?

Ochoa: Yeah.

Jones: Okay and you obviously got out of the shower.

Ochoa: Yup, then I got dressed.

Jones: Um-hm, did you guys beef and argue inside the hotel room?

Ochoa: No.

Jones: No yelling and screaming?

Ochoa: No.

Jones: Did you try and call 9-1-1?

Ochoa: No, he did.

Jones: SAM?

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Ochoa: Yeah actually the 7-11 called the police.

Jones: Okay.

Ochoa: So –

Jones: How do you know that?

Ochoa: The 7-11 dude was calling the police after we left.

Jones: How did you know that, you guys left?

Ochoa: He was getting on the phone to call you guys.

Jones: Okay. So you just saw him pick up the phone?

Ochoa: Yes.

Jones: And so you, you figure that's what he was doing?

Ochoa: Yeah.

Jones: Call, call the police, did SAM know that the police were probably coming?

Ochoa: No.

Jones: No? So when you guys got back here did you guys know if the police showed up or not or at what point did you know that the police showed up?

Ochoa: I don't know.

Jones: Did anybody knock on the door?

Ochoa: No.

Jones: No? Did anybody call the, the room?

Ochoa: No.

Jones: No, does SAM have a phone?

Ochoa: He has a cell phone.

Jones: Okay is there a, like a, a house phone or room phone in there?

Ochoa: There's a room phone in there too so –

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Jones: Okay did anybody call that?

Ochoa: No.

Jones: No, okay so did the police call SAM or did SAM call the police?

Ochoa: SAM called the police.

Jones: And do you know what he said or what, why he called them?

Ochoa: I don't know.

Jones: And you never called the police?

Ochoa: No.

Jones: No and did they call you?

Ochoa: No.

Jones: No, did you hear SAM talk to anybody when you were in the room?

Ochoa: No.

Clifton: How big of a room is it? TALON?

Ochoa: It's not that big.

Clifton: How, how many bedrooms?

Ochoa: There's only one bedroom.

Clifton: Okay.

Ochoa: Two beds.

Clifton: It's a one-bedroom uh, with two beds and is there a bathroom?

Ochoa: Yeah there's a bathroom in there.

Clifton: Okay so, and how long have you all been staying here?

Ochoa: For a couple days.

Clifton: Couple days.

Ochoa: Yeah.

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Clifton: So today is what, today is Wednesday.

Ochoa: Yeah Wednesday the 10th.

Clifton: Yeah when did you all check in?

Ochoa: Uh, I paid for the room for a couple more days.

Clifton: Yeah when did you check in? How long have you all been staying here?

Ochoa: Uh, we checked in on the 4th.

Clifton: On the 4th, okay so you've been here about five days?

Ochoa: Yeah.

Clifton: When did you go, what time of the morning did you and SAM go over to the uh, 7-11?

Ochoa: Mm, it was this morning.

Clifton: Yeah, like how long ago? Right now –

Ochoa: About.

Clifton: It's 10:30 in the morning, was it light out, was it after dawn?

Ochoa: It was after this morning.

Clifton: Okay so a few hours ago?

Ochoa: Yeah.

Clifton: Okay um, so you go over there, just so I understand this right, I want to go, go back over this. So you go over there with SAM and the two of you are inside the 7-11 when you...

Ochoa: ...yes...

Clifton: ...have this altercation?

Ochoa: Yes.

Clifton: Okay who, what is the altercation about?

Ochoa: I don't know.

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Clifton: Are you standing right there with SAM?

Ochoa: Yeah when I was getting some oatmeal and something to drink for both of us.

Clifton: Okay.

Ochoa: Then this guy being rude.

Clifton: And what'd you mean by that? What does being rude mean? What happened?

Ochoa: He got into my face.

Clifton: Ab-about what?

Ochoa: He, I was in line, he said get back in the line after him.

Clifton: Okay did he think you were cutting in front of him?

Ochoa: I had to, I was hungry.

Clifton: Okay so you move in front of him?

Ochoa: Yeah.

Clifton: And he didn't like that.

Ochoa: Yeah.

Clifton: So then what happened from there?

Ochoa: Then, then SAM pulled the knife out.

Clifton: Okay and what did SAM do when he pulled the knife out? What did he tell the guy?

Ochoa: To get out of my face.

Clifton: Okay and how was he holding that knife? Was that knife out in front of him?

Ochoa: No.

Clifton: Well what'd you mean, when you say he pulled the knife out, show me.

Ochoa: I don't know. Like this.

Clifton: Okay and remember, TALON I just want to make sure we're real clear here.

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Ochoa: Okay.

Clifton: There's a whole bunch of surveillance videos.

Ochoa: Okay.

Clifton: And we're gonna watch all those and so I want you to be, I mean I know this is tough.

Ochoa: Yeah.

Clifton: And we're trying to figure out all this but please be honest with us.

Ochoa: I am honest.

Clifton: Because we're gonna get that video and we're just gonna watch it, okay.

Ochoa: Okay that's fine.

Clifton: Alright so he, he pulls the knife out.

Ochoa: Yes.

Clifton: And how does he hold it?

Ochoa: Like this.

Clifton: At the guy?

Ochoa: Yeah.

Clifton: And how close are they standing from one another?

Ochoa: Not this far.

Clifton: About the, from the distance between you and Detective Jones?

Ochoa: Yes.

Clifton: So about a foot?

Ochoa: Yes.

Clifton: Foot and a half.

Ochoa: Yes.

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Clifton: Okay and he holds the knife out and what kind of knife is that?

Ochoa: It was a kitchen knife.

Clifton: Kitchen knife –

Ochoa: Yeah.

Clifton: How bi- when you say kitchen knife what do you mean by that? Like a –

Ochoa: It's like that long.

Clifton: So you're showing with your hands, that's about a foot long.

Ochoa: Yes.

Clifton: Okay and how big is the blade, is the blade like one of the thicker blades like...

Ochoa: ...yes...

Clifton: ...for cutting?

Ochoa: Yes.

Clifton: Okay does it have a wooden handle or a plastic handle?

Ochoa: It's a plastic handle.

Clifton: Okay, alright, but it's a fairly significantly, about a foot long knife?

Ochoa: Yes.

Clifton: So he holds it like that and what does he tell the guy?

Ochoa: Tell him to back up.

Clifton: Okay and what does the guy do at that point, what does he say?

Ochoa: Then he just stands there and pushed him on the floor.

Clifton: Okay, so he pushed uh, SAM down?

Ochoa: Yes.

Clifton: Okay, alright. Hey Mike do you want to do me a favor?

Jones: Um-hm.

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Clifton: Why don't you pull this car about 15 feet forward.

Jones: Don't want to block anybody.

Clifton: So he pulls, pushes uh, SAM down and then what happens from there?

Ochoa: Then that was it.

Clifton: So what'd you mean that, so how was that it? So SAM goes down on the ground?

Ochoa: Yeah.

Clifton: And what is he doing at that point when he's on the ground?

Ochoa: Then we came back to the motel.

Clifton: Well no, so, so let's back up real quick again. I, I just want to make sure I understand everything that happened in the 7-11. So he pulls the knife out, tells the guy to back off?

Ochoa: Yes.

Clifton: So he pulls the knife out, tells the guy to back off.

Ochoa: Yes.

Clifton: And the guy pushes SAM down to the ground?

Ochoa: Yes.

Clifton: Okay uh, when he's, SAM's down on the ground what is that guy doing?

Ochoa: Then he push him again.

Clifton: On the ground?

Ochoa: Yes.

Clifton: Does SAM have the knife out in front of him still?

Ochoa: No.

Clifton: Where, where's the knife at at this point?

Ochoa: It was in his pocket.

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Clifton: So when did he, after he has the knife out when does he put this knife back in his pocket?

Ochoa: After we left out from 7-11.

Clifton: Okay so no I'm, when you have this, where he pulls the knife does that occur in the 7-11?

Ochoa: Yes.

Clifton: Does the guy push SAM down inside the 7-11?

Ochoa: Yes.

Clifton: Okay so when does SAM not have the knife in his hand anymore?

Ochoa: It was on the floor.

Clifton: When...

Ochoa: ...then he pick it back up and put it in his pocket.

Clifton: Okay. And then the two of you all leave at that point?

Ochoa: Yes.

Clifton: Okay and you said at that point does someone in the 7-11, you're aware someone's saying they're calling the police?

Ochoa: It was the uh, the store own-owner.

Clifton: Yes and what does he say about the police?

Ochoa: He didn't say nothing.

Clifton: Then how did you know that the police were getting called?

Ochoa: Because he called the cops after we left.

Clifton: How do you know that?

Ochoa: Because he got on the phone and called the police.

Clifton: While you're in the 7-11 -

Ochoa: Yes.

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Clifton: The manager?

Ochoa: Yes.

Clifton: You can hear he gets on the phone?

Ochoa: Yes.

Clifton: And what do you hear him say?

Ochoa: He was, I don't know, this is confusing.

Clifton: You hear him calling the police though?

Ochoa: Yes.

Clifton: So you knew the police were coming?

Ochoa: Yes.

Clifton: For this incident?

Ochoa: Yes.

Clifton: And then what did the two, what did you and SAM do at this point?

Ochoa: I put the stuff down and left.

Clifton: Okay so earlier you said you, you left without paying for it so...

Ochoa: ...yes...

Clifton: ...did you, so did you leave without paying for it?

Ochoa: Yes.

Clifton: Okay and what was that that you had with you?

Ochoa: I had my wallet with me.

Clifton: What's that?

Ochoa: I had my wallet with me to pay for the -

Clifton: Oh, and that's, you're not in any trouble for that.

Ochoa: I know.

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Clifton: Just what did you have? What were you getting?

Ochoa: Oatmeal and uh, two drinks.

Clifton: Okay.

Ochoa: A Mountain Dew and a uh, guava uh –

Clifton: Drink?

Ochoa: Drink, yes.

Clifton: Okay so you and SAM, you know the police are coming at this point?

Ochoa: Yes.

Clifton: And then where do you all go from that point?

Ochoa: Then we went back to the motel.

Clifton: Okay uh, and you go, wh- when, do you go straight to your hotel room?

Ochoa: Yes.

Clifton: And what number is that again?

Ochoa: 16.

Clifton: Okay so you all go into 16?

Ochoa: Yes.

Clifton: Okay and tell me, at that point, so you go in the room and it's a one-bedroom.

Ochoa: Yes.

Clifton: With two beds.

Ochoa: Yes.

Clifton: And a, and a bathroom.

Ochoa: Yes.

Clifton: Okay and, and what do you all do when you're in that hotel room at this point?

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Ochoa: I was taking my, I went in the shower because I stink. My armpits were dirty so I had to take a shower.

Clifton: Okay and how long were you in the shower for?

Ochoa: About 10 minutes.

Clifton: 10 minutes?

Ochoa: Yeah.

Clifton: Okay wh- you knew the police were coming though when you left the 7-11?

Ochoa: Yes.

Clifton: Why didn't you and SAM stick around for the police to show up?

Ochoa: I don't know. I was afraid.

Clifton: Okay um, so you go in the hotel room and then tell me about what happens in there.

Ochoa: He was, I don't know.

Clifton: What's that?

Ochoa: I don't know.

Clifton: Wh-

Ochoa: He was smoking a cigarette to calm down.

Clifton: Okay what else? How about is, does SAM use any drugs?

Ochoa: No he just smokes weed to keep him calmed down.

Clifton: Smokes weed?

Ochoa: Yeah.

Clifton: How about any methamphetamine?

Ochoa: No.

Clifton: Or heroin?

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Ochoa: He's not on that.

Clifton: Okay, nothing?

Ochoa: No, except for weed and cigarettes.

Clifton: Okay does he have any mental health problems or anything like that?

Ochoa: He has disability.

Clifton: What, what is his disability?

Ochoa: I don't know what it is.

Clifton: Okay, okay so you all are in the hotel room, this thing has just happened at the, the 7-11.

Ochoa: Yes.

Clifton: When you were at the 7-11, when he held that out did he try to stab the guy?

Ochoa: He was trying to get away from me.

Clifton: Trying to get the guy away from you?

Ochoa: Yes.

Clifton: And, and how was he doing that? Was he swinging the knife around?

Ochoa: No.

Clifton: Was he reaching out at him to try and poke him?

Ochoa: No.

Clifton: What was he doing with the knife?

Ochoa: I don't know.

Clifton: And again remember we're gonna, we have the video so do your best, I know this is tough but just remember the best you can how he was holding that knife and what he was doing with it.

Ochoa: I can't remember.

Clifton: Do you remember him swinging it?

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Ochoa: No he just took it out, out of his pocket.

Clifton: Okay, alright. So let's go over to the hotel room here.

Ochoa: Okay.

Clifton: So when did you first realize that the police were trying to talk to you guys? Or your first contact with the police, when did that happen?

Ochoa: I don't know.

Clifton: When, when was that TALON, again and it's very important.

Ochoa: About an hour ago.

Clifton: Okay and how, how, tell me about that. So about an hour ago you realized the police were here?

Ochoa: Yeah.

Clifton: Okay and tell me about that.

Ochoa: He was, I was making him to calm down.

Clifton: SAM?

Ochoa: Yeah.

Clifton: Okay and tell me, why was he so upset?

Ochoa: He was frustrated for everything.

Clifton: Yeah, what was he frustrated about?

Ochoa: We're living in a motel.

Clifton: Okay.

Ochoa: We're struggling.

Clifton: Yeah.

Ochoa: We have no money. I spent my last \$300 yesterday for, for a couple more days.

Clifton: Okay and what was he saying and like was, what were things where he was saying that let you knew he was frustrated?

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Ochoa: We're homeless right now.

Clifton: Yeah. What else was he saying?

Ochoa: He just wants to smoke a cigarette and calm down, that was it.

Clifton: Okay and, and tell me about this police interaction, did the police, him knowing the police were there, did that make him frustrated?

Ochoa: Yeah.

Clifton: Okay and tell me about that. What, how did he know the police were there? Did he see them outside or did they come to the door, tell me about that interaction.

Ochoa: He just seen them outside.

Clifton: Yeah, yeah, were they trying to talk to him?

Ochoa: Yeah.

Clifton: And what were they saying?

Ochoa: Telling him to, to come outside to talk it, it out I guess, I don't know.

Clifton: Yeah and, and what was he saying to them?

Ochoa: Just tell 'em to go away.

Clifton: What, what else was he saying?

Ochoa: I think that was it.

Clifton: What was he saying about you?

Ochoa: Nothing, he was just protecting me.

Clifton: Protecting you?

Ochoa: Yeah.

Clifton: Okay. Uh, why didn't he come outside when they said they...

Ochoa: ...because I told him to go outside and go talk to 'em.

Clifton: Yeah.

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Ochoa: He didn't want to go outside.

Clifton: Yeah and what did he say?

Ochoa: Then he called the police again.

Clifton: Yeah and what did he tell the police?

Ochoa: He just wanted the money.

Clifton: What money?

Ochoa: I don't know.

Clifton: Yeah. Where was his knife at this point?

Ochoa: In his pock- in the ki- in the bathroom.

Clifton: Yeah? Why didn't you come outside?

Ochoa: I was getting dressed after I just got out of the shower.

Clifton: So you were in the shower for 10 minutes.

Ochoa: Um-hm.

Clifton: Okay, so did the police, were you aware the police showed up after you got out of the shower?

Ochoa: Yeah.

Clifton: Okay and you said prior to you coming outside just now talking to us.

Ochoa: Yeah.

Clifton: You knew the police had been there for an hour.

Ochoa: Yeah.

Clifton: Talking to SAM.

Ochoa: Yes.

Clifton: Why didn't you ever come outside during that time?

Ochoa: I was scared to.

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Clifton: Why is that?

Ochoa: I don't know.

Clifton: Would SAM not let you come outside?

Ochoa: Yeah.

Clifton: Yeah, he wouldn't let you go outside?

Ochoa: Yeah he won't let me go outside.

Clifton: Yeah, what was he saying?

Ochoa: That was it.

Clifton: No, well I don't understand what, that was it. Was he, so you wanted to go outside and he was saying you're not going out there?

Ochoa: Yeah.

Clifton: Tell, tell me about that.

Ochoa: He won't let me go outside.

Clifton: Yeah, did you try to go out the door?

Ochoa: Yeah.

Clifton: And what did he do?

Ochoa: He blocked everything against the door.

Clifton: Yeah and what did he block the doors with?

Ochoa: The bed and the nightstand.

Clifton: Okay and when you asked him, hey I want to leave, I want to go outside what was he saying to you?

Ochoa: He said no, sorry.

Clifton: No, okay and again TALON it's very important, where was that knife at this point?

Ochoa: He put it in the bathroom.

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Clifton: He put it in the bathroom?

Ochoa: Yes.

Clifton: Okay what prevented you when he just tells you, so he barricades the, or blocks the door.

Ochoa: Yes.

Clifton: So you could, with the mattress?

Ochoa: Yes.

Clifton: Okay did you try to move that to go outside?

Ochoa: I couldn't move it.

Clifton: You couldn't move it?

Ochoa: No.

Clifton: Okay, had you tried to move it what do you think he would've done?

Ochoa: Trying to hurt me.

Clifton: Yeah and when you say try to hurt you what do you mean by that?

Ochoa: He was trying to cut my throat.

Clifton: Yeah? He was trying to cut your throat?

Ochoa: Yeah.

Clifton: Well tell me about that, so when did he have the knife again?

Ochoa: It's hard to remember everything.

Jones: It's okay.

Clifton: So at some point though in there you, you believed he said he was gonna cut your throat?

Ochoa: Yeah then he's, then after that then he said he was gonna cut his ears off.

Clifton: Okay and how was he holding the knife when he was saying this?

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Ochoa: After he put the knife away.

Clifton: What's that?

Ochoa: After he put the knife away to calm down.

Clifton: When did he say these things?

Ochoa: About an hou- about 35 minutes after.

Clifton: So he said he was gonna cut your throat?

Ochoa: Yes.

Clifton: Was that in response to you saying you were gonna go outside?

Ochoa: Yes.

Clifton: Okay and so you say I'm going outside, the doors are barricaded at this point?

Ochoa: Yes.

Clifton: Okay and he says if you go outside or something along the lines, then he's gonna cut your throat?

Ochoa: Yes.

Clifton: Okay were you afraid of him at that point?

Ochoa: I was.

Clifton: Okay and, and during that time you could hear police outside?

Ochoa: Yeah.

Clifton: Yeah, and what was he saying about the police there? (pause) Did he just want them to go away?

Ochoa: Yeah.

Clifton: Okay, so we were there, he, so he ended up calling 9-1-1 a couple times.

Ochoa: Yes.

Clifton: And talking to police.

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Ochoa: Yes.

Clifton: You said, and I heard it earlier, so he mentioned something about he wanted some money?

Ochoa: Yes.

Clifton: Was he wanting like a ransom for you? Like for, to let you go?

Ochoa: Yeah.

Clifton: Tell, tell me about that. What, what was the –

Ochoa: He just wanted some money so we can go do stuff.

Clifton: Yeah and did he, was he telling you if they gave, if we gave him money he'd let you go?

Ochoa: Yeah.

Clifton: Is that what he was saying?

Ochoa: Yeah.

Clifton: Tell me about that, what was he...

Ochoa: ...he wanted money.

Clifton: How much money did he want?

Ochoa: Like 10 grand, I don't know.

Clifton: Okay I'm not asking, I don't want, did he say \$10,000?

Ochoa: To get out of this world, state and start fresh. To a new state I guess.

Clifton: Was that, was he, did he say that to the police or was he telling you this that if, that he wanted \$10,000?

Ochoa: He told me that.

Clifton: He told you that?

Ochoa: Yes.

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Clifton: That if they, if we gave him \$10,000 the police gave him \$10,000 you could leave?

Ochoa: Yeah.

Clifton: Okay. What else happened?

Ochoa: I think that was it.

Clifton: Has he hurt you before?

Ochoa: No.

Clifton: No?

Ochoa: Never.

Clifton: Has, have you ever had a, like either one of you been arrested...

Ochoa: ...no...

Clifton: ...for domestic violence?

Ochoa: No.

Clifton: Okay, how long have you been in a relationship with SAM?

Ochoa: Since 2017.

Clifton: 2017?

Ochoa: Yes.

Clifton: Like so we're in 2018, what, what part of 2017?

Ochoa: December.

Clifton: So December, almost a year?

Ochoa: Yeah.

Clifton: Okay and describe your relationship with him. Have you all lived together, been together exclusively since then?

Ochoa: Yes, yes.

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Clifton: Okay. Has he ever threatened to hurt you or kill you...

Ochoa: ...no...

Clifton: ...prior to today?

Ochoa: No.

Clifton: Okay, why do you think today is different than the rest, the past 10 months?

Ochoa: Uh, I don't know.

Clifton: Okay. Alright, is he on probation or parole?

Ochoa: No.

Clifton: No?

Ochoa: No.

Clifton: Okay. Are you on probation or parole?

Ochoa: No, no.

Clifton: Okay. Has he recently uh, is it possible that he's been doing some type of drugs you're not aware of?

Ochoa: No he just do weed.

Clifton: Okay.

Ochoa: And cigarettes.

Clifton: Last night what time did you all come into your room together?

Ochoa: Last night?

Clifton: Yeah, did you all stay the night here last night?

Ochoa: Yeah.

Clifton: Okay and this morning was the first time you all went out of your room, was it to go to the 7-11?

Ochoa: Yes.

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Clifton: Okay, alright. And just so I understand this right TALON, so you, it's my understanding, so you believed, had you tried to leave that room...

Ochoa: ...yes...

Clifton: ...he would've hurt you?

Ochoa: Yes.

Clifton: Do you think he would've stabbed you?

Ochoa: No.

Clifton: What do you think he would've done?

Ochoa: Tried me, told me to stay in the room.

Clifton: Yeah, do you think he would have physically prevented you?

Ochoa: Yeah.

Clifton: Yeah, like holding you down or something like that?

Ochoa: No.

Clifton: How, then how would he have prevented you from leaving?

Ochoa: He didn't want me to go outside.

Clifton: Okay, you said that he said he was gonna cut your throat.

Ochoa: That's what he said.

Clifton: Okay. Yeah and you were scared of him?

Ochoa: Yes.

Clifton: Okay uh, is there anything, Mike do you have anything else?

Jones: So you said it was a kitchen knife.

Ochoa: Yes.

Jones: And, and like Brad described it, what color was the handle, you said it was plastic.

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Ochoa: It was black.

Jones: Black handle, okay, does he have any other knives?

Ochoa: No.

Jones: Like maybe a knife with a curved blade or anything?

Ochoa: No.

Jones: Have you ever seen him with any other knives?

Ochoa: No.

Jones: Okay, does he typically carry a knife?

Ochoa: Sometimes.

Jones: Okay, like outside of the hotel room?

Ochoa: Just a kitchen knife.

Jones: Kitchen knife?

Ochoa: Yeah.

Jones: Do you guys usually go over to 7-11 a lot to get food and drinks?

Ochoa: Yeah.

Jones: Does he usually take a knife when he goes over there?

Ochoa: Yeah.

Jones: How come?

Ochoa: To protect me.

Jones: To protect you, okay. Has he ever gotten into any other type of arguments with people?

Ochoa: No.

Jones: No? So this is the first time you've seen him pull a knife on somebody outside there?

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Ochoa: Yes.

Jones: Okay, has he ever threatened you with a knife before?

Ochoa: No.

Jones: No? So I, so he said that he wanted ten, you heard him say \$10,000?

Ochoa: Yeah.

Jones: And he would let you go?

Ochoa: Yes.

Jones: Okay and did he say what exactly, so what did he say?

Ochoa: He just wanted to start a new life and get out of the state.

Jones: And he said that?

Ochoa: Yeah.

Jones: They give me 10 grand I'm, I'm just gonna leave?

Ochoa: Yeah.

Jones: Okay, do you know what the, and he told the police that on the phone?

Ochoa: Yes.

Jones: When he was talking to them, do you know what they said?

Ochoa: No.

Jones: What did he say?

Ochoa: He just wants the money to get out of the state. It's crappy, it's too much people doing drugs.

Jones: Um-hm, okay.

Clifton: So TALON is there anything I haven't asked you or Detective Jones hasn't asked you that you think is important that we know?

Ochoa: No.

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Clifton: Okay, do you remember having an all, an interaction with the police out in the parking lot?

Ochoa: Hm-um.

Clifton: No?

Ochoa: No.

Clifton: Did SAM have an interaction with the police out in the parking lot?

Ochoa: No.

Clifton: Okay.

Ochoa: Just told 'em to go away.

Clifton: Okay from inside the hotel room?

Ochoa: Yes.

Clifton: Okay where is the knife now?

Ochoa: In the kit- in the bathroom.

Clifton: In the bathroom?

Ochoa: Yes.

Clifton: Okay um, do we have your permission to go in, in the hotel room?

Ochoa: Yeah that's fine, I have my two cats in there.

Clifton: You have two cats in there?

Ochoa: Yeah.

Jones: Make sure they're safe.

Clifton: Okay so you're okay with us going in and looking for evidence?

Ochoa: Yeah, yeah.

Clifton: And things like that? Okay, alright and you understand you can tell me we don't have permission.

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Ochoa: Yeah go ahead.

Clifton: Okay.

Ochoa: It's fine.

Clifton: Alright. Alright uh, I think we're gonna go ahead and end –

Jones: I, I got, like a couple more little things.

Clifton: Okay.

Jones: Um, did the police come here like in the last day or two or three or four to talk to you guys?

Ochoa: No.

Jones: No?

Ochoa: No.

Jones: Um, are you guys always together or sometimes you go do things...

Ochoa: ...yeah we always stick...

Jones: ...and, and maybe...

Ochoa: ...we always stay together...

Jones: ...SAM's here by himself.

Ochoa: Go do stuff.

Jones: Okay, alright. So why, why was the, why is the knife in the bathroom? Is that where you were at during all of this?

Ochoa: I was in the shower, he just put it against the bathroom sink is.

Jones: Okay and where was he at in the room when he was talking to the police on the phone?

Ochoa: He was sitting on the uh, chair in the –

Jones: On the chair in there?

Ochoa: Next to the wall is.

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Jones: Okay.

Ochoa: In the room.

Jones: So, yeah I think that's all I have for now, can we talk later?

Ochoa: Yeah.

Jones: When we learn a little bit more?

Ochoa: Yeah.

Jones: Okay, do you want me to get you something to drink or?

Ochoa: No I think I'm good.

Jones: You good?

Clifton: So what we're gonna have...

Ochoa: ...I just want to be with my cats.

Clifton: We actually would like you, if you wouldn't mind I'm gonna have you, if you can just have a seat in the back here for now.

Ochoa: Okay.

Clifton: Uh, that would be great and we'll have someone tend you. We'll get you a drink.

Ochoa: Okay.

Clifton: We'll get you whatever you need.

Ochoa: Okay.

Clifton: But if you wouldn't mind just hanging out here 'cause we're gonna have some additional questions for you.

Ochoa: Okay.

Clifton: Okay, do you want to go ahead Mike and shut that off.

Jones: Yeah.

Clifton: Uh -

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Jones: The time is, I didn't start an initial time start, but it's 10:52 now and we started talking to TALON approximately 10:25, I'm gonna stop the recording now.

(Recording stopped)

(Recording resumed)

Jones: So we're back on the record with TALON uh, Detective Clinton, Detective Jones. Uh, it's still October 10th, and the time is 11:09, and TALON you know we turned the recorder back on?

Ochoa: Yeah.

Jones: Yes, okay perfect.

Clifton: Alright so hey TALON I spoke with you real quick...

Ochoa: ...okay...

Clifton: ...as I just sat in here, now that we're back recording this.

Ochoa: Okay.

Clifton: Uh, so you rented the room?

Ochoa: Yes.

Clifton: Okay and when did you rent that? Was that on the 4th?

Ochoa: Yes.

Clifton: Okay and you get, how do you get your money?

Ochoa: [REDACTED]

Clifton: [REDACTED]

Ochoa: Yes.

Clifton: And do you get that once a month?

Ochoa: Yes.

Clifton: Okay and how much did you pay for the room there?

Ochoa: Like \$ [REDACTED] and the other day then I got another \$ [REDACTED] from my dad.

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Clifton: Okay.

Ochoa: Step-dad.

Clifton: Alright, so SAM does he pay for any of the room or anything like that?

Ochoa: Not right now.

Clifton: No?

Ochoa: He doesn't have no ID though.

Clifton: Okay so he didn't pay for any of the room here?

Ochoa: No.

Clifton: Okay, alright.

Ochoa: He gets social security [REDACTED]

Clifton: Okay, but you rented this room?

Ochoa: Yeah.

Clifton: Is the room in your name?

Ochoa: Yes.

Clifton: Okay, alright uh, and we talked earlier so you're okay, you're giving us permission...

Ochoa: ...yes...

Clifton: ...to go in the room.

Ochoa: Yes.

Clifton: To process it for evidence and stuff like that?

Ochoa: Yes.

Clifton: Okay and then your phone, I have it right here.

Ochoa: Okay.

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Clifton: We also asked you, you have this, what, what kind of phone is this? A Motorola?

Ochoa: It's a, yeah a motali- uh -

Clifton: O-okay and you're okay with us looking in your phone also?

Ochoa: Yeah.

Clifton: Okay, alright. He, Detective Jones is filling out a form.

Ochoa: Okay.

Clifton: And that's just a Consent to Search form.

Ochoa: Okay.

Clifton: And it just explains to you that you're giving us permission to look in these things.

Ochoa: Okay.

Clifton: Uh, so you can read that. Um, so TALON the other question I had for you, so when you were in the room.

Ochoa: Um-hm.

Clifton: Uh, we didn't get to the, to how this thing ended.

Ochoa: Yeah.

Clifton: So tell me where were you standing and where was SAM standing when?

Ochoa: I was standing next to the bed.

Clifton: Okay, alright and were you by the window?

Ochoa: No.

Clifton: No, you were standing next to the bed, so you explained to me and I haven't been in the room.

Ochoa: Yes.

Clifton: So I haven't looked at it, so you told me earlier there's two beds in the room.

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Ochoa: Yes.

Clifton: Were you standing in-between the beds?

Ochoa: No I was sitting down on the bed next to the window where the bathroom door was. On that side.

Clifton: Okay.

Ochoa: To, after I just got out of the shower or so --

Clifton: Okay so you're sitting on the bed.

Ochoa: Yes.

Clifton: And where was SAM at, at this point?

Ochoa: He was sitting on the chair.

Clifton: Sitting on the chair?

Ochoa: Yes, next to the desk.

Clifton: Next to the desk?

Ochoa: Yes.

Clifton: Okay and, and tell me what happened after that.

Ochoa: Then after that then he started smoking a cigarette to calm down.

Clifton: Okay. An-and then what happened?

Ochoa: Then he called the police again.

Clifton: Okay and what did he say to the police?

Ochoa: He just needs some money to get out of the state and start fresh.

Clifton: Okay and what was, so he does that and then how does that, does he hang up on the police?

Ochoa: Yes.

Clifton: Okay and then what happens in the room after that?

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Ochoa: Then, then he was trying to find my wallet.

Clifton: He was trying to find your wallet?

Ochoa: Yeah.

Clifton: Why was that?

Ochoa: Because I had my, so I can call my bank card because I have \$20 overdrawn so –

Clifton: And what was he wanting to call your bank for?

Ochoa: I don't know.

Clifton: Try to get money?

Ochoa: Yeah.

Clifton: Okay, alright. At that point were you trying to leave?

Ochoa: I was trying to get my socks and shoes on but he won't let me go outside.

Clifton: He wouldn't let you go outside?

Ochoa: No.

Clifton: Okay and where was the knife at, at this point?

Ochoa: In the bathroom.

Clifton: Okay and when you say he wouldn't let you leave how was he not letting you leave?

Ochoa: He just blocked the door with the bed and the nightstand.

Clifton: Okay was he standing between you and the door?

Ochoa: Yes.

Clifton: Okay, which did you believe...

Ochoa: ...yes...

Clifton: ...that would've prevented you from going outside?

Ochoa: Yes.

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Clifton: Okay and then what happens after that?

Ochoa: Then I just sat down on the bed to relax.

Clifton: Okay. An-and then what happened from there?

Ochoa: I don't know.

Clifton: How did the, tell me about when the police came, why did the police come in the room?

Ochoa: Trying to get him out of there to talk to him.

Clifton: Okay and, and what happened leading up to that? Do you remember?

Ochoa: No I can't remember.

Clifton: No?

Ochoa: Hm-um.

Clifton: Do you remember, so the police come in the room, how did they come into the room?

Ochoa: He just blocked everything.

Clifton: Yeah?

Ochoa: Yeah.

Clifton: S-so how did the police get into the room?

Ochoa: He just, shattered the glass to get him in, out of there.

Clifton: They shattered the glass? Okay and where was SAM at, at this point? When the police shattered the glass?

Ochoa: He was in the bathroom.

Clifton: He was in the bathroom?

Ochoa: Yeah.

Clifton: Okay and what happened then?

Ochoa: Then that was it.

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Clifton: And did they, police take you out of there?

Ochoa: Yeah.

Clifton: Okay and did you see SAM at that point?

Ochoa: Um-hm.

Clifton: And where was SAM?

Ochoa: In the bathroom.

Clifton: He was in the bathroom?

Ochoa: Yeah.

Clifton: And what was he doing?

Ochoa: He fell on the floor, then he tripped over the towel, the towel.

Clifton: Okay. So he was stand- was there a window in the bathroom?

Ochoa: Yes.

Clifton: Okay. Alright.

Ochoa: He was just opening it, getting some air in there after I just took a hot shower. It was steaming in there.

Clifton: Okay so he was in the bathroom?

Ochoa: Yes.

Clifton: And where, you were in the living room?

Ochoa: Yes.

Clifton: So could, so he was, was he looking out the window?

Ochoa: Yes.

Clifton: Okay.

Ochoa: See if you guys already left.

Clifton: What's that?

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Ochoa: See if you guys already left.

Clifton: Okay so he, did he open the window up to look outside?

Ochoa: No he just, just grabbed the shade and that was it.

Clifton: Okay, what is the ba- window look like in the bathroom? I haven't seen it.

Ochoa: It was square.

Clifton: Is it a small window?

Ochoa: Yeah.

Clifton: Like this?

Ochoa: Yes.

Clifton: About like this?

Ochoa: Yeah.

Clifton: Is it like, and when, when I say like this, so this is probably about a, a, a square that I'm making.

Ochoa: Yeah.

Clifton: That's like a foot.

Ochoa: Yes.

Clifton: Uh, you know, a foot by, 12 by 12 square...

Ochoa: ...yes...

Clifton: ...square window.

Ochoa: Yes.

Clifton: Okay so is that window like smoked so you can't see out of it, like a privacy glass?

Ochoa: Yeah.

Clifton: Do you know what I'm saying?

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Ochoa: Yeah, you can just open the window.

Clifton: So did he open it to look outside?

Ochoa: Yeah.

Clifton: Okay. So he's there and at that point you're in the uh, living or the bedroom?

Ochoa: Yes.

Clifton: Sitting on the bed?

Ochoa: Yes.

Clifton: And what was his purpose of looking outside at that point?

Ochoa: Tell the cops shoot him through the window.

Clifton: Yeah?

Ochoa: Yeah.

Clifton: So tell me about that, what happened there?

Ochoa: He was, I don't know. It's frustrating with all this.

Clifton: Yeah. So why didn't you get up off the bed when he was in the bathroom and leave? Did you think he would catch you?

Ochoa: Yeah.

Clifton: Okay. So that's why you didn't do it?

Ochoa: Yeah.

Clifton: Okay so he's in the bathroom, you're on the bed, the door is behind, is, you're closer to the door than SAM is?

Ochoa: Yes.

Clifton: Why didn't you just get up and make a run...

Ochoa: ...I tried to get the stuff moved but I couldn't do it.

Clifton: Okay.

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Ochoa: I'm weak, my body hurts.

Clifton: Okay but you think he would've prevented you from leaving?

Ochoa: Yes.

Clifton: Okay, alright and where was the knife at, at this point when SAM...

Ochoa: ...in the bathroom.

Clifton: The knife was with SAM?

Ochoa: Yes.

Clifton: So did he bring that knife with him into the bathroom when he looked out the window?

Ochoa: It was already in the bathroom.

Clifton: It was already in the bathroom?

Ochoa: Yeah.

Clifton: Okay, so he looks out the window and then what happens?

Ochoa: Then he got shot.

Clifton: Okay.

Ochoa: After he fell on the floor with the towel. I just put the towel down to dry my feet off, to stand on.

Clifton: Was that after the shot?

Ochoa: Yes.

Clifton: How, how many shots did you hear?

Ochoa: Like one.

Clifton: Just one?

Ochoa: Yeah.

Clifton: And when you heard that shot where were you sitting?

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Ochoa: Just standing against the bed, was by the window.

Clifton: In the front room?

Ochoa: Yes.

Clifton: Or in the bedroom area?

Ochoa: Yes.

Clifton: And SAM's in the bathroom?

Ochoa: Yes.

Clifton: And you hear the one shot and then what happens?

Ochoa: Then he fell, then the blood start to come out.

Clifton: Okay and what did you do then?

Ochoa: Then the squat came in. I came out of there.

Clifton: Okay. Alright. Um, earlier when we talked you mentioned that he told you, you know that he was gonna cut your throat. At what point when you all were in the room when you described him as being very frustrated.

Ochoa: Yeah.

Clifton: That all this was happening, so was he frustrated that the police were there?

Ochoa: Yes.

Clifton: Okay, was he frustrated at you?

Ochoa: No.

Clifton: Then why wouldn't he let you leave? Why –

Ochoa: He won't let me go outside there's strange people out.

Clifton: Okay. Okay but did he think if, did he ever say anything that like if I don't let you leave the police will, will go away?

Ochoa: Yeah.

Clifton: He did say that?

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Ochoa: Yeah.

Clifton: What was he saying?

Ochoa: I don't know.

Clifton: Did he ever say like you're my hostage?

Ochoa: I think so, I don't know, I can't remember a thing, everything.

Clifton: Okay, but so did, did he say like if I'm not letting you out and the police will go away?

Ochoa: Yes.

Clifton: Something along that?

Ochoa: Yes.

Clifton: Okay uh, when in the hotel room, at what point was he holding that knife? Wh- during that time, after you all get back after the 7-11 incident happens, when in the hotel room was he holding the knife?

Ochoa: He was holding it in the bathroom when I had just got out of the shower. He just put the knife down above the sink.

Clifton: Okay but when you were in the shower and got out he was holding the knife?

Ochoa: Yes.

Clifton: And at that point did he know the police were there?

Ochoa: No.

Clifton: What was he saying when he was holding the knife?

Ochoa: He just wants money to get out of the state and start fresh.

Clifton: Okay. Alright.

Jones: So, so you said that, did you actually try to move the stuff, you just weren't strong enough?

Ochoa: Yeah I tried, I tried to move the stuff. I'm so weak right now.

Jones: Yeah, so, so what did SAM say when you tried to move it?

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Ochoa: He won't let me go outside.

Jones: But what did he say?

Ochoa: He said sorry you can't move, I don't know.

Jones: Okay.

Ochoa: He won't let me move the stuff.

Jones: Okay, did he have the knife then?

Ochoa: No.

Jones: No, okay. And when you were in the show- in the bathroom and he was in there, he had the knife, did he ever, you know like on TV where they, you know like the, you're my hostage and they hold the knife up to you, did he ever do that?

Ochoa: No, no.

Jones: No?

Ochoa: No.

Jones: Okay, but you said you were afraid that he would if you tried to leave he would've like cut your throat or something like he said he would?

Ochoa: Yeah.

Jones: Okay. So I have these forms.

Ochoa: Uh-huh.

Jones: About um, searching the hotel room.

Ochoa: Um-hm.

Jones: And just to make sure what room number are you guys in?

Ochoa: 16.

Jones: 16, is that correct Brad?

Ochoa: Yes.

Jones: One, six, okay so I'll put one, six on here. So it's for -

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Ochoa: Okay.

Jones: For Detective Clifton and myself.

Ochoa: Um-hm.

Jones: And, and any other members of the Portland Police Bureau.

Ochoa: Okay.

Jones: Like our forensic, our ev- um, identification people take pictures and that kind of stuff.

Ochoa: Okay, yeah.

Jones: You're okay if they all go in there...

Ochoa: ...yeah that's fine.

Jones: And do that inside the room?

Ochoa: Yeah.

Jones: Okay, so you can just sign right there.

Clifton: And you understand that?

Ochoa: Yeah.

Clifton: I just want to make clear, okay.

Jones: And you can tell us no or you can tell us to leave, but you're okay?

Ochoa: Yeah.

Jones: Okay so we'll do it as fast as we can and then...

Clifton: ...does SAM have a phone in the room?

Ochoa: Yeah his cell phone. He was on my cell phone plan.

Clifton: Okay was he making any phone calls to anybody besides the police during that time?

Ochoa: No.

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Clifton: Okay and what type of phone does he have?

Ochoa: The same thing.

Clifton: It's the exact same type of phone?

Ochoa: Yeah.

Clifton: Does he have a password on his phone?

Ochoa: No.

Clifton: He does not?

Ochoa: No.

Clifton: Okay, so other than calling 9-1-1 during that time was he calling friends or anybody?

Ochoa: No.

Clifton: Okay, I noticed on your phone, you made a phone call to DETER?

Ochoa: Yeah he's one of my friends.

Clifton: And what were you telling DETER?

Ochoa: See if uh, SAM was okay.

Clifton: What's that?

Ochoa: See if SAM was okay.

Clifton: Is this after the shot had been fired?

Ochoa: Yes.

Clifton: Okay. Okay, so you called him after?

Ochoa: Yeah.

Clifton: Did you make any phone calls or talk to anybody while this thing was going on?

Ochoa: No.

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Clifton: Okay. So you and SAM both knew, for at least an hour, that the police were outside wanting...

Ochoa: ...yeah...

Clifton: ...you all to come outside? Yes?

Ochoa: Yes.

Clifton: Okay, alright. I don't, we're gonna stop it now.


Ochoa: Okay.

Clifton: So go ahead and uh, go ahead and stop it.

Jones: Okay and this is for your phone here, I'll stop it.

Ochoa: Okay.

Jones: And the time is 11 seven, 11:17.

Transcribed Verbatim with Punctuation Added 101118 / 1529 T. Bradshaw 

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GO 42 2018-347005**CONFIDENTIAL**

IMAGE ATTACHMENT (2756734) A109104, A109105, A109106, A109107, A109108

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179**PROPERTY/EVIDENCE RECEIPT**HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER No. A109104	DATE/TIME 10/10/18 1527 PM	AM <input checked="" type="checkbox"/> PM <input checked="" type="checkbox"/>	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND PROPERTY <input type="checkbox"/> PRISONER'S PROP. <input type="checkbox"/>	GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>			<input type="checkbox"/> SAFEKEEPING
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB	I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING			
DENIED OWNERSHIP <input type="checkbox"/>	SIGNATURE			
HOME ADDRESS CITY STATE ZIP	PHONE			
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB	SIGNATURE			
HOME ADDRESS CITY STATE ZIP	PHONE			
TYPE OF INCIDENT POLICE SHOOTING	DELIVERING OFFICER JG SHEARER	DPSST/ASSIGN 29992		
LOCATION WHERE SEIZED, FOUND, SURRENDERED 7622 SE 82ND #16	INVESTIGATOR (IF DIFFERENT) BENIGA/BROUGHTON	DPSST/ASSIGN		
<input type="checkbox"/> DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB	<input type="checkbox"/> 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	PLACARD 1 CELLULAR TELEPHONE MOTOROLA PURPLE & GRAY CASE ^{MOVED TO} PER # A109105			
ITEM 2	PLACARD 2 DARK BLUE GLASS PIPE			
ITEM 3	PLACARD 3 KNIFE - BLACK PLASTIC HANDLE			
ITEM 4				
ITEM 5				
ITEM 6				
ITEM 7				
ITEM 8				
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input type="checkbox"/> SATELLITE PROP. ROOM <input checked="" type="checkbox"/> PED <input type="checkbox"/> OTHER	PRECINCT DOCKER# FED OUTGOING	DATE 10/11/18	RECEIVED BY	
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER	DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY			
RECEIVED BY PED	BY	WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT		
DATE:	TIME:			

07/12

Portland Police Bureau
PUBLIC RECORD RELEASE
CONFIDENTIALCASE NUMBER
GO 42 2018-347005BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

HOURS OF OPERATION:
9:00 AM TO NOON &
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RECEIPT NUMBER No. A109105	DATE/TIME 10/10/18	AM PM	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND PROPERTY <input type="checkbox"/> PRISONER'S PROP. <input type="checkbox"/>	GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>			<input type="checkbox"/> SAFEKEEPING
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB	I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING			
DENIED OWNERSHIP <input type="checkbox"/>	SIGNATURE			
HOME ADDRESS CITY STATE ZIP	PHONE			
OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB	TYPE OF INCIDENT POLICE SHOOTING			
HOME ADDRESS CITY STATE ZIP	DELIVERING OFFICER JG SHEARER DPSST/ASSIGN 29992			
LOCATION WHERE SEIZED, FOUND, SURRENDERED 7622 SE 82ND #16	INVESTIGATOR (IF DIFFERENT) DPSST/ASSIGN			
<input type="checkbox"/> DEFENDANT LAST NAME FIRST M.I. SEX RACE DOB				
<input type="checkbox"/> 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	PLACARD 1 CELL PHONE FROM REC # A109104 ITEM 1			
ITEM 2				
ITEM 3				
ITEM 4				
ITEM 5				
ITEM 6				
ITEM 7				
ITEM 8				
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED	PRECINCT & LOCKER#		DATE	
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER			RECEIVED BY	
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY				
RECEIVED BY PED		BY		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT
DATE:	TIME:			

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Portland Police Bureau
PUBLIC RECORD RELEASE
CONFIDENTIALCASE NUMBER
GO 42 2018-347005BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179**PROPERTY/EVIDENCE RECEIPT**

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HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

RECEIPT NUMBER	No. A109106		DATE/TIME	10/01/18		AM PM	REFER CASE NO.	PPB CASE NO. 18-347005	
CHECK ONE TYPE	<input checked="" type="checkbox"/> ONLY <input checked="" type="checkbox"/> EVIDENCE		<input type="checkbox"/> FOUND PROPERTY		<input type="checkbox"/> PRISONER'S PROP.		<input type="checkbox"/> SAFEKEEPING		
PROPERTY TAKEN FROM:		LAST NAME		FIRST	M.I.	SEX	DOB		
DENIED OWNERSHIP		<input type="checkbox"/>							
HOME ADDRESS		CITY		STATE		ZIP			
OWNER OF PROPERTY		LAST NAME		FIRST	M.I.	SEX	DOB		
HOME ADDRESS		CITY		STATE		ZIP			
TYPE OF INCIDENT		Police Shooting		DELIVERING OFFICER		DPSST/ASSIGN		29992	
LOCATION WHERE SEIZED, FOUND, SURRENDERED		7720 SE 82nd Ave		INVESTIGATOR (IF DIFFERENT)		DPSST/ASSIGN		Beniga / Broughton	
<input type="checkbox"/> DEFENDANT		LAST NAME		FIRST	M.I.	SEX	RACE	DOB	
<input type="checkbox"/> 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	Placard 5 11 casing								
ITEM 2									
ITEM 3									
ITEM 4									
ITEM 5									
ITEM 6									
ITEM 7									
ITEM 8									
DELIVERED TO:		<input type="checkbox"/> STATE CRIME LAB		<input type="checkbox"/> SATELLITE PROP. ROOM		<input checked="" type="checkbox"/> PED		PRECINCT / LOCKER#	
CHECK ONE ONLY		<input type="checkbox"/> FED		<input type="checkbox"/> OTHER		DATE		RECEIVED BY	
						10/11/18		OUTGOING	
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY									
RECEIVED BY PED		DATE:		TIME:		BY		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT	

07/12

Portland Police Bureau
PUBLIC RECORD RELEASE
CONFIDENTIAL

CASE NUMBER
GO 42 2018-347005

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

RECEIPT NUMBER	No. A109107		DATE/TIME	10/11/18		AM PM	REFER CASE NO.	PPB CASE NO.		18-347005		
CHECK ONE TYPE	<input checked="" type="checkbox"/> ONLY <input checked="" type="checkbox"/> EVIDENCE		<input type="checkbox"/> FOUND PROPERTY		<input type="checkbox"/> PRISONER'S PROP.		<input type="checkbox"/> SAFEKEEPING					
PROPERTY TAKEN FROM:		LAST NAME		FIRST		M.I.		SEX		DOB		
DENIED OWNERSHIP		<input type="checkbox"/>										
HOME ADDRESS		CITY		STATE		ZIP		I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING				
OWNER OF PROPERTY		LAST NAME		FIRST		M.I.		SEX		DOB		
HOME ADDRESS		CITY		STATE		ZIP		SIGNATURE				
TYPE OF INCIDENT		AUTOPSY - fatal OIS		DELIVERING OFFICER		JG SHEARER		DPSST/ASSIGN		29992		
LOCATION WHERE SEIZED, FOUND, SURRENDERED		MORGUE		INVESTIGATOR (IF DIFFERENT)				DPSST/ASSIGN				
<input type="checkbox"/> DEFENDANT		LAST NAME		FIRST		M.I.		SEX		RACE		
<input type="checkbox"/> SUSPECT										DOB		
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	CAMO SWEATSHIRT											
ITEM 2	BLACK BANDANA											
ITEM 3	BLUE JEANS, BROWN BELT, & BLACK BOXERS											
ITEM 4	GRAY DC SHOES & SALMON COLORED SOCKS											
ITEM 5	BAG FROM RIGHT HAND											
ITEM 6	BAG FROM LEFT HAND											
ITEM 7	FINGERNAIL CLIPPINGS FROM RIGHT & LEFT HAND w/CLIPPERS											
ITEM 8	PIECE OF PLASTER/SHEETROCK FROM UNDER SWEATSHIRT (RIGHT SIDE)											
DELIVERED TO:		<input type="checkbox"/> STATE CRIME LAB		<input type="checkbox"/> SATELLITE PROP. ROOM		<input checked="" type="checkbox"/> PED		PRECINCT & LOCKER#		DATE		
CHECK ONE ONLY		<input type="checkbox"/> FED		<input type="checkbox"/> OTHER						RECEIVED BY		
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY												
RECEIVED BY PED		DATE: 10/11/18		TIME: 13:15		BY: JG 72		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT				

07/12

Portland Police Bureau
PUBLIC RECORD RELEASE
CONFIDENTIAL

CASE NUMBER
GO 42 2018-347005

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER No. A109108	DATE/TIME 10/11/18	AM PM	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE ONLY <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND PROPERTY	<input type="checkbox"/> PRISONER'S PROP. GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>		<input type="checkbox"/> SAFEKEEPING	
PROPERTY TAKEN FROM: LAST NAME FIRST M.I. SEX DOB	DENIED OWNERSHIP <input type="checkbox"/>		I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING	
HOME ADDRESS CITY STATE ZIP	OWNER OF PROPERTY LAST NAME FIRST M.I. SEX DOB		SIGNATURE	
HOME ADDRESS CITY STATE ZIP	HOME ADDRESS CITY STATE ZIP		PHONE	
TYPE OF INCIDENT AUTOPSY (fatal) OIS	DELIVERING OFFICER JG SHEARER		DPSST/ASSIGN 29992	
LOCATION WHERE SEIZED, FOUND, SURRENDERED MORGUE	INVESTIGATOR (IF DIFFERENT) BROUGHTON		DPSST/ASSIGN HOM.	
<input type="checkbox"/> DEFENDANT <input type="checkbox"/> SUSPECT	LAST NAME FIRST M.I. SEX RACE DOB			
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	PROJECTILE FRAGMENTS FROM LEFT NECK			
ITEM 2	PROJECTILE FRAGMENTS FROM BRAIN STEM			
ITEM 3	BUCCAL SWAB FROM DECGASSO			
ITEM 4	BLOOD STANDARD ON BLOTTER PAPER			
ITEM 5				
ITEM 6				
ITEM 7				
ITEM 8				
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input type="checkbox"/> SATELLITE PROP. ROOM <input checked="" type="checkbox"/> PED	PRECINCT & LOCKER#	DATE	RECEIVED BY	
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER				
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY				
RECEIVED BY PED DATE: 10/11/18	TIME: 13:15	BY: 56 YZ	WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT	

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CONFIDENTIAL

IMAGE ATTACHMENT (2763097) 3RD INTERVIEW WITH TALON OCHOA 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

October 10, 2018

**3rd Interview with
TALON OCHOA
TAPED STATEMENT TRANSCRIPTION**

CONFIDENTIAL

Portland Police Bureau
PUBLIC RECORD RELEASE
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PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL TAPED STATEMENT TRANSCRIPTION

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Clifton: This is where we do interviews.

Ochoa: Okay.

Clifton: There's nobody, I know this is weird but, and this like old school, there's nobody in there.

Ochoa: Okay.

Clifton: Okay, alright. It's like from the movies right?

Ochoa: Yeah.

Clifton: Okay I'll be right back, okay.

Ochoa: Okay, yeah.

Jones: Oh you haven't eaten your cookies yet.

Ochoa: No. I'll save 'em for later.

Jones: Alright, well I have this whole bag if you like, I'll probably just give, give you the whole bag.

Ochoa: Okay.

Jones: All sorts of stuff here. Did you go to the bathroom?

Ochoa: Um-hm.

Jones: I'm sorry about that.

Ochoa: It's okay.

Jones: Big ole, big ole fancy fire thing didn't have a bathroom in it.

Ochoa: Yeah.

Jones: That was weird. It was nice though, I've never been in there before. All sorts of interesting things.

Clifton: Alright, you doing okay?

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Ochoa: Um-hm.

Clifton: Alright.

Jones: I'm gonna use, I'm gonna use this again if that's alright.

Ochoa: Yeah.

Jones: Okay, I'll start it right now.

Clifton: TALON it is –

Jones: And it's 1:47.

Clifton: Ten, is it the 10th?

Jones: The 10th.

Ochoa: Yup.

Clifton: Okay and what time is it?

Jones: 10:47. I mean, I'm sorry its 1:47.

Clifton: Alright, TALON real quick again spell your last name for me.

Ochoa: OCHOA, O-C-H-O-A.

Clifton: O-C-H?

Ochoa: O-A.

Clifton: And is it hyphen? What's the other part of your last?

Ochoa: Uh, TIARA, T-I-A-R-A.

Clifton: And it's T-A-L-I-N for TALON?

Ochoa: T-A-L-O-N.

Clifton: O-N, okay and what's your date of birth?

Ochoa: September 7th, 1988.

Clifton: September 7th?

Ochoa: Yeah.

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Clifton: And what's your cell phone number?

Ochoa: 971292-0106.

Clifton: And what's a home address for you or where do you get mail at?

Ochoa: Um, I'm homeless right now. I used to live at East Point but the manager kicked us out for no reason.

Clifton: What about your parents do they live nearby or?

Ochoa: Yeah they live on 89th and Crystal Springs.

Clifton: 89th and Crys- what's your mom's name?

Ochoa: RUBY ANN OCHOA.

Clifton: RUBY ANN?

Ochoa: Yeah.

Clifton: And what's her address there?

Ochoa: 7916 SE 89th Avenue, unit 11. Portland, Oregon 97266.

Clifton: Are you fri- do you get along with her or?

Ochoa: Yeah she's my mom.

Clifton: Will she let you stay there or?

Ochoa: Um, probably not a good idea. After I just put a restraining order on my, on dad.

Clifton: Oh okay.

Ochoa: Because he put his hands on SAM so.

Clifton: When was that?

Ochoa: Uh, last year.

Clifton: And why was that?

Ochoa: Because he just pu- uh, push him on the floor and choke him to death.

Clifton: Your dad did that?

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Ochoa: Yeah.

Clifton: Okay. What's your mom's number?

Ochoa: Uh, 503.

Clifton: Okay.

Ochoa: 477-8349.

Clifton: Eight what?

Ochoa: 8349.

Clifton: Okay and what's your dad's last name?

Ochoa: Uh, GERALD BAILEY.

Clifton: Is his last name BAILEY?

Ochoa: Yup.

Clifton: GERALD? And he lives there with your mom?

Ochoa: Yeah.

Clifton: Is GERALD your biologic- is he your dad or is it a step-dad?

Ochoa: He's a step-son.

Clifton: Step-dad?

Ochoa: Yeah, yeah.

Clifton: Okay. What's his cell phone number?

Ochoa: Uh, he doesn't have, I don't know his cell phone.

Clifton: Okay.

Ochoa: They have a house phone.

Clifton: Okay, is that the number you gave me was a house phone?

Ochoa: Yes.

Clifton: Okay. Alright uh, you had something to drink?

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Ochoa: Um-hm.

Clifton: Everything okay?

Ochoa: Yup.

Clifton: Okay I, I know you've already spoken to us a couple times but we wanted just to get back here and talk to you a little more...

Ochoa: ...um-hm...

Clifton: ...in detail.

Ochoa: Okay.

Clifton: About what happened today.

Ochoa: Okay.

Clifton: Uh, make sure you're doing okay. Um, and, and answer any questions you might have.

Ochoa: Okay.

Clifton: Uh, you had mentioned on the way over, [REDACTED]

Ochoa: Yes.

Clifton: And what's your [REDACTED]

Ochoa: [REDACTED]

Clifton: Uh, spell the last name for me.

Ochoa: [REDACTED]

Clifton: Okay. And that, I'm sorry, first name?

Ochoa: [REDACTED]

Clifton: [REDACTED]

Ochoa: Yes.

Clifton: Okay and do you know who [REDACTED] Is it like [REDACTED]

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Ochoa: Yeah, for [REDACTED]

Clifton: Okay and how often do you see her?

Ochoa: Uh, I don't get to see her that much.

Clifton: Okay. And you mentioned that SAM also was under her case load?

Ochoa: Yes.

Clifton: Okay. And SAM, we talked earlier, how long have you been knowing or been in a relationship with SAM?

Ochoa: About a year.

Clifton: One year, okay. And SAM's last name?

Ochoa: Is RICE.

Clifton: RICE. How'd you meet SAM?

Ochoa: From uh, Exceed Enterprise.

Clifton: Is that a job or?

Ochoa: Yeah.

Clifton: Okay, okay so let's talk about, again I just want to go over, so you checked into the Del Rancho Motel?

Ochoa: Yes.

Clifton: When was that?

Ochoa: The 4th.

Clifton: On October 4th?

Ochoa: Yes.

Clifton: Okay and you paid for that room?

Ochoa: Yes.

Clifton: Okay and it was just you and SAM staying there?

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Ochoa: Yes.

Clifton: And your two cats?

Ochoa: Yes.

Clifton: What are your cat's names again?

Ochoa: Sweetie and Zoe.

Clifton: Sweetie and Zoe, okay. And when were you supposed to check out?

Ochoa: We 'posed to be checking out today but I got the money from my uh, his dad to keep the room a little bit longer.

Clifton: Who's dad?

Ochoa: Uh, SAM's dad.

Clifton: What is SAM's dad's name?

Ochoa: Uh, ROB I think. I don't know his name is. But I know his cell phone.

Clifton: That's for after today you –

Ochoa: Yeah.

Clifton: Okay, so you had the room until what time today?

Ochoa: We 'posed to be checking out at 1:00 today but I renewed it for the rest of the week.

Clifton: Okay, when did you do that?

Ochoa: Yesterday.

Clifton: Okay, alright. Okay so you've been staying there since the 4th. Uh, tell me about that. Have you been in room 16 the whole time?

Ochoa: Yes.

Clifton: Okay. So let's talk about this morning. So what time, you said you woke up you think at what time?

Ochoa: Around 8:30.

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Clifton: 8:30, was SAM up or was he sleeping?

Ochoa: Yeah he was up.

Clifton: He was up?

Ochoa: Yeah.

Clifton: Okay and what time did the two of you walk over to the 7-11?

Ochoa: About 8:40.

Clifton: 8:40?

Ochoa: Yeah.

Clifton: And how do you remember the time?

Ochoa: Because I check on my phone.

Clifton: Okay, you look at, you noticed?

Ochoa: Yeah.

Clifton: Then you all went over to the 7-11 for what reason?

Ochoa: Get some food.

Clifton: Yeah, let me show you a map real quick.

Ochoa: Yeah.

Clifton: Just so we're making sure.

Ochoa: Okay.

Clifton: So just so you can orient yourself, that's the Del Rancho.

Ochoa: Okay.

Clifton: Motel right over here. I think your room is essentially, number 16 right?

Ochoa: Yup.

Clifton: Like right in there? Does that look right?

Ochoa: Yeah.

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Clifton: Okay. The 7-11 is right here, does that look right?

Ochoa: Yeah.

Clifton: Okay so you and SAM walk across the street over here to this 7-11?

Ochoa: Yup.

Clifton: Okay and just the two of you go in together?

Ochoa: Yup.

Clifton: Okay and you're there to get drinks?

Ochoa: Yup, we got two drink, a Mountain Dew and a tea and some oatmeal for breakfast.

Clifton: Okay.

Ochoa: This morning.

Clifton: And how did you pay for that?

Ochoa: Cash.

Clifton: Okay.

Ochoa: I have eight dollars left over.

Clifton: And tell me again what happened in the 7-11.

Ochoa: So I was in line then he, he was in line then I said sir can I go in first? He said, then he said (sigh) he got rude and I had to go back in the back of the line. So I can get out of there and go feed my cats.

Clifton: Okay so you go up to buy something, there's some guy already in line?

Ochoa: Yes.

Clifton: And you wanted to go in front of him?

Ochoa: Yes.

Clifton: Okay and tell me about this, so he was rude to you? He didn't let you go in front of him?

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Ochoa: Yes.

Clifton: Okay and then what happened after that?

Ochoa: Then he had to go get more food.

Clifton: The guy did?

Ochoa: Yeah.

Clifton: Okay and then what happened?

Ochoa: Then he won't let me pay for my food first. I told him I want, I have to go feed my cats.

Clifton: Uh-huh.

Ochoa: Then he just pushed SAM for no reason.

Clifton: Yeah.

Ochoa: Then he got into my face, like closely.

Clifton: Okay and we talked earlier about SAM pulling, pulled the knife out.

Ochoa: Yes.

Clifton: When was that? When did he pull the knife out?

Ochoa: About around 8:45 to 9:00.

Clifton: Okay, alright and he pulls the knife out.

Ochoa: Yes.

Clifton: And what does he do with the knife?

Ochoa: Told him back off.

Clifton: Yeah.

Ochoa: Then the dude with the dog picks it up and tried to stab SAM.

Clifton: The dude with the knife?

Ochoa: Yeah. He took SAM's knife and gave it back.

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Clifton: Gave it back to SAM?

Ochoa: Yeah.

Clifton: Was that...

Ochoa: ...he had it in his hands.

Clifton: So tell me about this, 'cause you didn't tell us this earlier.

Ochoa: I did.

Clifton: Oh okay. Well let's, let's go over it, maybe I didn't understand you earlier.
(pause)

Ochoa: He just took the knife away from him.

Clifton: So SAM pulls the knife out.

Ochoa: Yes.

Clifton: You said he was holding it out on him?

Ochoa: Yes.

Clifton: When we talked earlier and they were about a foot apart?

Ochoa: Yes.

Clifton: And that the guy pushed SAM or something like that?

Ochoa: Yes

Clifton: Okay and is that when he got the knife, when did he get the knife from SAM?

Ochoa: About 8:45.

Clifton: Yeah how, how did he get the knife from him?

Ochoa: Just took it.

Clifton: Just grabbed it from him?

Ochoa: Yeah, out of his hands.

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Clifton: Okay and then tell me more about that. What, how did the guy give the knife back to SAM?

Ochoa: Just pushed him, put him on the floor.

Clifton: Yeah, why'd the guy give the knife back to SAM?

Ochoa: I don't know.

Clifton: You watched him give him the knife back?

Ochoa: Yeah.

Clifton: Okay, alright so after that happens at the 7-11 when do you walk across the street after that? Was it right afterwards?

Ochoa: Yeah.

Clifton: And we, earlier when we talked about it you said that while you were there the store clerk said he was calling the police.

Ochoa: Yeah.

Clifton: And you were aware.

Ochoa: Yeah.

Clifton: That the clerk was on the phone.

Ochoa: Yeah.

Clifton: With the police?

Ochoa: Yes.

Clifton: Is that right?

Ochoa: Yes.

Clifton: Okay so tell me about that. So once you know the police are coming what do you do then?

Ochoa: I just put my stuff down and left.

Clifton: Okay.

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Ochoa: I was gonna pay for my food.

Clifton: Okay.

Ochoa: So –

Clifton: And then you and SAM leave together?

Ochoa: Yes.

Clifton: Okay did he know the police were coming as well?

Ochoa: No. I don't know, how -

Clifton: Well did you all talk about it, like let's get out of here the police are coming?

Ochoa: Yes.

Clifton: Okay I'm not as- okay I want to be very clear with something, okay.

Ochoa: Okay.

Clifton: These are not my words. Okay when I'm, when I'm saying this stuff you gave, you talked to us earlier.

Ochoa: Yes.

Clifton: Okay and you told us things that happened, okay I want to make, make sure you, you understand, if I say something and it's not accurate you're to tell, I want you to tell me what happened.

Ochoa: Okay.

Clifton: I'm kind of trying to prompt you, okay? As far as like this is, I need you to tell me what happened.

Ochoa: Okay.

Clifton: Okay, during the incident. Okay I'm kind of rehashing what you've already told me but I'd like you to tell me what occurred, okay.

Ochoa: Okay.

Clifton: so you said earlier that you were aware the police had been called.

Ochoa: Yes.

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Clifton: Okay, was SAM also aware of that?

Ochoa: No.

Clifton: No?

Ochoa: No.

Clifton: Okay, did you all talk about the police coming or did you mention it?

Ochoa: I told him about it.

Clifton: Well what did you say?

Ochoa: I told him to stop all this.

Clifton: Okay.

Ochoa: Then he just kept on going.

Clifton: Okay. Kept on going, what'd you mean by kept on going?

Ochoa: I told him to stop with the fighting in the store.

Clifton: Oh okay and then tell me what happened after that.

Ochoa: Then after that then the dude, the guy with the dog just kept on going. Keep pushing him and, to the floor and –

Clifton: Um-hm.

Ochoa: And hit SAM in the head.

Clifton: With what?

Ochoa: His hands.

Clifton: Okay, alright was SAM pretty upset?

Ochoa: Yeah he was pretty upset.

Clifton: Okay so you all go across the street and then back to the hotel together?

Ochoa: Yes.

Clifton: And what room were you all staying in?

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Ochoa: 16.

Clifton: Okay so the two of you all go in the room and tell me about that, what happens once you're in the room?

Ochoa: Then you just keep calling to the police.

Clifton: Okay. When did you know the police were outside?

Ochoa: About an hour and a half when they were still outside?

Clifton: Okay so this, you're over at the 7-11 here, just so I understand this right. You all walk back and go in, back into your room together?

Ochoa: Yes.

Clifton: Okay how long after you left the 7-11 that you went back into your room did you realize that the police were outside wanting you all to come outside?

Ochoa: About 15 minutes or 10 minutes.

Clifton: Okay so 10 minutes after you leave 7-11?

Ochoa: Yup, yes.

Clifton: Okay and how did you know the police were outside?

Ochoa: Till they showed up at 7-11 after we left.

Clifton: Okay so how did you know the police showed up over at the 7-11? Did you see the police arrive?

Ochoa: Yes.

Clifton: And where did you see them arrive from?

Ochoa: They were behind the corner, around 7-11 is.

Clifton: So here's the front of the 7-11.

Ochoa: Yes.

Clifton: Where was the police, was there a police car?

Ochoa: Right there.

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Clifton: Okay right in here?

Ochoa: Yes.

Clifton: Okay and how, where were you when you saw this police car?

Ochoa: I was crossing the street.

Clifton: So you all were, so you all were walking back to the hotel?

Ochoa: Yes.

Clifton: When the police arrived?

Ochoa: Yes.

Clifton: Oh okay, so you were aware once you were over here and you and SAM are together when the police arrive?

Ochoa: Yes, yes.

Clifton: Okay, did you see a police officer get out of his car?

Ochoa: No. They just walked over. After they got in- out of their car.

Clifton: And you're saying they, was there more than one police officer?

Ochoa: There's only two.

Clifton: Okay so you saw two.

Ochoa: Just partners.

Clifton: Okay and where did you see these two partners at?

Ochoa: Just heading towards the door.

Clifton: Of the 7-11?

Ochoa: Yes.

Clifton: Okay so you see two police officers walk in the 7-11?

Ochoa: Yes.

Clifton: Okay and where are you and SAM are, where are you all at this point?

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Ochoa: When I was headed back to the motel.

Clifton: You and SAM together?

Ochoa: Yes.

Clifton: Okay and where were you, where were you at when you first saw them? Like here is the road.

Ochoa: So no I was heading back to the uh, the own, the manager's door to get the 'nother key after we locked our key out of our room.

Clifton: Okay so you're over at the manager's office...

Ochoa: ...yes...

Clifton: ...when you see the police officers?

Ochoa: Yes.

Clifton: Is SAM with you there?

Ochoa: Yes.

Clifton: Okay and what does he say or what do you all talk about when you see the police officers?

Ochoa: I was getting the key for the man- from the manager. SAM told him to back off.

Clifton: Told who to back off?

Ochoa: The cops.

Clifton: The cops?

Ochoa: Yes.

Clifton: Okay and so let's, help me understand this because I'm having a hard time, alright. So you're both standing right here?

Ochoa: Um-hm.

Clifton: You said you saw the two police officers...

Ochoa: ...yes...

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Clifton: ...go inside?

Ochoa: Yes.

Clifton: Okay when, do the police officers walk over here?

Ochoa: Yes.

Clifton: How many of 'em?

Ochoa: Just two, just partners.

Clifton: Two? Okay, partners and where were they standing at when they went to talk to the two of you?

Ochoa: When I was going inside to the manager.

Clifton: Okay so where, so look right here. So this the manager's office right here.

Ochoa: Yes.

Clifton: These little X's are kind of supposed to be you and SAM.

Ochoa: Okay.

Clifton: Where were the police officers standing?

Ochoa: Just crossing the street.

Clifton: So how far away did they get to you, the two of you when you, when they talked to you?

Ochoa: Where the car was.

Clifton: Right here?

Ochoa: Yes, the empty parking spot.

Clifton: Put a, put a circle where the two police officers were. Okay, so there's the two police officers?

Ochoa: Yes.

Clifton: And are they talking to you and SAM here?

Ochoa: Yes.

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Clifton: And what are they saying to you and SAM?

Ochoa: Oh man (whisper) Told 'me that, let's talk about it.

Clifton: Okay. About what happened at the 7-11?

Ochoa: Yes.

Clifton: Okay and what, what does SAM tell the police officers there?

Ochoa: That he needs money I guess.

Clifton: That he needs money?

Ochoa: Yeah.

Clifton: Okay and what, tell me more, what else did he say to 'em?

Ochoa: That we need to move or somewhere to get out of state.

Clifton: Okay so he's telling that to the police officers?

Ochoa: Yes.

Clifton: And how far away is he from the police officers at this point?

Ochoa: Not that far.

Clifton: No?

Ochoa: No.

Clifton: Like between you and me or...

Ochoa: ...yes...

Clifton: ...a little further?

Ochoa: Between me and you.

Clifton: Okay so about this distance?

Ochoa: Yes.

Clifton: So about three feet?

Ochoa: Yes.

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Clifton: Okay and is SAM like yelling at the police officers or is he calm talking like me?

Ochoa: He's just yelling at the police.

Clifton: Like angry like yelling?

Ochoa: Told 'em to back off.

Clifton: Back off?

Ochoa: Yes.

Clifton: Okay.

Ochoa: And leave us alone.

Clifton: Did he say anything, did he have a knife out at that point?

Ochoa: No.

Clifton: No?

Ochoa: No.

Clifton: Did he mention having a knife?

Ochoa: No.

Clifton: No?

Ochoa: No.

Clifton: So he's telling the police officers to back off?

Ochoa: Yes.

Clifton: Okay and where are you standing at this point when he's telling the police officers this?

Ochoa: I was back by the manager's door, towards the pop machine was.

Clifton: Yeah and is SAM right next to you?

Ochoa: He was, I was holding the, to the uh, uh, bar handles where the stairs goes up to the manager's office.

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Clifton: And is he, so I've got these two X's here, is he right next to you?

Ochoa: Yes.

Clifton: Is he holding onto you?

Ochoa: Yes.

Clifton: How is he holding onto you?

Ochoa: He was trying to push me and go back to the room.

Clifton: Okay so can you stand up for me and show, don't, don't hurt me.

Ochoa: I know.

Clifton: Alright. How is he pushing you?

Ochoa: He was going like this.

Clifton: Okay, like that – (laugh) that's alright, see I told you, you're strong. So he, he, he's pushing you with that much force?

Ochoa: Yes, yes.

Clifton: And what are the police officers doing at that point?

Ochoa: They just standing there doing nothing.

Clifton: They're just watching this?

Ochoa: Yeah.

Clifton: So, okay so he pushes you?

Ochoa: Yes.

Clifton: And how far, so you're standing right in this general area where he's pushing you back towards your room.

Ochoa: Um-hm, yes.

Clifton: Back here?

Ochoa: Yes.

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Clifton: And does he push you the whole way?

Ochoa: Yes.

Clifton: To the room?

Ochoa: Yes.

Clifton: Like you just showed me?

Ochoa: Yes.

Clifton: You're strong. Alright um, so you all go into the room together?

Ochoa: Yes.

Clifton: And what were the police officers at that, are they just behind at this point?

Ochoa: Yes.

Clifton: Okay and again I want to make sure you're just not saying yes. If, if it's different, I'm just asking you questions, I don't want you, make sure you understand that right?

Ochoa: Okay.

Clifton: I'm not wanting you just to say yes. If it's not right tell me, you need, explain to me.

Ochoa: Uh-huh.

Clifton: Okay, I wasn't there right. Um, Mike wasn't there.

Ochoa: Okay.

Clifton: So that's why, I mean I don't want, just make sure you're just not saying yes.

Ochoa: Okay.

Clifton: Okay is that, so tell me, so he pushes you?

Ochoa: Yes.

Clifton: Okay. All the way into the room? Okay, okay. So tell me about once you all go in the room. Is, well during, as he's pushing you was he saying anything to the police officers?

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Ochoa: Just bring me the money.

Clifton: Bring me the money?

Ochoa: Or a milkshake.

Clifton: Okay. Okay. So you, you all go in the room.

Ochoa: Um-hm.

Clifton: Was the room unlocked when you went in or did you have the key in the door?

Ochoa: We had to, he had to kick the door open because we were waiting for the manager to come out but he was too busy in his bedroom.

Clifton: Okay.

Ochoa: So –

Clifton: So he kicked the door?

Ochoa: Yes.

Clifton: Was the door locked?

Ochoa: It was locked.

Clifton: But so did he boot it?

Ochoa: Yes.

Clifton: And opens it up?

Ochoa: Yup.

Clifton: And then does he push you in at that point?

Ochoa: No I just run in by myself.

Clifton: Okay.

Ochoa: After he did.

Clifton: Okay and was he telling you to get inside?

Ochoa: Yeah, then after that I just took my clothes off and took a hot shower. After that.

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Clifton: Okay so you all go in, so let's back up so I understand this right. So he kicks the door.

Ochoa: Yes.

Clifton: And just so, again so I understand this right. Wh- in ter- I don't want you to kick me.

Ochoa: Okay.

Clifton: But, alright I don't want you to put a hole in the wall but –

Ochoa: Okay.

Clifton: So he kicks the door?

Ochoa: Yes.

Clifton: And forces it open?

Ochoa: Yes.

Clifton: Did it break the door when he did that?

Ochoa: No.

Clifton: It just popped it open?

Ochoa: Yeah.

Clifton: Okay so then you all go in the room and does he, does he shut the door behind him?

Ochoa: Yes.

Clifton: Okay were the police officers running up behind him at that point?

Ochoa: No.

Clifton: You didn't see the police officers?

Ochoa: No.

Clifton: Okay so they could've been coming that way, you just wouldn't have seen 'em?

Ochoa: Yeah.

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Clifton: Okay. So you all go in the room there?

Ochoa: Yup.

Clifton: Okay I had a chance and I'm a terrible artist, just so you know. Uh, so I will do my best, but I got a chance, you know earlier I told you I hadn't gotten a chance to look in the room. So I went over there just so I could see what it looked like. And I'm gonna do my best to draw the room. And again, like I said, with a, give me uh, give me a little grace.

Ochoa: Okay.

Clifton: A little leeway 'cause I'm not very good. But to my best and I only looked at it briefly. So bathroom, kind of the front door right?

Ochoa: Yeah.

Clifton: Is this kind of what it looks like?

Ochoa: Yeah.

Clifton: And this is kind of the whole room.

Ochoa: Yeah.

Clifton: But it kind of goes back here, right?

Ochoa: Yeah.

Clifton: Okay so when you go in the room, so he boots the door.

Ochoa: Yup.

Clifton: Okay and you all go inside, where was the beds?

Ochoa: The bed, one was right here and that other beds was right here.

Clifton: So one of the beds was right here.

Ochoa: Yup.

Clifton: Okay and where was the other one, was it over in this corner?

Ochoa: Yup.

Clifton: Like right in the middle of the wall?

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Ochoa: Yes.

Clifton: Okay and that's how it looked in there when you go in?

Ochoa: Yup.

Clifton: Okay so you all go in and then tell me about that. So after you all go in does he shut the door?

Ochoa: Yes.

Clifton: Okay shuts the door and then what happens after that?

Ochoa: Then he shuts the door.

Clifton: And is it, at this point when he's inside is he really upset at this point now?

Ochoa: Yeah.

Clifton: Because of having to deal with the police and everything?

Ochoa: Yeah.

Clifton: Okay and describe that to me, don't, I don't want you just to say yeah, what is, what is he saying, what is he doing that makes you think he's really upset?

Ochoa: He gets really angry.

Clifton: Yeah? And tell me about that, what does that mean? Like Mike could be a really angry guy but he can be a quiet angry guy or I could be an angry guy and be a real loud angry guy. How does, how does SAM, if he's real angry what does that mean?

Ochoa: He just talks loud.

Clifton: Okay.

Ochoa: He yells.

Clifton: He yells? Okay so that's how he was when he got inside there?

Ochoa: Yeah.

Clifton: And what was he yelling?

Ochoa: I can't remember all of it.

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Clifton: You don't have to remember all of it, but what were some...

Ochoa: ...I'm not good with stories at all.

Clifton: Sure, but what do you remember? What are some things you remember him yelling?

Ochoa: Just having them bring him a milkshake to calm down.

Clifton: For the police?

Ochoa: Yeah.

Clifton: Okay and where was he standing at when he's yelling?

Ochoa: Next to the door.

Clifton: And he's got the door shut?

Ochoa: Yeah.

Clifton: So he's right in this area?

Ochoa: Yup.

Clifton: Okay, does he have the knife out at this point?

Ochoa: No.

Clifton: No? And where are you at, at this point?

Ochoa: I was in the bathroom.

Clifton: You went to the bathroom?

Ochoa: Yeah.

Clifton: Okay and you said you took a shower.

Ochoa: Yup.

Clifton: Okay so you're in the shower and while you're in the shower could you hear him yelling still?

Ochoa: No. After you calmed down, after you smoke a cigarette.

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Clifton: He smoked a cigarette?

Ochoa: Yeah.

Clifton: And calmed down?

Ochoa: Yes.

Clifton: Okay and then what happened after that?

Ochoa: After the, after I got dressed, sit down on the bed, right here. Then I heard a window open from him then after that then the police shot him.

Clifton: Okay. So let's back up though because we talked earlier about things that happened and I know I've talked to you a couple times. I just wanted to make sure we understand this right. So there were things that happened before that.

Ochoa: Okay.

Clifton: Right? That's what you described earlier.

Ochoa: Yeah.

Clifton: So I want to talk about those things in there. At what point did he start putting stuff in front of the door?

Ochoa: About mmm, 15 minutes later.

Clifton: 15 minutes after you all initially came in?

Ochoa: Yes.

Clifton: So were you out of the shower when he started doing that?

Ochoa: Yes.

Clifton: Okay so you said you think you took about a 10 minute shower?

Ochoa: Yes.

Clifton: So let's talk about once you get out of the shower what was going on in there?

Ochoa: He just blocked everything.

Clifton: So you get out of the shower and is he, is he upset again?

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Ochoa: No he just calmed down.

Clifton: Okay but what is he doing? Tell me what, what he's doing at that point.

Ochoa: Just listening to his music.

Clifton: Okay, did he say the police were outside at that point?

Ochoa: Um-hm.

Clifton: Yeah? What did he say?

Ochoa: I'll be cutting my ears off, that's what he said. Cutting his ears off with the knife.

Clifton: And why did he say that?

Ochoa: I don't know.

Clifton: Did he tell you the police are outside still?

Ochoa: Yeah.

Clifton: Okay. And just so I understand this right there's one window that looks out?

Ochoa: Yes.

Clifton: Is it right here?

Ochoa: Yes.

Clifton: So window here?

Ochoa: Yup.

Clifton: Just, and that's the only window on the front?

Ochoa: Yup.

Clifton: And this looks out into the parking lot here?

Ochoa: Yup then there's a, there's a window in the bathroom also.

Clifton: Okay so here's the parking lot. And then there's a window right like in this area?

Ochoa: Yup.

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Clifton: Right. Okay. So he's in here and you come out of the shower and when does he start, what all does he put in front of the door?

Ochoa: The bed, the nightstand and that's it.

Clifton: Where was the nightstand at before he moved?

Ochoa: Next to the fridge.

Clifton: Where was the, where's the fridge?

Ochoa: Was between uh —

Clifton: You can draw it for me, draw it on there.

Ochoa: Oh my God. It was like right here.

Clifton: Below the window?

Ochoa: Yeah.

Clifton: What is that?

Ochoa: By the, next to the TV was.

Clifton: Okay and what, what is that the fridge?

Ochoa: Um-hm.

Clifton: That's the nightstand?

Ochoa: Yeah next to the fridge was.

Clifton: Okay, alright. So kinda right in this area?

Ochoa: Yeah.

Clifton: So he moves, does he move both beds in front of the door?

Ochoa: Just only one big mattress against the door and the other mattress against the window.

Clifton: Oh okay.

Ochoa: Where the second bed was.

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Clifton: Okay so this mattress where does he put, does he put that up against the window?

Ochoa: Yes.

Clifton: And this mattress goes up against the door?

Ochoa: Yes.

Clifton: Okay and why was he doing that?

Ochoa: So they won't come in the room.

Clifton: Who's they?

Ochoa: The police.

Clifton: The police, okay. So was he looking out the window and were you looking out the window? Did you see police officers outside?

Ochoa: No I didn't look out the window.

Clifton: You never did?

Ochoa: No, I just sat on the bed.

Clifton: This bed over here?

Ochoa: Yes.

Clifton: Okay. Alright so you're sitting there and can you hear the police officers outside?

Ochoa: No.

Clifton: No? How did you know the police officers were outside?

Ochoa: They were quiet.

Clifton: Yeah but how did you know that they, earlier you said they wanted you to come outside, you and SAM, how did you know that?

Ochoa: I just be quiet about it. I don't know.

Clifton: But you knew the police were outside?

Ochoa: Yeah.

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Clifton: Was he all upset that the police were there?

Ochoa: Yeah.

Clifton: Was he like looking out the window seeing what the police were doing?

Ochoa: Yeah.

Clifton: Yeah, was he yelling at the police officers? Like to go away?

Ochoa: Yeah.

Clifton: Okay. Alright so then he starts to barricade?

Ochoa: Yup.

Clifton: Okay um, so then tell me, earlier you mentioned that he didn't want to let you leave, that you wanted to leave?

Ochoa: I wanted to go outside.

Clifton: Yeah.

Ochoa: Get some fresh air.

Clifton: And get, get out of that room?

Ochoa: Yeah.

Clifton: And tell me about that, why – he wouldn't let you leave?

Ochoa: He didn't want me to go outside.

Clifton: Yeah?

Ochoa: Yes.

Clifton: And what did he say about that? You can't?

Ochoa: He said no there's too much people out there.

Clifton: Okay and did he threaten you, that something would happen to you if you went out there?

Ochoa: He would hurt me.

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Clifton: Yeah and what did he say? What did he say he'd do if you tried to go outside?

Ochoa: So the police can take me away.

Clifton: Yeah, but did, did, earlier you said he made a comment that if you went out, if you tried to go outside that he'd cut your throat.

Ochoa: Yes.

Clifton: Okay did he, you remember him saying that?

Ochoa: He stopped saying that.

Clifton: Okay but he did say that...

Ochoa: ...yeah...

Clifton: ...while you were in there?

Ochoa: Yes.

Clifton: How many times did he tell you that?

Ochoa: Once.

Clifton: Just one time?

Ochoa: Yeah.

Clifton: Okay, okay. When was he holding the knife in there?

Ochoa: About 20 minutes.

Clifton: 20 minutes?

Ochoa: Yeah.

Clifton: Okay and how was he holding that knife? Was that right after you came in or was that once he realized the police weren't going away or?

Ochoa: Since the police wouldn't go away.

Clifton: Okay so he, he took the knife out? And where had the knife been? Was it in his pocket?

Ochoa: Yeah it was in his hoody pocket.

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Clifton: In his hoody pocket? So he pulls the knife out?

Ochoa: Um-hm.

Clifton: And what is he doing at that point?

Ochoa: Just hang onto it.

Clifton: And what is he saying? Is that when he says he's gonna cut your throat?

Ochoa: He was gonna cut his throat.

Clifton: Okay so he says he's gonna cut his throat?

Ochoa: Yeah and cut his ears off.

Clifton: Okay. Why did he say he was gonna cut his ears off?

Ochoa: I don't know.

Clifton: Okay. And when, when, did he have the knife out when he told you he would cut your throat?

Ochoa: No.

Clifton: No?

Ochoa: Hm-um.

Clifton: Where was the knife at when he told you he'd cut your throat?

Ochoa: It was in the bathroom.

Clifton: It was in...

Ochoa: ...it was on the sink.

Clifton: Okay so when did he put the knife in the bathroom?

Ochoa: About 15 minutes after I had got out of the shower, sitting on the bed, searching Amazon for a cool stuff.

Clifton: Okay and was that after he had been holding the knife?

Ochoa: Um-hm.

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Clifton: And saying he was gonna cut his throat and?

Ochoa: Yeah, cut his ears off.

Clifton: Cut his ears off. Okay so he does that for about 20 minutes, did you think he was gonna hurt himself?

Ochoa: I told him to stop doing it.

Clifton: Yeah, were you scared that he might hurt you at that point?

Ochoa: Yeah.

Clifton: Yeah and why was that?

Ochoa: Because I was afraid.

Clifton: Okay. Did you feel at that point that you could leave the room? (pause) Did you think he, when he had the knife did you feel that you were able, like if you walked to the door and was the stuff in front of the door at that point?

Ochoa: Yeah.

Clifton: So the mattress was blocking the door?

Ochoa: Yeah.

Clifton: Do you think that he would have let you leave at that point?

Ochoa: He won't let me leave.

Clifton: Okay, that's what I'm asking you. So at that point you didn't feel that if you wanted to get up –

Ochoa: Yeah.

Clifton: And say I don't like this he wouldn't have let you go? Is that right?

Ochoa: Yes.

Clifton: Had you tried to do that when he had the knife in his hand?

Ochoa: I tried to leave but the stuff –

Clifton: Was that when he had the knife in his hand?

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Ochoa: Yeah.

Clifton: Do you think he could've possibly stabbed you if you would've tried to leave?

Ochoa: No.

Clifton: You don't think he would've stabbed you?

Ochoa: No.

Clifton: Okay. And why is that? (pause) Because earlier, you just said you were afraid when he had the knife out.

Ochoa: I told him to put the knife down.

Clifton: Yeah and you thought that he might hurt you? Is that right?

Ochoa: Um-hm.

Clifton: Okay so when the door was blocked did you feel that you were able to just get up and leave and he would let you leave?

Ochoa: I told him let me go outside and get some air and he said no.

Clifton: Did he have the knife in his hand at that point?

Ochoa: No.

Clifton: Had he already...

Ochoa: ...he had a cigarette and his phone in his other hand.

Clifton: Okay was that before he put, picked the knife up or after?

Ochoa: After.

Clifton: After, okay. So then the knife, at some point he puts the knife in the bathroom?

Ochoa: Yes.

Clifton: Okay and then tell me what happens, how does he go back into the bathroom?

Ochoa: After he was smoking a cigarette op-open the window, get some air.

Clifton: Um-hm.

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Ochoa: Then he tripped over the towel after I just put the towel down to dry my feet off.

Clifton: Um-hm. Okay so talk about wh-when he's in the bathroom.

Ochoa: He was smoking in there.

Clifton: Okay and at what point did he open, did he open the window?

Ochoa: He opened the window then I heard, I was sitting on the bed, I heard a gunshot.

Clifton: Okay. And, and then what? What did you see then?

Ochoa: And then the police came through the front door and um, open it.

Clifton: Okay. Was there anybody else in the room?

Ochoa: No.

Clifton: No?

Ochoa: Just me and him and my cats.

Clifton: Okay did you touch him or go near him after you heard that gunshot?

Ochoa: No.

Clifton: Okay did you see him?

Ochoa: He was in the bathroom.

Clifton: Yeah.

Ochoa: I was sitting on my bed.

Clifton: Yeah but when you, did you go in after you heard that gunshot did you see him after the gunshot?

Ochoa: No.

Clifton: No?

Ochoa: I just backed up against the wall.

Clifton: Okay, up against what wall?

Ochoa: The, right here.

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Clifton: Right in here?

Ochoa: Yes.

Clifton: Okay, so you never went into the bathroom?

Ochoa: No.

Clifton: Okay. Um, what is the highest grade you completed?

Ochoa: 12th grade.

Clifton: 12th grade?

Ochoa: Yup.

Clifton: Did you graduate from high school?

Ochoa: Yup.

Clifton: And what high school did you go to?

Ochoa: Rex Putnam.

Clifton: Okay and what year did you graduate?

Ochoa: 2007.

Clifton: Okay. Okay. And you got a diploma?

Ochoa: Yup.

Clifton: Okay. You're able to read and write okay?

Ochoa: Yup.

Clifton: Okay. Uh, SAM, is he using any drugs or anything like that?

Ochoa: No just only weed and cigarettes.

Clifton: Okay and does he have any mental illness or anything like that...

Ochoa: ...no...

Clifton: ...that you're aware of? Okay. Alright, I'm looking at your forehead.

Ochoa: Um-hm.

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Clifton: You kind of have some little scrapes.

Ochoa: It's just only uh, zits. Or scabs.

Clifton: Can you pull your head ba- hair back for me, okay that's not?

Ochoa: No.

Clifton: Did he ha- ha- when he was pushing you today into the room did he hurt you at all?

Ochoa: No.

Clifton: Or anything like that?

Ochoa: No.

Clifton: Okay. You overhead him make the phone calls to 9-1-1?

Ochoa: Um-hm, yeah.

Clifton: When the police were outside and what, what was he saying? What was your take on that? He asked for money?

Ochoa: He just asked for money.

Clifton: Yeah? And why? Did he, did you all talk about you, did he treat you like you were a hostage?

Ochoa: No.

Clifton: No?

Ochoa: No.

Clifton: So why did, what was he asking for money for?

Ochoa: So we can start our new lives together. To get out of the state, it's crappy and stupid.

Clifton: Yeah, did he think the police were just gonna go away today? Yeah, why is that?

Ochoa: I don't know.

Clifton: Yeah. Has he ever hurt you before?

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Ochoa: No.

Clifton: No? Today why, why do you think, have you ever seen him pull a knife on anybody before?

Ochoa: No.

Clifton: No? How about you, has he ever pulled a knife on you?

Ochoa: No.

Clifton: So when he had that knife, holding it, you said about 20 minutes what, was he walking around like upset in the hotel room?

Ochoa: No.

Clifton: What was he doing?

Ochoa: Just walking the mo- inside of the motel calming down.

Clifton: Why'd he have the knife out?

Ochoa: To protect me.

Clifton: Protect you?

Ochoa: Away from uh, strange people out there.

Clifton: Okay and who was that?

Ochoa: Like tweakers.

Clifton: Okay, when the police were outside and you all knew the police were there why didn't he just go outside? Did he say?

Ochoa: He didn't say.

Clifton: Yeah he just didn't want to go out there?

Ochoa: Um-hm.

Clifton: Okay. Alright um, Mike?

Jones: [REDACTED]

Ochoa: Yes.

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Jones: [REDACTED]

Ochoa: Yes.

Jones: [REDACTED]

Ochoa: Yes.

Jones: [REDACTED]

Ochoa: Uh, I don't know it.

Jones: [REDACTED]

Ochoa: No.

Jones: No, okay what about SAM's disability? Do you know anything about that?

Ochoa: I don't know his disability.

Jones: No, okay. [REDACTED]

Ochoa: No.

Jones: [REDACTED]

Ochoa: No.

Jones: No, are you supposed to?

Ochoa: No.

Jones: [REDACTED]

Ochoa: [REDACTED]

Jones: [REDACTED]

Ochoa: [REDACTED]

Jones: Okay. So you said you were searching Amazon during some of this stuff after you took a shower?

Ochoa: Um-hm.

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Jones: Where, you were sitting on the bed doing that?

Ochoa: Yeah.

Jones: What were you using to search? Like on a computer or your phone?

Ochoa: No on my phone.

Jones: On this phone here?

Ochoa: Yeah.

Jones: Okay, cool. Um, so I, I thought earlier when we talked to you in the police car that you said you saw, after you heard the shot and like SAM tripped over the towel.

Ochoa: Yeah.

Jones: And you saw blood coming out of his head.

Ochoa: Yeah.

Jones: Okay but didn't you just tell us a little bit ago you didn't see him after you heard the shot?

Ochoa: Hm-um.

Jones: So I, I'm confused. Did you see him after you heard the gunshot?

Ochoa: I looked inside the window, not in the bathroom. I looked my head towards the window then I heard the gunshot.

Jones: Okay so before you heard the gunshot you looked...

Ochoa: ...in the window...

Jones: ...at this window?

Ochoa: Yeah.

Jones: And where was SAM at?

Ochoa: Standing next to the bathroom sink was.

Jones: Okay so he's kind of, so the window's open.

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Ochoa: Yeah.

Jones: And SAM's by the, standing by the bathroom sink.

Ochoa: Yeah.

Jones: And where are you at that you can see out the window?

Ochoa: I was next to the bed, right here.

Jones: Oh I thought you said you could see out the window.

Ochoa: No I was standing like right here.

Jones: So you can't, could you see SAM?

Ochoa: No.

Jones: Okay so what, at what point did you, did you look out the window at some point? Out the bathroom window, did you look outside? Out the bathroom window?

Ochoa: I looked outside and see if it's gonna be sunny or raining today so I can go take a walk.

Jones: Okay was that before or after the gunshot?

Ochoa: After.

Jones: After the gunshot you looked out the window?

Ochoa: Yes.

Jones: Okay, did you see anything out there?

Ochoa: See if it's gonna rain today.

Jones: Okay. Did you see any people or anything out there?

Ochoa: No.

Jones: And that's after SAM, after you heard the gunshot.

Ochoa: Um-hm.

Jones: And after you heard the gunshot where was SAM?

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Ochoa: Still in the bathroom.

Jones: Like on the ground or?

Ochoa: Um-hm.

Jones: Okay.

Ochoa: He just fell on the ground.

Jones: And then you came over and looked out?

Ochoa: I was, a little, I don't know.

Jones: Okay. Um, and then can, can I look at your leg real quick? On the side, I thought I saw like little scratches or something. Can I take a picture of those?

Ochoa: Yeah.

Clifton: What are those from?

Ochoa: From the gunshot I think.

Jones: Glass maybe?

Ochoa: Probably yeah.

Jones: Okay.

Ochoa: [REDACTED]

Clifton: Oh when they, was this window here?

Ochoa: Yeah.

Clifton: When they came in through this door here where were you standing?

Ochoa: Right here next to the bed.

Clifton: Oh okay.

Ochoa: Where the bathroom door, or the –

Jones: Can I do that again real quick?

Ochoa: Yeah.

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Jones: That cool scale thing.

Clifton: Yeah just do this.

Jones: Like this – (unintelligible) (pause)

Clifton: Alright.

Jones: So you think, so did, did the glass, did some glass hit you?

Ochoa: Probably so, yeah.

Jones: Um-hm, okay.

Ochoa: [REDACTED]

Jones: [REDACTED]

Ochoa: Yeah.

Jones: Okay.

Ochoa: And I had cats in there under the bed.

Jones: Yeah. It usually just scares 'em, it doesn't hurt 'em.

Ochoa: Yeah.

Jones: So where were you at when, [REDACTED]

Ochoa: I was standing against the wall.

Jones: Against the wall.

Ochoa: Yeah.

Jones: Outside of the bathroom or inside the bathroom?

Ochoa: Outside the bathroom.

Jones: Outside the bathroom.

Ochoa: Where the other window is next to the second bed was.

Jones: Okay.

Clifton: there's another window?

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Ochoa: Yeah there's two, two windows.

Clifton: The bathroom window and this window.

Ochoa: There's a window by the door.

Clifton: Um-hm.

Ochoa: And there's another window above the bed.

Clifton: Oh there is one back here too?

Ochoa: Yes.

Clifton: Oh okay, see I didn't know that. Oh okay.

Jones: You don't have any other little nicks or cuts on your arms anywhere?

Ochoa: No, no.

Jones: Okay can I see the top sides?

Ochoa: Except for that from my cats and that was it.

Jones: A little one, okay. So in the 7-11 did, did SAM, you told us earlier he like kind of pointed the knife at the guy...

Ochoa: ...um-hm...

Jones: ...and told him to get back.

Ochoa: Yeah.

Jones: Did, did the guy take the knife out of SAM's hand or did he like block it or punch it?

Ochoa: Just block it.

Jones: Because SAM tried to stab him?

Ochoa: Yeah.

Jones: Did you see SAM try to stab the guy?

Ochoa: Um-hm, because I was in, in line in front of him see if I can go first.

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Jones: Uh-huh. So, so where abouts on the guy's body did SAM try to stab him?

Ochoa: Around his stomach.

Jones: His stomach and the guy blocked the knife?

Ochoa: Yeah.

Jones: And then what happened?

Ochoa: Then he just kept on fighting with him.

Jones: Okay but what happened to the knife?

Ochoa: It dropped on the floor.

Jones: Okay and then they kept fighting?

Ochoa: Yup.

Jones: Okay and then what happened when they kind of got done fighting?

Ochoa: Then we just walked out.

Jones: Walked out, did SAM have the knife then?

Ochoa: He had it in his pocket.

Jones: Okay.

Ochoa: The entire time.

Jones: What did SAM do when the knife got knocked out of his hand and fell on the ground?

Ochoa: Then he pick it back up.

Jones: He picked it back up, okay. Do you think he stabbed the guy?

Ochoa: Probably not.

Jones: Probably not, but he tried? Okay. That's all I had.

Clifton: Um, so when you're in that room after all this has happened, SAM's pretty upset about what happened at the 7-11.

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Ochoa: Yeah.

Clifton: Okay and we talked earlier and he didn't want you to go outside.

Ochoa: Yeah.

Clifton: Okay and earlier you said you didn't feel that you were free to go outside? Is that right?

Ochoa: Um-hm.

Clifton: Yeah? Did you think SAM might hurt you? Was SAM different today than he normally was?

Ochoa: He was. He just smokes weed to calm down.

Clifton: No I know but I'm, what I'm saying is we all have days where we're not ourselves.

Ochoa: Yeah.

Clifton: Was that one of those days for SAM?

Ochoa: Yeah.

Clifton: 'Cause what you're describing in his past that he necessarily wasn't, didn't act like this, so was he having a bad day?

Ochoa: Yeah he just had a bad day.

Clifton: Yeah. Do you think he could've hurt you today? Yeah. Were you scared he was gonna stab you? Is that a yes?

Ochoa: Yeah.

Clifton: Okay. Alright so what I, what I think we're gonna do, you, you've been through, it's been a long day. Um, I think we're gonna be done here for now.

Ochoa: Mm.

Clifton: We're gonna get you a ride.

Ochoa: Okay.

Clifton: Uh, back to the hotel.

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Ochoa: Okay.

Clifton: Uh, try to get you some, get, maybe get you to another hotel.

Ochoa: Okay.

Clifton: And then work on get, you getting some of your property.

Ochoa: Okay.

Clifton: Okay, we're still gonna be there for a while.

Ochoa: Okay.

Clifton: Um, and I, and I think that's it for now. Alright?

Ochoa: Yup.

Clifton: Okay.

Jones: Yeah, where does SAM get his, his marijuana from?

Ochoa: Uh, the dispensary.

Jones: Dispensary.

Ochoa: Yeah, he doesn't have ID I just go get it for him.

Jones: Okay so he didn't get it from anybody else?

Ochoa: No.

Jones: Just the dispensary, okay.

Clifton: Alright let's go ahead and walk back, I'm gonna put you back in that uh –

Ochoa: Okay.

Clifton: Your, our room, you can sit on the couch.

Ochoa: Okay.

Clifton: And then we'll get going.

Jones: Do you need, do you need another water or are you okay with that?

Ochoa: I'm good with water for now.

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Jones: Okay, you want that snack bag?

Ochoa: No.

Jones: Alright.

Clifton: Alright, come on.

Ochoa: Can I take this with me?

Jones: Uh, Brad?

Clifton: Uh, yes just do me a favor.

Ochoa: Okay.

Clifton: Yeah if you're gonna make a, yeah just come here.

Ochoa: I'm gonna search on Google.

Clifton: Okay.

(voices fading)

Transcribed Verbatim with Punctuation Added 101818 / 2010 T. Bradshaw *gb*

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IMAGE ATTACHMENT (2763227) INTERVIEW WITH LT JAY BATES 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

October 10, 2018

**Interview with
Lieutenant JAY BATES
TAPED STATEMENT TRANSCRIPTION**

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McDaniel: This is Detective Eric McDaniel with the Cold Case Homicide Unit, DPST 41372 conducting a uh, officer involved shooting interview with regards to the Del Rancho on 101018. Um, the interview is going to be with a Lieutenant JAY BATES, and uh I'm gonna have everybody introduce themselves in the room, start with you.

Morgan: Uh, Lieutenant Craig Morgan I'm here as a union rep, uh the PPCOA President.

Bates: Lieutenant JAY BATES.

McCormick: Detective Dave McCormick 28717.

McDaniel: And we are in the uh, the old uh, small conference room at North Precinct. Now the DCT office. So my understanding is, Lieutenant that you uh, heard something on the radio, um, from the command post that is, pertinent to the investigation today. Is that, would you mind just starting with, what you, know of, or remember from this incident?

Bates: Uh so it, it was actually, the negotiation between um the uh, decedent now, and the negotiator, is what I he-, is what I heard. And then just relayed that to, the negotiation sergeant.

McDaniel: Okay.

Bates: Um, and I, it, the reason why I think it was pertinent is because the negotiators were trying to pick back up um, to get him back on the phone, and I think they had missed what he had said. So I had relayed, hey I just heard this, and the SERT intel, uh operator that was next to me, which was uh, Officer JON DALBERG, was like I heard the exact same thing JAY heard. So we had relayed to, um, Sergeant STEINBRONN is who it was, what we had just heard uh during the negotiation conversation between the two, so.

McDaniel: Okay and that's between, whose, whose doing the ne-negotiation with the decedent?

Bates: Um, that was uh BENSON WEINBERGER.

McDaniel: Okay, and so, is this um, I assume phone to phone then?

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Bates: It was phone to phone. We had uh, uh, started making uh, phone contact um, and I don't know which cell phone we were talking on, we were calling both cell phones...

McDaniel: Okay.

Bates: Um, there were two cell phones associated with that, particular room and we were making phone calls into there. I don't know which one we were talking to, um, to him on, but that's what the conversation was, that I was overhearing.

McDaniel: And are the, i-is that conversation recorded?

Bates: It is recorded.

McDaniel: Okay. So what is it that you heard?

Bates: Um so, it, it was scratchy at times and he would, it sounded like he was walking away from the phone, um, and I didn't hear the first part very well but I heard like a, almost like what I thought was fuck off, but then I heard a very clear, I'm gonna cut her throat. And so, I'm like, did, did I just hear, I'm gonna cut her throat? And DALBERG's like yeah that's exactly what I just heard. Uh, I heard uh fuck off or I'm gonna cut her throat.

McDaniel: Okay.

Bates: So we told, STEINBRONN that exact thing and he's like, he asked the negotiators and they're like, that's not what we, we didn't hear that. Um, but STEINBRONN's like you guys are, are certain that's what was said? And we're like yeah we're certain, that's, that was, what was said.

McDaniel: And then did STEINBRONN pass that info to anybody?

Bates: He broadcast that over the CNT net, to the CNT um, Lieutenant of, of the, of the incident which was Lieutenant Lindsey...

McDaniel: Okay.

Bates: ...uh for that incident.

McDaniel: And how, how does that work were the uh, would the SERT operators hear that broadcast or do they need to hear it from Lindsey?

Bates: Um, no the SERT operators would not hear that, so...

McDaniel: Okay.

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Bates: ...we're, it's kind of an interesting dynamic right now, just so I can kind of explain...

McDaniel: Sure.

Bates: ...it, so um, [REDACTED]
[REDACTED] Um, and that's the way, things would be, set up.
[REDACTED]
[REDACTED] And then, that typically would, I would be in that same role as, as LINDSEY but now I'm kind of a third wheel so, I'm trying to learn as much as I can. [REDACTED]
[REDACTED] um and see what I can, learn from that process.

McDaniel: Right.

Bates: Um, so that's kind of how I was in that particular role, but what will happen is, [REDACTED] which is a specific Sergeant, there's the intel Sergeant, um and that was TROY KING on this...

McDaniel: Right.

Bates: ...incident, so, RICH was the um negotiations Sergeant, and then TROY KING was the intel Sergeant, so RICH is, I'm, RICH STEINBRONN is broadcasting that to LINDSEY, LINDSEY [REDACTED]
[REDACTED] and that side, the SERT operators, and I'm not sure on this...

McDaniel: Right.

Bates: ...I don't know if, if they're hearing that or not. But I know that that's going to, uh Lieutenant DAKIN. I don't know what they overhear, 'cause I'm not...

McDaniel: That's just the way...

Bates: ...that's...

McDaniel: ...it's supposed to work.

Bates: ...that's yeah.

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McDaniel: Okay. [REDACTED] Like do you have KING, STEINBRONN and the SERT?

Bates: No. [REDACTED]

McDaniel: To, which would be DAKIN in this case. Or...

Bates: Would be DAKIN, or PIERCE um.

McDaniel: Do you know if, who was in that role, today, for SERT?

Bates: I know DAKIN was the um, Lieutenant for SERT today for purposes of command.

McDaniel: [REDACTED]

Bates: Uh, DALBERG was, was doing it inside. [REDACTED]

McDaniel: Okay...

Bates: ...yeah.

McDaniel: ...okay. And did, and did you hear DALBERG get on the radio?

Bates: I did not.

McDaniel: Okay, okay. Um, and you look, look like you had something.

McCormick: I think maybe a diagram, maybe it would make things a little clearer by, based on who and what in a connective of where and where they were and, you, you okay with that?

McDaniel: It...

McCormick: ...too much.

McDaniel: ...tough, it'd be more like a linkage chart probably than a dia-yeah I see where you're getting at, but I think, I think with it being recorded we can, get through it. Unless you feel like it, you can explain it on paper.

Bates: Um I mean I, I'm happy to draw it out if that, helps you guys out, I don't...

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McDaniel: I could see where it would benefit us, 'cause we're, we're not experienced with what you're talking about...

Bates: Yeah.

McDaniel: ...but if it's something that's uh, difficult to explain on paper, like a flow chart then...

Bates: Um-hm.

McDaniel: ...yeah I feel like, we've got it, yeah I've got it in my head. [REDACTED]

Bates: Yeah and I, and I, I don't want, the only reason I he-would be hesitant of drawing it out, and I dont have a problem drawing it out for this particular incident, I would just say that incident by incident could change...

McDaniel: Sure.

Bates: ...right, 'cause of the rule, whoever, you know, how many people you have in an incident, what roles need to be filled etcetera so...

McDaniel: Yeah.

Bates: ...this.

McCormick: And we are just talking specifically this incident...

Bates: Yeah.

McCormick: ...I'm not worried about the generic model.

Bates: Yep.

McCormick: Just an idea. But whatever you wanna do.

McDaniel: If, if you're comfortable and, then, yeah I, it wouldn't, probably be a help to us.

Bates: Okay.

McDaniel: Yeah.

Morgan: [REDACTED]

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McCormick: Who reports and broadcasts...

Morgan: ...looked like, basically?

McCormick: ...to where. Right, so, so you, you heard uh yourself Lieutenant, and you're with DALBERG and you, you both conferred and heard that...

Bates: It, no and so, that's that's what I'm trying to say is, that's not a typical set up. So, typically

[REDACTED]

[REDACTED] So their job is to just talk to the person, [REDACTED]

[REDACTED]
And it's the Sergeants job to, to process all of this and broadcast that. So DALBERG and myself were kind of like, extras today. And we're just an extra set of ears to listen. Um, again, I'm new to this, and um, I, from what I understand is um, E-ELIZABETH or um, GARRISON, why am I drawing a name...

McDaniel: ELEZABETH yeah.

Bates: ...ELEZABETH...

Morgan: Yeah.

Bate: ...um she will typically be where I was standing, listening to the negotiation as well, to give her professional um...

McDaniel: Yeah.

Bates: ...uh perspective on what she's hearing, so, this instance. Which is why I was a little hesitant to kinda like draw this out is, this wasn't like a normal one.

McDaniel: Sure.

Bates: So really this one was just me being an extra set of ears. So, I think they were trying to, get him back on the phone, and we just happened to be like, you, did you guys just hear that? And they were like hear what? And I'm like, you know, he just said that he was gonna cut her throat, and DALBERG's yeah that's what I heard too. So that's, that's why it's a little different on this one...

McDaniel: Right.

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Bates: Um, and then RICH was like, you know, that's, you're sure what, that's what you guys heard? And yeah we're sure that's what we, what we just heard. So that's when RICH broadcast that. So RICH is...

McCormick: Okay that helps.

McDaniel: Yeah.

Bates: Okay.

McCormick: The, the piece that I would just like to follow up on, if you don't mind, is, RICH broadcast's on his net of responsibility...

Bates: Correct.

McCormick: ...and then, uh, DALBERG transmits on his net of...

Bates: Correct.

McCormick: ...net of responsibility. So, I just want to follow both of those...

Bates: Yep.

McCormick: ...nets for a moment. So let's talk first about RICH's net.

Bates: 'Kay.

McCormick: Who's he talking to?

Bates: He is talking to whoever [REDACTED] at that particular incident...

McCormick: And who is that today?

Bates: ...so this was, this was LINDSEY...

McCormick: Okay.

Bates: .. [REDACTED]

McCormick: Is that a closed net? Who else is listening?

Bates: Uh, no. It is not a closed net. [REDACTED]

McCormick: Okay. And that's as far as that goes? To NAK, to ART NAKAMURA.

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Bates:

[REDACTED]

McCormick: Certainly.

Bates:

[REDACTED]

McCormick: Um-hm.

Bates: ...you're telling him, everything from an operations SERT side...

McCormick: Got it.

Bates:

[REDACTED]

McCormick: [REDACTED] That's the back and forth?

Bates: You can overhear it...

McCormick: Got it.

Bates: ...when you're in the...

McCormick: But not intentionally.

Bates: ...in, you're not intentionally but we're both sitting in the, in the vehicle together we both have each others nets on. We both can, you know and if, if we're both talking, if there's both getting radio broadcast at the exact same time, you're probably not going to hear as much 'cause you're concentrating on your net. But often times it's, my net's not talking, your net's talking, I can hear what's going on on your side. And that's in the command vehicle. That's not where I was today, but I'm just giving you that so that you understand that.

McCormick: Understood. Alright so we've chased uh, Sergeant STEINBRONN's channel of communication, now let's just follow up on DALBERG's channel.

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Bates: And I don't know that I'm the right person to talk about that, honestly.

McCormick: Then if you don't know, you don't know...

Bates: Yeah, I mean...

McCormick: ...I'm just curious what you know.

Bates: ...I, I, and I would be, I think it just goes right to DAKIN but I'm not positive...

McCormick: Sure.

Bates: So I, I would say that I'd have to defer to, to them. 'Cause I don't really know that side of the house.

McCormick: Okay.

McDaniel: 

Bates: Yes.

McCormick: Okay.

McDaniel: Um, what's, what's your opinion as to why that was missed by the negotiator?

Bates: Um, it was really, he was, he was very, um, uh, the initial conversations were very all over the place I mean he was just rambling, saying strange things. And I think they were trying to like settle him down, try to, and I think they were concentrating on that. Um, and he kept walking like away from the phone, or at least, you know, um the, the volume of his voice was, appeared to be either he was holding the phone away or he was walking away from it, or...

McDaniel: Right.

Bates: ...whatever it was. So they were trying to get him back on. And I don't think they were, they were like, trying to talk, you know how it is when you're on a phone...

McDaniel: Yeah.

Bates: ...you're trying to talk and you're not necessarily hearing what they're saying on the other...

McDaniel: Right.

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Bates: ...on the other side. 'Cause you're, you're hearing your voice go over and you're not necessarily hearing their, their side of it. So...

McDaniel: Gotcha, yeah, absolutely. Um, I'm just curious, and you might not know the answer to this, are they, when you tell them what you heard, are they able to play that back right away?

Bates: They can play it back.

McDaniel: Was it? As far as you know.

Bates: We did play it back, we played it back afterwards. Um...

McDaniel: After...

Bates: ...after the, after they said that a sniper shot had been taken, we played it back to hear if, what we heard. And, you know we did verify that is...

McDaniel: And that's what you heard, correct.

Bates: We heard correct.

McDaniel: And how long from, you, telling STEINBRONN that you heard that comment on the phone to you hearing the shot?

Bates: I didn't hear the shot.

McDaniel: Okay.

Bates: I didn't hear it, um...

McDaniel: Well, that's true 'cause you're back, you're back a block or two I'm guessing.

Bates: And I had headphones on...

McDaniel: Gotcha.

Bates: ...um...

McDaniel: D-do you have a guess just as far as you being told that the shot was taken, or anything like that? How...

Bates: It seemed really fast to me.

McDaniel: Yeah.

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Bates: Um, it, it seemed within, a minute or two, that that happened.

McDaniel: Oh. You got anything else?

Bates: I don't think I do.

McDaniel: I'll wait for DAVE he may.

McCormick: No. We're good.

Morgan: Just one real quick...

McCormick: Yeah yeah sure.

Morgan: ...it's just, it came up actually in the other interview with the other Lieutenant.

McCormick: Sure.

Morgan: Um, uh, and just to be really clear, I, I, at no point did you, uh, in receipt of that information turn that into, you didn't give an order to SERT to shoot, you didn't provide instruction to them to employ deadly force. Nothing, nothing even, in that arena, correct?

Bates: I did not.

Morgan: Okay. I just wanted to be clear about that.

McDaniel: Just passing intel to the necessary people.

Morgan: Exactly.

McDaniel: Okay. Are you good LT, you got anything you wanna add?

Bates: I don't think so.

McDaniel: Okay. And it's uh about 1530 hours and we'll go ahead and uh, turn these off.

(Recording ends)

Transcribed Verbatim with Punctuation Added 101118 / 0800, M. Connolly *mc*

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IMAGE ATTACHMENT (2772679) INTERVIEW WITH SGT PETE MCCONNELL 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

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**Interview with
Sergeant PETE McCONNELL**

TAPED STATEMENT TRANSCRIPTION

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Dolbey: Okay this is Detective Dolbey. We're at North Precinct, today is October the 10th. Uh, we are here to discuss the incident that occurred at 7622 SE 82nd Avenue. It evolved around room 16 of the Del Rancho Motel uh, again which is located on SE 82nd Avenue. Present in the room with me is Detective Sharp uh, Sergeant McCONNELL, Mr. Walters, Officer Walters representing as a union represent, representing um, Sergeant McCONNELL and if you would just go around the room and please acknowledge that this conversation is being recorded and give me your name and DPSST number please.

McConnell: Uh, my name is PETE McCONNELL, M-C-C-O-N-N-E-L-L, I'm a sergeant uh, with SERT. Uh, BPST 28715 and I acknowledge this is being recorded.

Walters: Jason Walters, 33522, PPA rep and I acknowledge this is being recorded.

Sharp: And Detective Jeff Sharp uh, number 34582 and yes I know this is being recorded.

Dolbey: And again Detective Dolbey, 29984. Okay Sergeant McCONNELL if you will just uh, begin by giving us an overview of what you were doing this morning that led to this call.

McConnell: Uh, this morning I was working uh, as a member of SERT. Uh, we had been executing uh, two search warrants for a um, [REDACTED] We were just finishing up executing our second search warrant uh, at approximately 9:30, give or take. Uh, when uh, myself and Sergeant DON LIVINGSTON received a page from dispatch for a SERT sergeant consult. Uh, with instructions to call Sergeant KYLE NICE of East Precinct. Uh, Sergeant LIVINGSTON was uh, actively involved in the clear of the house at our search warrant so he asked me to contact Sergeant NICE, which I did.

Dolbey: Okay.

McConnell: Op, sorry do you want me to expand a little bit?

Dolbey: Yeah, yeah. Um, so you get on the phone with uh, Sergeant NICE, as you said and what's the conversation you have with him?

McConnell: Uh, so that page came out at 9:19 uh, in the morning. Uh, I called Sergeant NICE back, I told him it was Sergeant McCONNELL calling. He told me that he wanted to give me the heads up that uh, there was a potential hostage situation in

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East Precinct where a uh, male with a knife had grabbed a female and retreated into a hotel room. Uh, he didn't have much more information than that, it sounded like he was still enroute to the call. Um, I told him that we were actively finishing up a warrant and that we could be there shortly if he wanted to activate us. Um, and he said he would uh, let me know on that and then proceeded to the call. That ended our conversation. Uh, so based on the information that he gave me uh, being a uh, kind of high level um, high uh, danger to life event I let Sergeant LIVINGSTON know. Um, we had actually cleared our inner perimeter officers, that they could pull back from their responsibilities of the warrant so I uh, we had left our big equipment van at the precinct so I asked for one of them to head to the precinct to get the van and start heading this way and we started rearranging our equipment so that we could leave the search warrant quickly and head out uh, to that area and stage close by in case we, we were needed. Uh, and or activated I guess I should say, to respond to the scene.

Dolbey: Okay and was your team that you'd just described, you know getting the extra equipment, were you able to set up uh, or before this became a full call-out?

McConnell: Yes. So um, we essentially uh, loaded up in our two pieces of armor. Um, and uh, we uh, started going out uh, Killingsworth and decided to take I-205 to Johnson Creek and that would put us close to the scene. Uh, but at this point we still had not officially been activated so our plan was to stage um, in one of the business lots there um, until we were officially activated. Um, uh, Sergeant LIVINGSTON and I talked via phone and, and he was making arrangements with command as that was going on. Um, as we're enroute um, a dispatcher came up on our net which is different than the precinct net and we were monitoring uh, what's called [REDACTED] And the dispatcher gave a synopsis of the call. Um, somewhere in there, there had been information that possibly prior to taking this uh, woman into the hotel room at knife point that the individual had stabbed someone at a business somewhere else in the area. At least that was the information that we received while we were enroute to Johnson Creek. Um, I learned that CNT, at least my belief was they had been activated and I heard someone from CNT uh, which I kind of thought was uh, Sergeant TROY KING but it might've been uh, Lieutenant NAKAMURA um, but in any case um, someone was kind of asking a clarifying question that, you know CNT had been activated but SERT had not been activated yet. It seemed like they were working through getting SERT activated. Um, right about the time we arrived at Johnson Creek um, we'd secured a staging area or planned a staging area. I believe it was DON LIVINGSTON got on the radio and said we've now been officially activated and so we just proceeded uh, north on 82nd. Uh, I got on my phone and looked for kind of the closest area we could get to without being in sight of the area we were going which was the Del Rancho Motel at 7622 SE 82nd. Um, and I gave instruction to uh, Detective BILLY WINTERS who was driving the bear cat at the time, where to stop. Uh, DON advised me via radio and later uh, via face

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that uh, he had already put together a, [REDACTED] uh, with the members of SERT in his piece of armor and they had a plan to, to move up closer to where they needed to be to deal with the situation if the need arose. Uh, so my role in this was to organize the IP or inner perimeter and get them positioned during the event.

Dolbey: Okay so when you stop are you in visual contact with Sergeant LIVINGSTON's team or not?

McConnell: Uh, we stopped uh, I stop- or the bear cat stopped and the bear truck, where Sergeant LIVINGSTON was, was right behind me. Um, we uh, needed to get permission from the IC to deploy. So DON and I talked very briefly. I told him I was gonna run the IP, he said he was gonna move forward and uh, talk to the IC. At that point I realized I'd like to deploy my folks I really need to know where the problem is so I just went up with him. Um, we kind of got separated in the parking lot.

The Del Rancho Motel basically has two buildings in it that run uh, east and west and when I came into the parking lot um, uh, I saw uniform officers kind of in front of the northern building focused on the building to the south. So um, I saw DON uh, go up and meet with um, I believe it was Sergeant NICE who was the IC at this point in time. Uh, I kind of got the lay of the land. I talked to uniform officer. Uh, 'cause at this point while I knew it was the Del Rancho Motel, even though it might've been broadcast I didn't realize which uh, room it was. Uh, so I had a brief conversation, I believe it was with othe- Officer HIGGINBOTHAM and learned it was unit 16 where the male had retreated with the female at knifepoint and I, I learned where 16 was. I put eyes on it.

Um, I got a brief description of the suspect from um, Officer HIGGINBOTHAM. Uh, I put some of that description out, I think I uh, in the confusion I'd forgotten the clothing description. But I gave, over the radio, just a brief description of a white male, 6'3"-ish, 230-ish pounds. Uh, I think I said um, bald uh, bald head was in 16 with the female. And then once I had an understanding of uh, what the problem was or where the location was I went back around the corner to the front of the motel and started looking at the resources I had as the inner perimeter sergeant.

Uh, the only uh, inner perimeter officer that I had initially was Officer CHRIS GRYPHON um, who I directed to go off of what we would call side one or the front door side of room 16. Um, I called him up to the front of the motel, I told him where 16 was, I pointed him that way. I basically direct him to get directly off of um, the front door and front window of unit 16 um, and take a position that he felt was safe and I would get him a partner when I could. Uh, because he had a, uh, the correct (unintelligible) system. He had a, a scope on his rifle um, and

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had the right, right tools for that job. Um, ultimately I saw what we call our [REDACTED]

[REDACTED] Uh, I saw that Officer CHARLIE ASHEIM was part of that and he is assigned to the IP and there were still unassigned, what we would call entry folks from my piece of armor that didn't have a job so I, I brought two of those up. It was Officer AARON SPARLING and I think Detective TODD GRADWAHL and uh, briefly talked to Sergeant FRANKUS. Replaced uh, CHARLIE ASHEIM with those two officers and put CHARLIE with um, Officer CHRIS GRYPHON.

Um, as I was going on uh, I met with the manager [REDACTED]

[REDACTED] I
[REDACTED] Um, in case the officers uh, wanted to go in there to stay out of sight. Um, Sergeant FRANKUS told me that he wanted [REDACTED]

Um, other IP members arrive um, uh, two that got there were Officer KELLY VANBLOCKLAND and Officer LEO HARRIS. Um, I directed them to uh, well let me back up before that. Um, at some point in time we needed to get just eyes on side three and so Officer TIM HOERAUF and Officer, I can't remember who was with him at the moment but uh, I directed him to get eyes on side three. Uh, which they did um, by going through the manager's office and staying at the western end of the building so they're looking back eastbound. So if something or someone were to come out of unit 16 into the short grassy alleyway between the south side of the building and the fence line at the south side of the property they would see it but they couldn't see in the windows into unit 16 if that makes sense.

Ultimately that position that I'm talking about, that ended up being Officer TIM HOERAUF, Officer CHARLIE ASHEIM and K-9 Officer BEN DAVIDSON. So I knew they were there and had containment on side three. Um –

Sharp: And what does side three mean?

McConnell: [REDACTED]

Dolbey: ...I'm sorry, would that be on the south side of the building? In this case?

McConnell: Yes this would be on the south side of the building.

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Dolbey: Okay, side three is on the south side, got it.

McConnell: Yes. Um, so now I had IP coverage um, on side one um, that was Officer CHRIS GRYPHON um, somewhere in this Officer JUSTIN THURMAN had arrived and he's on the IP so I directed him to go to side one with Officer CHRIS GRYPHON and ki- K-9 Officer GORE was already up at side one and so he was with their position. So once those officers were there uniform officers started backing out. Um, Sergeant DERRICK FOXWORTH arrived, he's on the IP. Um, I initially asked him to take two operators and a K-9 and go to the eastern part of uh, the um, parking lot as kind of a blocking position in case anyone came out of 16 and ran to the east. Um, as it ended up we ran out of people. There wasn't enough people to man that position so I contacted the uniform sergeant. Got three uniform officers to post themselves at what would be the eastern end of the northern building. If that makes sense. So that was taken care of. I, I believe Sergeant FOXWORTH ended up with Officer THURMAN and Officer GRYPHON.

Um, Officers LEO HARRIS and Officer KELLY VANBLOKLAND arrived and I told them the problem, the lay of the land, where unit 16 was and it was kind of in the middle of the building that I described. At that point in time, looking at it from the backside or the side three side I couldn't tell you which windows were um, belonged to unit 16. But I told Officers HARRIS and VANBLOKLAND that we would get that uh, figured out and I'm looking um, in the area ultimately where their final position was and I could see that um, there was a building. And I can give you the address of that, sorry. Uh, so the building it's 7720 SE 82nd, which is labeled as VM Indoor Garden Supply. I pointed out the roof of that building. Um, there's a parking lot to the uh, kind of the northeast of that property. Of that, that address I gave you. There's some connex's there, I pointed that out as possibly an area that they might be able to see the side three windows to unit 16 and I basically directed them to take a position off of side three that would give them the best advantage to look into those windows. So they would have a different look then Officer HOERAUF, ASHEIM and K-9 Officer DAVIDSON. Um, I saw them deploy to that area, I didn't see where they went but I knew they were in that area.

Um, I went back to the front and uh, I could see that our um, uh, entry team had now moved around the parking lot and uh, I believe they were in unit 17. Um, from where I had first seen 'em. Um, I knew that uh, Officer TOM SNITILY was in unit 15 preparing um, [REDACTED] that we use in this type of situation. This being a, a hostage situation where someone's life is threatened and we may need to get into a uh, room very quickly from as many different angles as we can to prevent the loss of life. Uh, he had told me that he had, I believe he had [REDACTED] and he needed uh, [REDACTED]

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Uh, somewhere during this um, Sergeant LIVINGSTON and I had a brief face-to-face conversation um, you know maybe 30 seconds to a minute. Um, you know we talked about how we were running out of bodies. We had two officers coming from training uh, a distance away. Um, we talked about uh, requesting assistance from the Washington County Sheriff's Office Tactical Negotiations Team or SWAT team. Uh, we put that request on the radio for two snipers and four uh, entry officers. Uh, my intent there was that they could fill some of these holes that we couldn't fill at the moment. Uh, we talked about the seriousness of the event. Um, while somewhere in here my belief is that the information we received on um, uh, the suspect uh, stabbing someone prior to uh, grabbing the female at knifepoint and retreating into the apartment. Uh, that ended up not being true but in my conversation with Officer HIGGINBOTHAM he had indicated to me that the suspect had attempted to stab somebody prior to uh, retreating into the hotel. In my, the way I took that from Officer HIGGINBOTHAM was in the, somewhere on the hotel grounds the suspect had tried to stab somebody else prior to taking the female hostage. Uh, so we discussed that. Um, we discussed um, you know briefly rules of engagement. Uh, and we were gonna stay under what we would call standard rules. So how we would normally operate under Directive uh, 10.10. Um, I can't remember anything else specific in that conversation. Um –

Dolbey: Can, can I take this time and go back and ask some questions. Maybe you can fill in some of the information here. Um, it sounds like you were very busy setting up your teams on the one and on the three side of the building. Um, during that time, while you're doing all of that do you, did you receive any photos of the suspect and that hostage?

McConnell: Uh, I did. Um, somewhere and I think it was on the radio prior to actually receiving the photo and I may have received the photo and just not realized it. Uh, but we did get the suspect's name of, which I think I, I wrote down in my notebook. Uh, and then I receive a text from uh, uh, from one of our intel folks. Um, with a photograph which is a, it looks like a picture taken off a uh, Portland uh, MDC. Uh, and it uh, (pause) it shows uh, you know a white male, bald and so I believed that to be the suspect.

Dolbey: Okay.

McConnell: Uh, in this.

Dolbey: Do you know if anyone else on your team got those pictures as well?

McConnell: Uh, I know, I was told that they were being sent out in blocks of four or five.

Dolbey: Okay.

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McConnell: On this specific text that I received it's addressed to JOHN DALBERG, TOM SNITILY, JOE CHURELLA, DON LIVINGSTON and JIM TOWNLEY.

Dolbey: Okay.

McConnell: So um, I actually looked at that when I fir- when I got the picture and thought I was gonna have to send it out and I don't remember who told me that it was being sent out in blocks of four so I felt it was, it was going out to everyone else on the team, plus I looked at who it went to um, and I knew that JIM TOWNLEY was with um, the entry team in apartment 17.

Dolbey: Um-hm.

McConnell: So while this particular photo may not have been addressed to everyone in that room, it's addressed to someone in that room who hears that this photo is now available and so he can pull that photo up and show it to everyone.

Dolbey: Okay.

McConnell: Uh, that he's with.

Dolbey: Alright. Do you recall um, hearing anymore ongoing intel coming from room 16 that was being relayed to you by dispatch or CNT liaison?

McConnell: Um, I don't remember this, many specifics because I was constantly moving during this event and had several tasks. Um, I do remember at some point during the event, closer to the end, uh, someone broadcast that there was probable cause for the suspect's arrest for Assault II. Um, I know at one point in time um, I believe that it was broadcast CNT had been on the phone with the suspect. I don't know what the content um, of that conversation was or what was broadcast on the radio. Um, just going back, since I brought it up it kind of reminds me. Um, you know obviously CNT is a, is a part of, you know the package that we respond with. Um, we had CNT officers out at the earlier warrant so I knew that there were some CNT officers there. Um, and the primary route to talk to somebody in this type of event is normally by phone and on the radio I heard that was happening, but just in case uh, that wasn't gonna be successful Sergeant HOLBROOK came up and I said hey can you get a face-to-face team ready and move them up on side one just in case communications are unsuccessful or break down on the phone. You know we have that option readily available. Uh, and my belief is that he got that uh, taken care of. Um, I saw him move up to the front. I think he got the people that he need. I don't know that he actually got up to the side one part but that was just kind of the thought process.

Dolbey: Okay.

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McConnell: Um, as we were going through this event. Uh –

Dolbey: Could you hear anything coming from room 16? Were you close enough or?

McConnell: No I was constantly moving. Um, one of the things, shortly after this conversation that I had with DON LIVINGSTON um, TOM SNITILY either broadcast or poked his head out of room 15 and uh, indicated that he needed a, a

[REDACTED]

Dolbey: Sure, the board.

McConnell: Missing the name there. [REDACTED]

Dolbey: Right.

McConnell: You may need to follow that up with [REDACTED] and so I was facilitating getting that. Um, we have those in two places, we have it in our equipment van [REDACTED] Uh, the lead [REDACTED] so I went with uh, BILLY WINTERS uh, one of our intel officers whose a detective. We ran back to the equipment van, I called TOM SNITILY on the phone and in that time kind of the mission had changed.

[REDACTED]

[REDACTED] Uh, basically he directed me over the phone to take everything [REDACTED]

[REDACTED] between Detective WINTERS and I we carried that up uh, to room 15 and uh, we deposited that with Officer SNITILY. And uh, I turned around to start going back with Detective WINTERS to secure [REDACTED] um, and it was somewhere at this time, I don't necessarily remember if I was still in the courtyard or if I had rounded the courtyard and would've been standing at the west end of the southern building uh, that I heard a gunshot.

Dolbey: Okay and before we continue with that let me ask one more uh, question going back a little bit here. As you deployed your teams uh, what were their roles, what were their rules of engagement and is that something you would brief them on before they go out or is it part of their training?

McConnell: Uh, your first question, what were their roles?

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Dolbey: Right.

McConnell: Uh, well their roles in any inner perimeter are to be kind of the eyes and ears of the team. [REDACTED]
[REDACTED] Uh, in this case it was a hotel room. Um, normally they operate at a little bit of distance and they don't necessarily have the same um, protection that an entry officer would. And what I, I mean with that is uh, typically on a barricade, which was not this event, [REDACTED]
[REDACTED] Uh, officers on the in- inner perimeter have to position themselves so they can see the structure and what they need to cover in the structure and because of that sometimes um, they may not be as protected. [REDACTED] Um, so they have to make these observations and see these things. Uh, typically they [REDACTED] Uh, most of the times we operate at night. Today we weren't able to do that so in the position like on side one uh, initially it was Officer GRYPHON [REDACTED] where someone in unit 16, if they looked out the window, would've been able to see him. Um, so that's the role. Um, the members of the IP. [REDACTED] you know make clearer observations uh, from a distance. Um, and they can uh, see what's going on uh, clear and easier. Um, their roles typically when they deploy are that they're under the standard rules of engagement which I mentioned earlier.

Dolbey: Um-hm.

McConnell: Is just operating under uh, the use of force under Directive 10.10. Uh, occasionally those rules are modified. Um, uh, and that is uh, briefed by the team leader or the IP sergeant. Uh, such as myself uh, and those are cleared through the uh, uh, SERT CIC. Or the CIC for the event. In this case there were no modifications to the rules of engagement so I gave them no specific instructions on use of force prior to deploying uh, any of the officers to their positions. Um, you know we train uh, on situations like this all the time. [REDACTED]
[REDACTED] and we train on a variety of scenarios to include scenarios involving hostages being held against their will uh, via gun, via knife. Um, and uh, we always start out under standard rules unless something has happened to prior to that where officers are deploying and uh, the incident commander has made a modification to those rules.

Dolbey: Okay and again you said there were no modifications to the rules in this incident?

McConnell: No.

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Dolbey: Okay. Alright uh, so it takes us to where you were just a few minutes ago. Uh, you're rounding the west end of the building and you hear a shot.

McConnell: Yes um, I heard a shot, I stopped wherever I was. Um, I, I, my hearing was that it came from side three or the south side of the building. I took a pause, I believe that that was the police officers uh, firing the shot. Um, and then I turned and I [REDACTED] So I turned and ran to see if I could assist there since I didn't have a specific role.

Um, I got there and I saw Officer AARON SPARLING uh, [REDACTED] Um, I stayed there briefly and uh, tried to cover him. There was a, what I initially thought was just a curtain over the window and it ended up, I believe it was like a, a white mattress um, over the, over the window so I couldn't really see in. Uh, initially I thought the front door was open and so I started to move over uh, to the end of what we would call the stack or the line of officers going in.

Um, and then I, I realized that it wasn't really moving and it looked like to me that the door was about halfway open and something was behind it. Which I think was the mattress which was preventing us the easy access from getting in there. Um, at some point in time uh, the door was open enough that officers made it in there. Um, I never made it into the room. I didn't really see anything um, I never saw the suspect.

Um, at one point later in the event I saw a female being uh, directed, heard on the radio that we have the hostage and then I saw a female being escorted out of the room. Um, I didn't have a role there so um, I started facilitating medical to uh, render aid to the suspect.

Um, I believe I got on the radio and asked for the medics to, I think I said just walk up. I'd actually met with um, two of our uh, fire medics that were on-scene which is uh, uh, Firefighter JAY FINK and Firefighter JAROD BORLAND. Um, and I had positioned them in the bear cat at that point in time. Uh, because we didn't have any operators left to staff that and I asked one to be the driver and one to be the medic in it in case we needed that armor brought up quickly. Um, and they knew where the, essentially the problem was. Uh, so I actually asked them to walk up or run up and I backed out into the parking lot so I could see the area I expected 'em. Um, I don't know if they heard on the radio or what but they ended up driving the bear cat up and then jumping out. Or somebody drove the bear cat up and then I see them appear. So maybe I have that wrong but essentially they appeared right where I thought they were, I'm just not sure if they ran or in the bear cat.

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Uh, I directed 'em uh, to just outside of 16. Uh, I asked, I don't know if it was clear voice or on the radio, is it safe for the medics to come in? Uh, at some point I got the all, all clear that it was okay for medics to come in so those two medics were brought up in short order and entered the apartment.

Um, at that point in time um, I still had no job on the scene, there was no use for me there so I looked at Sergeant LIVINGSTON. Uh, I don't remember if he was inside or outside and I told him, hey I'm gonna go to side three and uh, you know work on that scene and, and figure out uh, who had been involved in this event.

Uh, he acknowledged that so I walked around the uh, um, uh, the building um, I think I just went directly to uh, Officer VANBLOCKLAND and Officer HARRIS's position. I didn't necessarily know where it was but I went through the fence uh, [REDACTED] north side of the uh, address I gave you earlier.

Um, I found them standing, I mentioned these connexs that I'd pointed out to 'em that might give 'em a position of advantage. If you just went five feet north of those connexs there was a red truck backed in next to them that had a three to four foot high like wooden railing bed in the back and that's where Officer VANBLOCKLAND and Officer HARRIS were.

Um, and uh, I asked uh, which officer was involved and Officer VANBLOCKLAND indicated to me that he had been the officer that had fired the shot. Um, I asked Officer HARRIS if he was involved and he said he was only a witness. Um, so at that point in time um, I don't think I asked him, I might've asked him, I don't remember honestly. I think it was Officer HARRIS indicated um, 'cause I'm standing at the, basically the bed of the truck on a black mat, that the shell casing should be somewhere further east in the grassy area. Um, I briefly looked in that area, I didn't see shell casing but it was, you know six to 12 inch tall grass and that wasn't necessarily my priority at the time. Essentially the crime scene was already contained because it's a secure parking lot with the exception of the entry way that I came through [REDACTED]

Um, so I directed the officers not to talk to each other um, and stood by with them uh, the entire time. Officer VANBLOCKLAND indicated the weapon that he had used was an AR-15 type rifle. Um, he has different weapon systems so I don't know if it was his 223M4 or if it was a 308 caliber LaRue but it's an AR-15 type platform that I saw sitting on what I would call his drag bag which is a, a term for a backpack that typically carries a, a 308 type rifle. Uh, so I directed him just to leave it there, not to touch it. Um, I called for a uniform, two uniform officers uh, to come set up a secure crime scene and Officer uh, RAMICK and Officer MELE (sp?) from East Precinct uh, responded.

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I directed them to set up red tape um, across the um, entry way to the um, the gate [REDACTED] and then all the way around the connexs and to the fence line. Um, and they did that um, and then at that point in time I had uh, wait let me back up. Um, I wanted to uh, place both of the officers, the involved officer and the witness officer in a vehicle with a off- in a, with an officer with them so I also coordinated um, two of our uh, TIC qualified officers um, that were not involved uh, in the uh, in the event. Meaning like involved members in the event and so initially it was Officer BRYSON and uh, Officer THURMAN that came and so um, once, once they were ready and had cars and I had Officer uh, RAMICK and Officer MELE there I had uh, Officer HARRIS and Officer uh, VANBLOCKLAND climb down out of the truck. Um, Officer HARRIS brought his rifle that he had with him, because he was not the involved member. We left Officer VANBLOCKLAND's rifle right where it was when I got there.

Uh, we went to the front of the truck uh, I briefed Officer MELE and Officer RAMICK on their responsibilities. Um, I brought Officer MELE to the mat that I had been standing on and told him he needed to stay here and guard that rifle because it was a loaded rifle. Um, and that somewhere in this grass probably is a shell casing and not to tramp over that area and he acknowledged that.

And then as I escorted uh, Officer VANBLOCKLAND and Officer HARRIS out I posted Officer uh, RAMICK at the uh, second piece of red tape that they had put across, probably about 15 feet east of the first red tape and that he was to maintain the crime scene log. Uh, we didn't have an actual log at the moment so I had him uh, write uh, his name, Officer MELE's name, my name, Officer HARRIS's name and Officer VANBLOCKLAND's name uh, in his notebook, which he did.

Um, and then I escorted uh, Officer VANBLOCKLAND and placed him with um, sorry – just let me think about this a second. Officer HARRIS was placed in a car (pager beeping) with um, Officer BRYSON and then Officer VANBLOCKLAND went in a car with Officer THURMAN.

Um, shortly after that, maybe 20 minutes or so later Officer THURMAN's not a TIC qualified officer so Officer CHAD GRA-GRADWAHL replaced Officer THURMAN and then remained with Officer VANBLOCKLAND through the rest of the event until he was uh, released at the scene by detectives.

Uh, I went back and made sure uh, that Officer MELE and Officer um, RAMICK understood. Um, we had an officer bring them an official crime scene log which Officer RAMICK uh, transferred the names that he had put in his notebook onto the log and he maintained that.

Um, Officer MELE, because the event was still kind of ongoing when, when he responded, he responded and he was wearing his uh, street AR-15 rifle. Um, so at

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some point in time I went back and took Officer MELE's rifle from him and gave it uh, to Officer BROWN who put it in a car but that was not the rifle used in this event and that was not in the crime scene when I got there.

Um, the only thing I, I think I didn't mention is um, Officers ASHEIM uh, Officer HOERAUF and K-9 Officer DAVIDSON stayed at their side three post. Um, I talked to them about what they had seen and they had only heard a shot. Um, and I consulted with homicide detectives at the scene and they felt they were not uh, witness members so uh, I got permission to relieve them from their position but because that visually kind of controlled the alley on the south side of the building that housed 16 uh, we positioned uh, uniform Officer BROWN there. (cell phone noise)

Dolbey: We can stop if you need to take it?

McConnell: (Unintelligible), sorry. Uh, we positioned Officer BROWN there and he maintained that post to make sure no uh, civilians wandered into the south side of that building um, until the event was done I believe.

Dolbey: Okay um, and approximately how long did, were you on scene after you heard the shot? Approx?

McConnell: How, how long was I?

Dolbey: Yeah, on the scene?

McConnell: At the scene?

Dolbey: Yeah.

McConnell: Um, I was uh, there, that's a good question. I don't know the exact time but I can you that I, I stayed out there, I had been released to come back to North but I'm, I was the only sergeant left out there and we still had members of SERT that were at the scene. Um, we actually had several but at the end it ended up being Officer VANBLOCKLAND and Officer GRADWAHL and Officer HARRIS and Officer BRYSON and so I stayed out there to make sure they were taken care of. Um, ultimately I left once Officer VANBLOCKLAND had been released from the scene. Um, I uh, I coordinated a car being brought out to me and then I picked up Officer GRADWAHL after Officer VANBLOCKLAND was uh, dropped off and came here and uh, I think that was probably about 15 to 20 minutes before Officer HARRIS was released from the scene.

Dolbey: Okay. Um, did you discuss any details of the shooting with any officers after you heard the shot?

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McConnell: No.

Dolbey: Okay um, I think that's a very thorough explanation of your role. Do you have any question Detective Sharp?

Sharp: You know I uh, was a keeping a little uh, awareness about some of the abbreviations we may use or terms that we may use and I think the only one you didn't explain was IC.

McConnell: IC is the incident uh, commander.

Sharp: Okay.

McConnell: CIC is critical incident commander. Uh, they're people that typically are uh, captains or above and have received uh, special training on how to manage uh, critical incidents and uh, are on-call for a period of time and if, if SERT and CNT are activated they are also paged and respond to manage the event.

Sharp: Okay, that was it.


Dolbey: Jason any questions?

Walters: No thank you.

Dolbey: Okay. Anything from you Sergeant?

McConnell: No.

Dolbey: Okay, uh, we are good, I'll conclude the interview and the time is 3:36.

Transcribed Verbatim with Punctuation Added 102318 / 1951 T. Bradshaw 

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IMAGE ATTACHMENT (2772682) INTERVIEW WITH OFFICER DALE 10-10-18

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**Interview with
OFFICER DAMIEN DALE
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Russell: Okay it's Detective John Russell and Detective Ken Reynolds, we're here with Officer DALE and um, Officer Habkirk and you guys understand we're being audio recorded?

Habkirk: Officer Habkirk does.

Dale: Yeah, Officer DALE does.

Reynolds: Detective Reynolds does.

Russell: And it's October 10th, 2:47pm. So um, basically um, we just want to uh, kind of refresh, you know um, see what your memory is about what happened at the call earlier today and if you could just kind of go uh, back and kind of just tell us what uh, when you first received the call where you guys were at and then what steps you took as you went towards the call and what evolved.

Dale: Okay.

Russell: Okay.

Dale: Um, so we had actually just left um, uh, Whitman Elementary uh, doing a community engagement thing there. Uh, we were heading uh, westbound on uh, Flavel and got the call um, want to say it was like within like a minute of us uh, becoming available and clearing off uh, the, the school. Um, just turned around, went straight back. Um –

Russell: And what was the call over the radio?

Dale: Uh, it was just a two, it was a fight at the 7-11 there.

Russell: Okay.

Dale: Um, so when we rolled up um, we rolled up on the backside of the seven – on the backside of the 7-11 but on the west side of the building there and then walked around on the Flavel side of the building there. A couple construction workers recognized why we were there and said, hey you want to talk to that guy over there and was pointing out um, he saw, you know everything that happened and kind of interjected himself a little bit in the fight. Um, so we went and talked to him uh, the gentleman in the red shirt that was just getting into a van out front

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there and saw us, got out and knew why we were coming over to talk to him. Um, he pointed us to the uh, suspect and the female across the street at the motel. Um, saying hey that was the guy over there in the camouflage uh, shirt looking thing. Um, he was, has, he has a knife, he told me exactly where the knife was, he, he saw it tucked in the front waistband. Um, was waving the, had been waving the knife around um, in the fight in the 7-11 and then the gentleman, I guess he was fighting with came out and said oh, confirmed it. Um, I asked him, said hey is that the guy over there? Pointed at the guy across the street and he recognized the, the shirt and said yes. Um, also told me that he had punched the, the arm of the suspect. Um, knocked the knife out of his hand but the guy, the uh, suspect had picked the knife up before he left. Um, so they still knew that he had the knife on him. Um, we had not, obviously hadn't seen it at that point yet. So um, we started across the street...

Reynolds: ...did you get the, happen to have the time to get the name of that individual that you talked to?

Dale: No.

Reynolds: Okay.

Dale: No um, didn't because hi- uh, HIGGINBOTHAM had started walking across the street so I immediately ran over to, to help him uh, knowing the situation was a potential knife involved didn't want him, him to be by himself. Um, so we started walking across the street HIGGINBOTHAM started calling out to, to them. Um, and -

Russell: And who's he calling out to?

Dale: He's calling out to, to the suspects.

Russell: Alright.

Dale: And the female.

Russell: Okay.

Dale: Try, just trying to get their attention. Um, and as we got across the street uh, he uh, the suspect jumped in front of the, the female in like a fashion of like trying to hold her back. You know just like, you know squatting down and he was, I couldn't quite tell what he was, what he was yelling but he was yelling and screaming stuff. Um, and then he had ended up turning around -

Russell: At this point where are you guys, where are you standing?

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Dale: Uh, we, we had, we were just coming, just coming off of the street.

Russell: Off of which street?

Dale: Off of uh, it was across 82nd.

Russell: Okay, so you were stepping off of 82nd onto?

Dale: Onto like the sidewalk area there.

Russell: Okay.

Dale: Where the, the driveway that goes into the motel there. Um, so he takes off, the suspect takes off down um, the uh, towards like the rooms and stuff. Um, ends up pushing his way into his room.

Russell: Okay, describe that, did you see that?

Dale: Um, I saw him, all I saw was him push into the room.

Russell: Okay.

Dale: And that was, that was pretty much it. So um, I was trying to see around it so I had stepped off a little bit and trying to see kind of like which direction he was heading by the time I had moved back I saw him just push in the room. Um, she followed him down um, I do remember HIGGINBOTHAM calling to her saying no, no, come back this way, come back this way, trying to keep them separated. Um, but she ignored it um, or didn't hear, I'm not sure. Um, she went down past the room, he came back out, she turned around, he went around behind her and grabbed her from behind and then dragged her into the room.

Russell: So what you're describing is she walked past the room he went into and then –

Dale: Yeah.

Russell: He came out of that room and grabbed her from behind and drug her back into the room?

Dale: Yeah just she had turned around after she had went past it. So she went past the room.

Russell: Okay.

Dale: Turned around as he came out and then he went around behind her, grabbed her from behind and then forced her into the room.

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Russell: Okay.

Dale: And then he shut the door after that. Um, so we um, and second - another officer had showed up at that time. Um, and we were just kind of, you know discussing what was, was going on. Um, he had come out uh, again just yelling and screaming things and we were just trying to, you know HIGGINBOTHAM was trying to engage with him. Um -

Russell: And what was that kind of?

Dale: Just trying to talk to him, trying to get some sort of communication going with him. Um, trying to get his name. Uh, so I ended up um, I ended up going up to the office.

Reynolds: Did you hear what he was saying?

Dale: Um, no. I mean I heard him talking but I just, I just don't remember exactly what he said. It, I knew it sounded jumbled.

Russell: Um-hm.

Dale: Um, because I remember the feeling was like okay that doesn't make any sense whatsoever. Um, but I don't remember exactly what he said.

Russell: Okay.

Dale: Um, I went up to the office to see if they had any details on who was in the room. Um, got the female's uh, information, they had a, a copy of her uh, driver's license there. They didn't have any information on him. Um, so I had, I got that information. Um, and then he had, he came out once or twice and just tried, like started yelling at us and we tried, you know engaging with him and he...

Russell: ...and when that happens where were you at, like in relationship to the..

Dale: ...um we...

Russell: ...do you remember what room number this was?

Dale: Yeah room 16.

Russell: Okay.

Dale: Yeah.

Russell: And when he came out and was doing that where were you guys at?

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Dale: So there was a patrol car that was parked in the, in the middle there and were um, if I remember correctly we were uh, behind the front, front of the car.

Russell: Okay, can you...

Dale: ...so we had a little bit of space, so...

??: (unintelligible).

Dale: If the room is um, if the room is right about here that patrol car, can I see your pen real quick?

Russell: Yeah.

Dale: The patrol car was parked right about here.

Russell: You can draw it on there, just –

Dale: Yeah.

Russell: Just draw a, a rectangle or something.

Dale: So it was about, it was about right here if the room was right here.

Russell: Okay.

Dale: If the front door was right there and we were kind of back in, in this space over here.

Russell: You and HIGGINBOTHAM?

Dale: Yeah and the other officer.

Russell: Okay.

Dale: As well so we were all kind of back behind the car at this point. We (unintelligible) cover or something like that.

Russell: Yeah, okay.

Dale: Um, he ended up going back into the room, more officers started showing up. Um, and then we eventually started um, getting people out of the other rooms. Um, all the rooms that were down uh, to – guess that's the east of, east of the room. Um, and move people out around behind um, and got people out. Um, and then after that SERT showed up and we ended up going back to the Crisis Negotiation truck and that was when we heard the end results of everything, so.

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Russell: Okay.

Reynolds: And what was that end result?

Dale: Um, I just knew suspect down. That's, that's what I had heard at that point.

Reynolds: And where'd you hear that?

Dale: Um, I heard that from somebody else.

Reynolds: Okay.

Dale: so-

Reynolds: Did you hear any other noises, anything like that?

Dale: I heard a couple, I heard a couple bangs.

Reynolds: Okay.

Dale: So --

Russell: Okay do you have any um, your observations of the, the, the man that was later shot that was walking down the street, do you have any uh, physi- like any observations of his physical appearance or kind of describe how he was acting, what he was doing.

Dale: Um, I remember right now I noticed him, I remember he, he seemed erratic. Um, his words, like I said, seemed just kind of, didn't make sense all the time.

Russell: Um-hm.

Dale: Um, I know he had ev-eventually it'd come out he had said that his name was AARON and HIGGINBOTHAM started like trying to engage with that name. Um, so I mean he was communicating some details but not everything was, nothing was very clear so --

Russell: Okay.

Reynolds: So do you remember what rooms you evacuated?

Dale: Yeah it was um, 17, 17, 18 and 19 um, I had just come up to assist on uh, 20. Um, 'cause I was off helping with something else at the, at the time or, I don't know if, I don't remember. Um, but I had just come up as they were finishing up room 20 and then before we went back to the CNT truck there was a, uh, [REDACTED] that was in there that we um,

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got into, it was basically an office chair pushing him out and that was when we ended up going back to the CNT truck.

Russell: What about 15, do you remember?

Dale: Um, 15 I, I don't remember.

Russell: Okay so you, like you described, you said you had the car and you guys have, you, you were behind the car there and stuff.

Dale: Um-hm.

Russell: And um, when he, did, how many times did he come out do you think when you were behind the car?

Dale: Um, I don't remember exactly. It was, it was several times he came out.

Russell: Okay, was he still acting the same way or was he acting differently or how would you describe his?

Dale: No he was acting the same way. So, and then I do remember at one point he came to the window, opened the window up, opened the, it was like it was just the screen that was there.

Russell: Um-hm.

Dale: And was just sitting there, he was like go ahead, shoot me.

Russell: Okay.

Dale: So, and just sat there in the window for, I want to say like 10 seconds and then just shut it, closed, closed the curtains up and then that was before uh, right before we started um, I just remembered this, right before we started uh, evacuating people out I do remember hearing him pushing something hea- pushing some heavy stuff.

Russell: Um-hm.

Dale: Um, it sounded like up against the door, up against the wall.

Russell: Okay and then other than him saying go ahead shoot me and you said a lot of the stuff was gibberish, do you remember any like words and other stuff he said?

Dale: Yeah he did come out um, uh, one of the times um, and, you know in the midst of his gibberish and stuff like that I heard the words kill you. Um, that was kind of, you know directed towards, I felt it was directed towards us.

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Russell: Okay.

Dale: Um, but other than that I don't remember much else.

Russell: Okay, did you ever hear her inside, when she was inside that room or anything?

Dale: Hm-um, after he took her in I never, I, I didn't see her anymore.

Russell: Okay.

Dale: I didn't see or hear her anymore.

Russell: So you had no indication if she was okay or not?

Dale: Other than the um, when the, somebody called into the room and said that she had picked up but didn't tal- didn't say anything.

Russell: Okay.

Dale: That was, that was the only uh, thing that I knew of her after she had gone into the room.

Russell: Okay.

Dale: So –

Reynolds: Did you guys have a plan in place if he were to come out or?

Dale: Um, I do remember hearing um, some guys discussing a plan, I know there was some less-lethal there. Um, and they, you know said okay here's, here's the line, if he comes across this line um, we'll use less-lethal on him. Um, and if I remember correctly it was the, the, the lines from the parking spaces.

Russell: Um-hm.

Dale: If he came across the end of those lines.

Russell: Okay.

Dale: Um, and I do remember, you know they were talking about getting a custody team together in case he did come out. Um, but we ended up getting pulled away before anything was really.

Russell: And did one of the officers around you have a shield?

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Dale: I did see a shield yeah, yeah. I did see a shield, it was, it was kind of towards the, up against the back wall on the, on the building on the other side.

Russell: Okay.

Dale: There were a couple, a couple of the guys with the rifles and stuff like that and he had a little shield up behind him over there so –

Russell: Okay.

Reynolds: That's it.

Russell: That's it, do you have anything that you want to add that you think we missed or important to know?

Dale: No I don't think so.

Russell: Okay it's uh, what time is it here? 3:00, turning off the tape.

Transcribed Verbatim with Punctuation Added 101518 / 1349 T. Bradshaw *JB*

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IMAGE ATTACHMENT (2772683) INTERVIEW WITH OFFICER HIGGINBOTHAM 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

October 10, 2018

**Interview with
OFFICER JERROLD HIGGINBOTHAM
TAPED STATEMENT TRANSCRIPTION**

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Reynolds: Okay this is Detective Ken Reynolds, it's October 10th, 2018, at approximately 2:19 in the afternoon. Accompanied with my partner, Detective John Russell um, I'll be interviewing Officer HIGGINBOTHAM and he is here with his union rep, Officer Habkirk. Does everybody understand they're being recorded?

Russell: Yes, Russell knows.

Higginbotham: Higginbotham does.

Habkirk: Habkirk does.

Reynolds: Okay uh, this is regarding the officer involved shooting and we're gonna lead up to that from the previous call uh, I believe that Officer HIGGINBOTHAM had been dispatched to.

Higginbotham: That's correct, so about 9:11 um, I got called to respond to a fight that was taking place uh, two people fighting inside the 7-11 at 7501 uh, SE uh, 82nd Avenue. Um, my partner, Officer DALE and I arrived. Parked on the back of the 7-11 and walked up to uh, see what was going on. As we were walking up there was some construction workers in the parking lot of the 7-11 and directed us towards a gentleman that had just exited the, the 7-11. Said hey you guys are gonna want to talk to that guy, he uh, had words with the guy with the knife. And so um, went over to talk to him and he said that uh, this guy was inside 7-11 um, tried to slash some woman in the stomach with a knife and then pointed across the street to the Del Rancho Hotel saying, and there they are right now. And he uh, pointed at a guy that was, a white male about 30 years old um, wearing a camouflaged uh, hoody and blue jeans, gray shoes. A bald head, about 5'10"-ish and probably like 230. Um, and then a female, blue jeans, red hoody, glasses and blondish hair and kind of heavy set. Um, they were down at the base of the stairs from the office of the Del Rancho and they were kind of walking back and forth very nervously. Like trying to figure out where they were gonna go type of thing. Um -

Reynolds: And had, had they seen you at that point?

Higginbotham: Yes.

Reynolds: Okay so they knew that the police were there.

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Higginbotham: Yeah they knew the police were there.

Reynolds: Okay.

Higginbotham: So then they went around and uh, went up the stairs to the office area and were trying to get inside the office. Were like, you know rattling the door, knocking on the door and still kind of having this milling about back and forth, you know activity. Um, I didn't want to lose sight of him eh, 'cause our car was on the, the backside and I didn't want to send my partner who, it's his first day on the job. Um, to go back to the get the car and turn the car around. Um, so we just uh, walked across the street and tried to uh, talk to him there. You know and say, hey, you know need to talk to you about wh-what was going on across the street. Keep your hands where I can see them, you know right now we're about midway um, on 82nd in the, in the turn lane and traffic is all, you know stopped for us, you know to let us cross. Um, he's, you know very animated, very agitated and kind of speaking nonsensical. Um, saying things like it's our fault that uh, [REDACTED] Um, and it-

Reynolds: It's whose fault?

Higginbotham: The police I guess.

Reynolds: Okay.

Higginbotham: You know or, or me specific- I don't know, you know whether he's, you know thinking it's just me or if it's the police or, or what. Um, but his actions and everything, you know led, I was thinking that he was probably on bath salts or, or high on meth. Um, you know maybe even uh, you know having a crisis, a mental health crisis, I don't know. But, but I was leaning towards that he was uh, you know impaired, you know based on substance abuse. So um -

Reynolds: And you based that off of?

Higginbotham: It, all of his, his act- you know just his uh, his actions um, uh, very, like I said very, very animated. Um, very, you know elevated with his speech and just, you know he was, and he was, you know nonsen-sensical.

Reynolds: Um-hm.

Higginbotham: Um, just from, you know previous experience with people high on meth and their paranoia and everything it, it looked to me like that's what he was experiencing was, you know maybe had been, probably on a meth binge for a couple days or, or bath salts or something along those lines.

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Reynolds: Okay and what else? You said he was saying a bunch of nonsensical stuff, do you remember...

Higginbotham: ...well...

Reynolds: ...more specifically some of the other things that he was saying?

Higginbotham: You know I, I'd asked him, you know his name and at first, you know he's like, you know fuck you I don't need to tell you that, you know then, then he's like my name's AARON. Okay AARON and well what's your last name AARON? AARON LEX LUTHER. Okay AARON LEX LUTHER, you know and, and then he changed his name to AARON DIESEL. Um, that was a little bit later uh, when I was talking to him uh, after he'd gone down to his room but at this point um, you know...

Reynolds: ...how far away were, were –

Higginbotham: Was I? Um, I was probably, well at this point they were over at the office and I'm in the like center lane...

Reynolds: ...and so we have the map right here.

Higginbotham: ...the turn relief.

Reynolds: So can you draw like an X where you first started to kind of talk to him?

Higginbotham: I think so. So I was, okay so I was right about here.

Reynolds: Okay.

Higginbotham: So it, it's like the, the center turn relief lane on, on 82nd.

Reynolds: Um-hm.

Higginbotham: And he's right over here.

Reynolds: Okay and so, since it's recorded, so you're kind of indicating this overhang and I assume, is that the office?

Higginbotham: Yeah the office is underneath this overhang.

Reynolds: Okay.

Higginbotham: So he was right towards the, well initially here and then moved up to here when I was talking to him.

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Reynolds: Okay.

Higginbotham: And, you know telling him, you know keep your hands where I can see 'em. 'Cause every once in a while he would reach his hand, his right hand inside the, the pocket on the front of his coat.

Reynolds: Um-hm.

Higginbotham: Um, but he never withdrew anything. Um, she was right uh, next to him, right uh, a little bit I guess it would be to his east. Um, and then when he went upstairs to the office um, she followed him, went with him up there. Um, you know still con-continuing to try and have this dialog, you know talking about um, you know needing to talk to him about what had happened across the street. Um, you know he's being very beliger- you know, you know I don't need to fuckin' talk to you, you know your just, you know on and on and on like that. Um, and then uh, he comes down off of the stairs and starts heading down towards room 16 where he eventually went into. She followed behind him and kind of stopped and I'm, you know yelling at, come here, come here, come here, you know, come this way and –

Reynolds: Yelling at who?

Higginbotham: At the female.

Reynolds: Okay.

Higginbotham: That was with him. And she ignores me. Um, this, by this time, you know we're across the street and, and, and over here uh, by the office. And uh, she continues to walk down um, past room 16. He um, started running into the door trying to, first he tried to open it with the handle and he apparently didn't have the key um, and then started hitting it with his shoulder and then was taking uh, long runs at the door and probably 15 feet um, and then hitting it with his shoulder. He eventually got it open and had gone inside and we're, I'm still yelling at her to, you know come this way, come this way, come this way and after about three to five seconds of him being in the room he comes back out and grabs her around the waist and pulls her uh, well one, one arm around the waist, one around, kind of like her, her shoulder.

Reynolds: Um-hm.

Higginbotham: And then pulls her into the room and um, again, you know saying it's our fault. He eventually uh, he's closed the door.

Reynolds: Let me stop you real quick, what was her response when he grabbed her? Did she look like –

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Higginbotham: She, she looked nervous.

Reynolds: Um-hm.

Higginbotham: Um, she never ever spoke throughout any of this. You know when, you know I'm trying to get her to come our way or anything like that um, she looked frightened but she wasn't helping us either. You know she wasn't uh, assisting us to get her out of the situation.

Reynolds: Um-hm.

Higginbotham: Um, so it was, it was difficult to, to figure out whether it was kind of a, you know a Stockholm syndrome kind of thing going on or if she just um, you know was too afraid of him that she was just gonna go with whatever he said to make it easier on her.

Reynolds: Okay.

Higginbotham: Um, it, it was really hard to, to judge. Um, but, so she uh, he got her inside the room. Um, and then uh, he, he came back out and is standing in the doorway and I was trying to get him to come out to talk to us. Um, and he was refusing, he was saying it's our fault, it's our fault that [REDACTED] Our fault that she had razor blades and glass put up her pussy and that um, he's the only one that can protect her and he could protect her with his dick and with, and then he said his knife. Um, he never displayed it though. Um, he just, you know motioned like he had a knife.

Reynolds: Okay.

Higginbotham: Um, and then he closed the door and then after a little bit he came back out um, you know and I was, was asking him, you know can we talk. By now I'd, I'd sent my partner up to the, the room and, to get the uh, the card for the uh, who was staying in the room.

Reynolds: Um-hm.

Higginbotham: And --

Reynolds: When you say sent him up to the room, you, you sent him up to the office?

Higginbotham: Up to the office, yeah.

Reynolds: okay.

Higginbotham: Excuse me (cough). To find out who was in the room.

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Reynolds: At, at this point were you there, were you still there alone or another uh, other officers shown up?

Higginbotham: Uh, at this point, when I sent my partner up um, Officer MARTIN had arrived.

Reynolds: Okay.

Higginbotham: And um, he, he had pulled his car about oh, not quite midway uh, down. We were still uh, to the west of room 16 by about uh, I'd say um, three, three rooms.

Reynolds: Um-hm.

Higginbotham: So it was about right in here. Um, to give us a little cover and someplace to retreat if he, if he did come out with a, the knife. That we could at least have some options because of a distance. Um, excuse me, um, so after MARTIN had arrived um, I sent him up to, to get the uh, the room card. And now um, right about the time when he's coming back with it uh, Officer BROWN and Officer YOUNG had arrived and I believe Officer ZAITZ also had arrived and Officer STRAWN uh, also were on scene.

Reynolds: Okay.

Higginbotham: And I sent STRAWN around to the back because I, I learned from the hotel manager that, or motel manager that there were two windows on the backside uh, for the bathroom and a, another room. So it, we could have a little bit of containment on, on him so he couldn't go out the back windows. Um, let's see, so then we learned uh, that her name was TALON um, I can't remember, I think it was TALON TIARA, I don't remember what her last name was.

Reynolds: Was it TALON OCHOA-BAILEY?

Higginbotham: Yes.

Reynolds: Okay.

Higginbotham: And uh, so I asked uh, you know I had dispatch run the name to see if we could come up with any associates of hers so that we can, you know maybe try and start phone dialog or, you know something else along those lines. Um, and one of the times he, he'd come back out and uh, Sergeant NICE um, believed that his real name was SAM RICE or something similar to that. Um, that he'd, they'd had dealings with him earlier in the week and so when he came out I addressed him as SAM and he's, don't you fuckin' call me that, my name is AARON and something like if you call me that again I'm gonna, I'm gonna kill you or kill her or some, something along those lines. You know he's

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gonna kill somebody. Um, again, you know I, I, several, you know times when he'd come out I'd try and ask him, you know to come out, direct him out to the, the parking lot uh, to talk to him to get him away from the, the room. Um, he would, you know turn it back and say why don't you come over here, why don't you take off your gun, why don't you put down, you know your gun. Um, wanted me to come over and stand in the doorway of the room so that he could bash my head with the door and, and said so I can fucking kill you. You know just, you know on, on and on like that. Um, eventually, you know one of the times he'd gone in uh, he started putting something up against the, the window. I believe he maybe leaned a mattress up against the, the window to the room. Um, he closed the door, I was trying to talk to him, you know across the, the parking lot through the door asking him if we could get a phone number for him to call him to talk to him on the phone. I could hear him yelling inside and then pretty soon I could hear, it sounded like furniture getting pushed up against the door.

Reynolds: Um-hm.

Higginbotham: Um, so I, you know and while all this is going on I, you know had broadcast some of this information and saying that, you know that, you know he is alleged to have a knife. I hadn't seen it yet but he's alleged to have a knife. Um, he's taken, you know a hostage uh, this TALON.

Reynolds: Um-hm.

Higginbotham: Into the room um, you know don't know her, her condition or anything like that. Um, and so then it was, you know one of the sergeants, you know part whether or not they're, you know were gonna make it a SERT call-out or, or what have you, but – um, yeah I'm trying to think what else. Um, (pause) yeah that's - that's about it. Um, you know started, once we, SERT um, arrived we started getting people out of the rooms and evacuating uh, people from the nearby rooms. Um, and then every-everyone out of the rooms across the, the parking lot from where he was at as well.

Reynolds: Um-hm.

Higginbotham: Um, and uh, after we got the last person out of [REDACTED] that we basically kind of sort of had carry out of the room. Um, then I went back to uh, speak to the guys at C-CNT and that's when I heard it uh, the, it sounded like [REDACTED] that's about it.

Reynolds: Okay. Um, did you get the name of the person the, of the, the worker? I know it was a dynamic situation and lots going on, okay.

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Higginbotham: No so, 'cause as soon –

Reynolds: Right.

Higginbotham: Yeah we're, we're walking...

Reynolds: ...obviously...

Higginbotham: ...up and he's like you need to talk to that guy 'cause the, the, the person who he directed us to had, was just coming out of the 7-11.

Reynolds: Um-hm.

Higginbotham: And going around to get into his, he had a white like work van.

Reynolds: Um-hm.

Higginbotham: And, and I was like hey, you know can I talk to you, what, you know what was going on? And he's like, and that's, he was like, you know that guy over there and so when he's pointing over there uh, I don't even know his name. AAR-you know or SAM RICE, whatever.

Reynolds: Um-hm.

Higginbotham: You know is looking back across the street at us and then, like I said they're, they're kind of going back and forth and I wasn't sure whether he was gonna run uh, or what. A couple times like I say he, he'd, he'd grab a hold of her.

Reynolds: So you didn't, you didn't have time to –

Higginbotham: No, huh-uh.

Reynolds: Contact.

Higginbotham: Huh-uh.

Reynolds: Okay um, I think that's it, Russell?

Russell: That guy that said um, that pointed him out across the street, that guy over there, what again did he say about the situation that happened inside the 7-11?

Higginbotham: He said that, he said that uh, he had a knife and that he tried to slash her or stab her in the stomach. And he, and he motioned with his, his hand as well.

Russell: And then you never heard her when they got into the room? You never heard her say anything from inside the room or anything like that?

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Higginbotham: Mmmm, (pause) I was trying to, you know get him to, 'cause he, he, he would say, you know told us that he wanted us to leave. Um, and I asked, you know was asking him well can we talk to TALON, can we, you know make sure she's okay.

Russell: Um-hm.

Higginbotham: And he would, you know refuse to have her come to the door or anything like that.

Reynolds: And what was his uh, did he have a specific response or he was just refused to have her come?

Higginbotham: That it's our fault, that we're, that it, it, uh, what'd he say? It's our fault and that it'd be our fault (pause) if she gets killed or something, you know it was, I mean it was something along those lines.

Russell: Okay and how'd he get her in the room again?

Higginbotham: He grabbed, he grabbed, he had one arm around, so his left arm was around like her neck and shoulders and the other, his right arm was around her waist.

Russell: So he was like...

Higginbotham: ...and in fact...

Russell: ...pulled her back in the room.

Higginbotham: Yup.

Russell: Like he's --

Higginbotham: Yeah pulled her backwards into the room, yup.

Reynolds: Okay and when you parked.

Higginbotham: Um-hm.

Reynolds: Initially, can you draw on here where you parked.

Higginbotham: I parked back here. Because the, their, the driveway right here was all blocked with...

Reynolds: ...um-hm...

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Higginbotham: ...construction equipment so we pulled into the DHS office and um, I'll, I'll just make a Y I guess.

Reynolds: Okay.

Higginbotham: Um, and parked back here so that we could come around the, the fence here and then walk along the side of the building to see if there was anything going on and there were, it looked like business as usual in-inside. You know when we first peeked around, but as we were coming around here, we were right about here when uh, the construction guy over here was saying hey you want to talk to that guy and his van was parked, you know just right over here. Uh, just to the left of, well it'd be to the south of that, the doors.

Reynolds: Okay.

Russell: I'm sorry to keep going back.

Higginbotham: Oh no worries.

Russell: But did he say anything when he pulled her back? Was he still saying the gibberish or was it, do you remember?

Higginbotham: I think he was saying let's get inside, come on get inside or something, you know something like that.

Reynolds: And did she have any response to that, I mean –

Higginbotham: She made no, I know like I said she, she didn't say anything to us, she just, you know she just kind of like, her eyes were wide and her mouth was open but she never, you know like said help me, never said um, you know mouthed anything. It, it was just – I kind of had the impression that she'd probably been uh, a victim of DV stuff with him in the past and that maybe this was their, how their relationship goes when he's this way.

Reynolds: Okay. Everything you had that we haven't touched on that you think's important?

Higginbotham: Not really, can't think of anything. Um...

Russell: ...and you were relaying updates on the radio when all this was going on and –

Higginbotham: Yeah, yeah and then once, once uh, Sergeant NICE and uh, Sergeant HANSEN had, had gotten there and then they were, pretty rapidly there were other folks that were showing up. There was, I think some Tri-Met uh, and I saw, you know patches from Gresham and whatever that, you know um, were there with

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their AR's and had long cover. And we'd set up a, a custody team and um, ADI RAMIC had a shield and so we had a plan, you know in case he, he came out. Um, what we were gonna do uh, sta- or uh, Officer BROWN, ROB BROWN had a less-lethal. We'd uh, determined that, you know if he got out to like the end of the, the lines for the uh, parking in front of the room.

Reynolds: Um-hm.

Higginbotham: Um, that we weren't gonna allow him to, to get back into the room. We were gonna, you know use the less-lethal to, the 40 millimeter to prevent him from going back inside. Um, and, you know had, had those kind of plans in place. And obviously, you know if they, he uh, had the knife and came closer than that, you know what our, our options might be from there as well. Um, but we were gonna try and deny him access back into the room if he came out.

Reynolds: Okay. Alright that's all I have. It's 2:42 and stopping the tape.

Transcribed Verbatim with Punctuation Added 101518 / 1124 T. Bradshaw 

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IMAGE ATTACHMENT (2772904) INTERVIEW WITH OFFICER JOHN DALBERG 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

October 10, 2018

**Interview with
Officer JOHN DALBERG
TAPED STATEMENT TRANSCRIPTION**

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Sharp: Okay this is Detective Sharp and Detective Dolbey uh, gonna be doing an off- a, an officer witness interview for the uh, shooting that just occurred at the Del Rancho Motel. I believe the address was 7622 SE 82nd Avenue, related to room 16. The PPB case number associated to this incident is 18-347005. Today's date is 10-10-2018. Approximate time right now is 1:50pm. Again we're gonna be doing an interview with Officer DALBERG to get his insight about uh, this incident and present with Officer DALBERG is Officer Habkirk as his union rep. This interview will be recorded, the recorder is uh, present on the table in front of all us. We are in an office room at North Precinct. Uh, to begin this interview it'd just be nice if everybody could acknowledge that they know this being recorded, starting with me, yes I do.

Dolbey: Uh, Detective Dolbey, 29984, yes I know it's being recorded.

Dalberg: Officer JOHN DALBERG, 33528, yes I know it's being recorded.

Habkirk: Officer Habkirk, 29192 and I also know it's being recorded.

Sharp: Okay, thank you. So if you could please tell me a little bit about how your day started, what your assignment was for today and then if you want just kind of lead it into uh, how you heard about this particular incident. A brief explanation about it.

Dalberg: So I'm assigned to North Precinct day shift and today I was assigned to, to work with SERT. I'm a SERT intelligence officer and they were doing two search warrants this morning starting at a, a 2:00am page out. So I arrived at North Precinct and went on both warrants. The second warrant was finished at approximately 9:00 in the morning or a little thereafter. And at the, towards the end of that warrant um, a page came out or a SERT consulate came out from East Precinct stating that they had a situation that was developing. The sergeant on, that was in charge, DON LIVINGSTON told the team basically that they were having this consult and that he wanted them to report to about 82nd or Johnson Creek at the, I believe it was the Fred Meyer down there off Johnson Creek and 205.

Sharp: Okay.

Dalberg: To stage, to prepare for this call that was probably gonna turn into a call-out and so I was tasked with going back to North Precinct to get the van which carries a bunch of gear that the team needs as well. So from the search warrant after it was

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finished I went back to North, grabbed the van and by the time I was getting the van and going back out the whole thing started. It was close to being activated, it was ramping out.

Sharp: Okay.

Dalberg: So I responded Code-3 from North Precinct down to Johnson Creek and by the time I even made it to Johnson Creek it had been a full activation.

Sharp: Okay and just to go back for some people that may be reviewing this transcript, if you could explain uh, what is SERT?

Dalberg: SERT is a Special Emergency Reaction Team, they're tasked with (overhead PA system talking) –

Sharp: Sorry about, sorry for the overhead page that just occurred. Uh, yeah go ahead so SERT?

Dalberg: So they're tasked with situations like high risk search warrants, they're tasked with um, any type of situation where, in this, like a hostage rescue. Um, just any kind of situation that's a little bit above patrol's capability they bring special tools and equipment. They bring negotiators and try to resolve uh, high stress situations there.

Sharp: Okay and then you said you are, you're working as your SERT uh –

Dalberg: Intel.

Sharp: Intel, intelligence duties for today's day?

Dalberg: Yes.

Sharp: Okay. Okay so you said the page went out uh, for the incident, what does that basically mean?

Dalberg: Basically, well what first happens is a SERT consult and I know that a SERT consult was happening with uh, Sergeant LIVINGSTON as we were finishing the, the search warrant that we were executing around 9:00 in the morning. So sometime thereafter uh, as we were wrapping that search warrant up um, a SERT consult was coming out from a sergeant that was working patrol in East Precinct to the sergeant in charge of SERT to determine if they were gonna be needed at the scene. Uh, and so Sergeant LIVINGSTON was basically telling the team, turn the gear around and start heading towards this call because it was starting to um, they could tell it was starting to ramp up and they needed more guys out there.

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Sharp: Okay and then your task uh, and I think you already said it, you drove some gear or you did something. Can you explain that, I'm sorry.

Dalberg: Right so when we went to the search warrant this morning we only had a limited amount of intel op- operators to help 'em out and so we had to leave the big van behind that carries a bunch of their extra equipment and so they tasked me with going back to the precinct to pick up the van so that I could bring that out which has, you know more of just their gear they need for call-outs. And so I went back to North, picked it up and went back to the staging location.

Sharp: Okay and you said then you remembered the page going out uh, detailing that there was a, a activation?

Dalberg: Right at, during the, the route out there I did, it was a co- a page out sent by dispatch. Um, requested that this be a full activation with CNT and SERT, the whole team put together and um, is, I think it, I don't know I'd have to look, read the exact page. I could do that for you.

Sharp: Yeah.

Dalberg: So this page came out at 9:22. It talks about responding to Del Rancho Motel at 7622 SE 82nd. The first page actually was the consult page is being done at that point and then thereafter it talks about the next page is a SERT call-out at the Del Rancho Motel at 7622 SE 82nd, apartment 16, or number 16. And it says armed and high subject took a hostage and it says a safe route in is northbound 82nd from Johnson Creek. Staging will be at 82nd and Malden. And that's the page that I'm talking about.

Sharp: Thank you for explaining that. Okay so when you got to the scene what was your, what were you tasked uh, with doing?

Dalberg: So as soon as I get to the scene um, and secured the van I went up to work with CNT as a liaison between CNT and SERT, just to give information that was coming out over the radio or if there's SERT – or if CNT was gonna make phone, phone contact or have contact with the person then my job at that point is to relay any information that's pertinent such as threats, weapons, anything like that.

Sharp: Okay and uh, if you could uh, what does CNT, what is CNT?

Dalberg: It's Crisis Negotiation Team. They're there to help de-escalate a situation and try and make contact with the person whose in crisis or whatever criminal activity they're involved in to try them down and to try and resolve the situation peacefully.

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Sharp: Okay and then you said you were a liaison piece between that team and the SERT team to exchange information?

Dalberg: Correct.

Sharp: If I heard you correctly.

Dalberg: Yes.

Sharp: Okay so uh, when that first started uh, who were you associated to at CNT or how did that?

Dalberg: So when I, I first started everything was happening very quickly. The first thing that I actually did was put out just pictures of the suspects. We were verifying who the suspects were and I was sending those pictures out to team members such as some members, like the, on the sniper side and then some members who are, are the, you know the assault side. Um, and I sent out, I think three different group messages to different people.

Sharp: Okay.

Dalberg: Um, and after that was done the phone, I know that some phone calls, some, somehow contact was made. I don't know exactly how the contact was made with the person inside the motel.

Sharp: Okay.

Dalberg: But I was told by uh, TROY KING to go over and start listening to the conversations and when I went back there to put the headset on uh, Sergeant STEINBRONN was um, towards the back. There were two um, CNT officers in uh, making the phone calls or speaking with, with the person or at least trying to. And Lieutenant JAY BATES was back there with us as well.

Sharp: Okay and you're talking about being in the CNT uh, operation vehicle?

Dalberg: Yes.

Sharp: Okay. Do you remember hearing any other updates between uh, that initially page and kind of when you, kind of up to the point where you're describing now where you're at the CNT uh, when you're at the CNT vehicle again uh, do you remember anything that you were hearing?

Dalberg: I remember um, I heard that there were threats with a knife by the suspect. That he had possibly kidnapped somebody and taken them into a hotel room. Um, and that was the basic long and short of what I had, had heard at that point. And there

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was just a lot of uh, commotion in the CNT van trying to get information when I showed up.

Sharp: Okay. And then you said you uh, arbi- they identified who the subject was that was in the hotel and there was photographs being?

Dalberg: Yup, the, he was already identified by the officer on-scene.

Sharp: Okay.

Dalberg: And the information that we were told was, we were given his name and date of birth and also I believe the female was identified at that point as well. So one CNT officer, I believe it was Officer SAMORA, she pulled up the pictures of the two people. A man and a woman.

Sharp: Okay.

Dalberg: Which I took pictures of those um, off the, basically the MDC.

Sharp: Okay.

Dalberg: And then I started sending those pictures out to the team. Different team members who I could 'em to as quickly as possible so they could at least have a visual of who they were looking for.

Sharp: Okay uh, do you remember who these people were?

Dalberg: Is -

Sharp: Or the names or?

Dalberg: Um, in my notebook I'd wrote them down, let me see if I have my notebook on me. Yup. So I wrote down the name SAM RICE, male, white, 12-05 of '87 and I was told that uh, he 5'9", 230 with shaved head, blue eye and that he was armed with a knife. And that he has some uh, BHU referrals in the past.

Sharp: Okay, BHU meaning what again?

Dalberg: Behavioral Health Unit.

Sharp: Okay.

Dalberg: And then I was told a woman by the name of, I believe it's TALON, T-A-L-O-N, OCHOA-BAILEY uh, female, Hispanic, 09-07 of '88 was the woman inside the uh, hotel.

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Sharp: Okay, thank you. So now you're in the, back to being in the CNT vehicle. You relayed some uh, photographs to the team. Uh, about who this was, do you remember specific, well I guess is it a group? Do you remember?

Dalberg: Yeah –

Sharp: Who you specifically sent it to or?

Dalberg: Yes I can tell you who they were. So the first group text message I sent to five of the operators, it was Officer TOWNLEY, Sergeant LIVINGSTON and Sergeant McCONNELL and Officer SNITILY and Officer CHURELLA.

Sharp: Okay.

Dalberg: And I just sent the photographs of just the man and woman that I just named.

Sharp: Okay.

Dalberg: And then I sent one to Officer CORNO, one to Officer LEO HARRIS and I sent the picture at the time, I only had the picture of the male at the time, I sent to KELLY VANBLOKLAND and another phone number but I'm not sure. The phone number I sent this one to is [REDACTED]

Sharp: Okay. And then after you're doing some of that do you remember hearing um, were you listening to any of the negotiation or were you able to hear that?

Dalberg: Not at that point. Um, when I was doing that, that's about when the phone calls were happening.

Sharp: Okay.

Dalberg: And that's when Sergeant TROY KING told me to go back and get on the headset.

Sharp: Okay and do, when you were on the headset uh, how was, do you remember any of that?

Dalberg: So I remember a couple phone calls that were made. Um, one I know um, that the subject, SAM RICE, was uh, on the phone. At least I believe that's who it was on the phone.

Sharp: Okay.

Dalberg: And he was doing a lot of screaming and yelling and he did say something to the effect of he was gonna cut his ears off. Um, uh, there was some other incoherent statements that I don't recall and then I know they lost connection at some point.

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Sharp: How was the, either the tone or the flavor of that conversation to you?

Dalberg: Uh, a lot of yelling from him and I know that uh, I believe I, it seemed like the, the operator, the, the other officer who was trying to talk to him was just trying to calm him down.

Sharp: Okay.

Dalberg: And try to use a, you know a calm voice and just see what was going on and he was really ramped up and agitated.

Sharp: Okay and that was uh, you mentioned there was a couple phone calls, was this...

Dalberg: ...correct...

Sharp: ...kind of your memory of the first phone call or?

Dalberg: That's what I remember the first one going on and then I know they were trying to make calls back into him and at some point they got back on the phone with him.

Sharp: Okay.

Dalberg: Um, I remember him, the subject who I believed to be SAM RICE got back on the phone again and I remember him just making some statements that were odd. Like about tactics but they were just kind of strange. Like stacking up at the, at the door um, and again he was yelling, screaming and I don't remember all the details of the things that he said. Some of it was inaudible, I couldn't tell what was being said.

Sharp: Okay.

Dalberg: Um, and then I know, I believe that the, I believe there was another disconnection.

Sharp: Okay.

Dalberg: It seemed to me and my, what I remember.

Sharp: Okay uh, and I guess just to continue with the, how was his tone?

Dalberg: Always ramped up, always yelling, screaming. Um, just not the, the person talking to him, I don't remember the person's name who was talking to him, the CNT operator.

Sharp: Okay.

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Dalberg: He was trying to just make a connection, trying to build rapport with him, trying to get him to speak to him and he just couldn't get him calm down.

Sharp: Okay.

Dalberg: And he just couldn't make that connection.

Sharp: Okay was there any uh, threats that you overheard or any?

Dalberg: Yup.

Sharp: Concerning statements that stand out?

Dalberg: So at one point during the phone conversation and it could've been the second one, but I think that was a disconnect and possibly a third call that I heard. It could've been just two calls though.

Sharp: Okay.

Dalberg: But he made a threat screaming that we need to get out of there. Uh, like basically get the fuck out of here or I'm gonna stab her or words to that affect.

Sharp: Okay now with all these conversations uh, what were you doing with that information?

Dalberg: So some of the information was being put out by, by Lieutenant DAKIN, I heard his voice on the, on the radio and there was a lot of radio traffic going on.

Sharp: Okay.

Dalberg: Operators talking and this and that so I couldn't really get on...

Sharp: ...okay...

Dalberg: ...the radio that much. Um, but when he made that statement I tried to put that statement out, you know as quickly as possible. Um, words to that, you know like —

Sharp: That statement meaning?

Dalberg: The statement about get the fuck out of here, I'm gonna stab her or — I'm gonna cut her or something like that. Something to that affect.

Sharp: Okay.

Dalberg: Um —

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Sharp: So that statement went over the broadcast tow- to the SERT team?

Dalberg: Yes.

Sharp: Okay. Okay uh, then what happened?

Dalberg: Basically it was very shortly thereafter that I heard the [REDACTED] call, which is –

Sharp: Okay.

Dalberg: And then it, it's a, I heard [REDACTED] and then shot fired and possibly something like suspect down and basically I know that there was ringing going, I think they had lost connection. I don't know what point but I know that they were trying to call and I was like hey, I told the people in the van that shots had been fired.

Sharp: Okay and what does [REDACTED] mean?

Dalberg: [REDACTED] in my understanding is that a sniper takes a shot.

Sharp: Okay. Okay and then you rela- (clearing throat) excuse me, you relayed that information to the CNT operators and the CNT team?

Dalberg: Right, there was a bunch of people within the, the CNT um –

Sharp: Vehicle.

Dalberg: Vehicle and I just said, hey shots have been fired and um, just put that out and was trying to tell that to and get it to the people who were trying to get him on the phone as well.

Sharp: Okay, do you remember any other uh, traffic uh, radio traffic on the SERT side right around that timeframe? Other than [REDACTED]

Dalberg: Uh, let's see – I do remember a request for uh, medical. Uh, very quickly and I don't remember exactly the plan or I know that uh, I heard the [REDACTED] shots, shots were fired, something to that affect. Shots, shot fired.

Sharp: Okay.

Dalberg: And then something about getting medical. And there was this other chatter so I don't know how to, I don't remember like a specific plan like, anything like that. I just remember those type of things were being said.

Sharp: Okay and I don't think I asked it before uh, roughly was the CNT van or the CNT vehicle at or where were you at?

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Dalberg: So we were...

Sharp: ...in relation to the hotel?

Dalberg: Right so we were south of the location and we were on the east side of the street and probably at least a block and a half south maybe. Yeah a good block. Well actually – looking at your map here. Uh, we were somewhere down here by, right here at Malden, so maybe just south of Malden.

Sharp: Okay.

Dalberg: Or right at, yeah I think we were actually south of Malden.

Sharp: Okay.

Dalberg: So a block and a half.

Sharp: Okay. Can you think of anything else uh, that I haven't asked you that would be helpful in this case?

Dalberg: I don't think so.

Sharp: Okay.

Dolbey: Or, excuse me, Detective Dolbey here, what were you activities after you heard uh, them ask for medical?

Dalberg: Uh, basically we were, I was just, we were just in the CNT van just waiting to see what happened and we just, that, that was the, the basically the end of the call for us. It just was, we didn't really do anything else as far as helping team. They didn't ask for any information that I recall.

Dolbey: So how long, much longer did you stay on-scene?

Dalberg: I've stay- I stayed there the entire time until I was released by detectives to come back to North Precinct for, what time is it now? 2:00 in the afternoon um, several hours.

Dolbey: Okay.

Dalberg: So I don't know what time the, I know the call was 10:00-ish in the morning and I don't remember what, I don't know what the time is of the shooting, but I didn't come back to North Precinct for, till probably closer to 1:00.

Dolbey: And where did you spend those two hour waiting?

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Dalberg: So in the CNT van originally, just for like maybe 15, 20 minutes and then I just went and stood outside and waiting with uh, Officer KLUNT until I was told what, where to go and who to talk to.

Dolbey: Okay and have you discussed anything that you did during this incident with anyone else?

Dalberg: No.

Dolbey: Okay.


Sharp: Habkirk do you have any questions?

Habkirk: No I don't.

Sharp: You have any questions for us?

Dalberg: I don't.

Sharp: Okay uh, at this point I think we can go ahead and go off recording. It is approximately 0209 hours.

Transcribed Verbatim with Punctuation Added 102318 / 1309 T. Bradshaw 

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IMAGE ATTACHMENT (2784514) PED A106296

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

RECEIPT NUMBER	No. A106296		DATE/TIME 10-10-18	AM PM	REFER CASE NO.	PPB CASE NO. 18-347005
CHECK ONE TYPE	<input checked="" type="checkbox"/> ONLY	<input type="checkbox"/> EVIDENCE	<input type="checkbox"/> FOUND PROPERTY	<input type="checkbox"/> PRISONER'S PROP.	<input type="checkbox"/> SAFEKEEPING	
PROPERTY TAKEN FROM:		LAST NAME	FIRST	M.I.	SEX	DOB
DENIED OWNERSHIP <input type="checkbox"/>		PPB				
HOME ADDRESS		CITY	STATE	ZIP	I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING	
OWNER OF PROPERTY		LAST NAME	FIRST	M.I.	SEX	DOB
HOME ADDRESS		CITY	STATE	ZIP	SIGNATURE	
TYPE OF INCIDENT		DELIVERING OFFICER		DPSST/ASSIGN		
OFFICER INVOLVED SHOOTING		J. Sharp		34582 / Del		
LOCATION WHERE SEIZED, FOUND, SURRENDERED		INVESTIGATOR (IF DIFFERENT)		DPSST/ASSIGN		
NORTH PRECINCT		S. Broughton		40218 / Del		
<input type="checkbox"/> DEFENDANT	LAST NAME	FIRST	M.I.	SEX	RACE	DOB
<input type="checkbox"/> 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	1 CD - INTERVIEW W/ OFFICER DALBERG					
ITEM 2	1 CD - INTERVIEW W/ SGT. MCLUNNELL					
ITEM 3						
ITEM 4						
ITEM 5						
ITEM 6						
ITEM 7						
ITEM 8						
DELIVERED TO:	<input type="checkbox"/> STATE CRIME LAB	<input checked="" type="checkbox"/> SATELLITE PROP ROOM	<input type="checkbox"/> PED	PRECINCT & LOCKER#	DATE	RECEIVED BY
CHECK ONE ONLY	<input type="checkbox"/> FED	<input type="checkbox"/> OTHER	cib			
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY						
RECEIVED BY PED	TIME:		BY		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT	
DATE:						

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IMAGE ATTACHMENT (2784883) INTERVIEW WITH PARAMEDIC JAY FINK 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

October 10, 2018

**Interview with
JAY FINK**

TAPED STATEMENT TRANSCRIPTION

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PORTLAND POLICE BUREAU
DETECTIVE DIVISION
CONFIDENTIAL TAPED STATEMENT TRANSCRIPTION

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Hall: Alright so we are recording right now. Speaking is Detective Jace Hall with the Oregon State Police. The date is October 10th, 2018, at 2:17pm. Uh, at Portland Police Bureau's North Precinct in a side office. Um, also with me today uh, for the purpose of the recorder.

Crockett: Uh, Detective William Crockett.

Fink: Firefighter Paramedic JAY FINK.

Hall: And also?

Kenney: Officer Zack Kenney as PPA rep.

Hall: Alright and also there's some preliminary stuff we wanted to get out of the way real quick. Um, if we could.

Kenney: It's my understanding that Firefighter FINK here is uh, here as a subject of his employment he's being required to, to give a statement because he's part of the SERT team. Is that your guys' understanding?

Hall: Yes.

Crockett: Yes.

Kenney: Okay.

Hall: Cool um, my – real quick pre-preliminary, my understanding is that normally you are uh, an employee of the fire department, is that correct?

Fink: Correct.

Hall: Okay um, but you also have responsibilities with uh, Portland SERT, correct?

Fink: Correct.

Hall: Okay can we talk about that just real briefly?

Fink: Sure.

Hall: Go, go for it. What's your role with Portland SERT?

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Fink: Uh, I serve as roll as the paramedic uh, assigned uh, as needed for certain operations with the Portland Police SERT team. So that includes uh, training days um, scenario days, call-outs, warrants um, any other specific duties that we maybe get to do or presidential details um, vice president details. Escort the fleet in for Rose Festival parade, stuff like that.

Hall: And uh, what level of paramedic are you?

Fink: A paramedic so –

Hall: Alright.

Fink: EMT paramedic.

Hall: Okay.

Fink: Um-hm.

Hall: And uh, how long have you been uh, doing this with SERT?

Fink: Uh, 10 years.

Hall: 10 years?

Fink: Um-hm.

Hall: Okay. Now your involvement with SERT uh, just today when, when did that begin?

Fink: Uh, it began this morning at 2:00 when we were called out, we were gonna serve two warrants today. So we executed the first warrant, had a slight break, came back, briefed for the second and just as that was wrapping the call-out came for the, the call that the shooting occurred.

Hall: Okay.

Fink: So –

Hall: Do you recall off the top of your head about what time that was?

Fink: Uh, we executed that warrant around 9:00 so it was sometime after that. I don't...

Hall: ...okay...

Fink: ...know exactly when the call-out came.

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Hall: And then uh, from there you guys get called to this uh, scene out there, 82nd and Flavel, correct? Uh –

Fink: Sev-76 (unintelligible).

Hall: El, El Rancho Hotel I think is where we're talking about. Uh, oh Del Rancho Motel. Uh, did you guys go straight there or?

Fink: Straight there.

Hall: Okay and then uh, where were you during, as it took place, went down?

Fink: Uh so I...

Hall: ...were you staged in a certain area? Take me through that.

Fink: Yeah we were so- I want to say south of the Del Rancho. I was assigned as a medic to the bear cat.

Hall: Okay.

Fink: So and that's the position I had been for both of the previous warrants this morning. So we just maintain our positions as we had all morning and uh, I was standing at the back of the bear cat speaking with uh, the medic from, he was in the bear truck so – JARED BORELAND.

Hall: Okay. And uh, about how long had you been out there?

Fink: Oh I don't know. I, I wasn't really keeping...

Hall: ...okay...

Fink: ...track of time so –

Hall: Okay and then uh, uh, then take me through what's the next significant event that happened while you were out there?

Fink: Um, so we were just uh, standing by as the operation seemed to ramp up and uh, just kind of making sure we knew what our duties were going to be in case something happened. We talked about uh, whether or not we were gonna have AMR stage or be prepared in case there was a call for a, a patient other than an officer. And uh, while JARED and I were just standing there kind of talking we heard a shot and uh, so I immediately put on gloves uh, just because I knew we'd probably be going to work and um, then it wasn't very long after that that they called medics up so I took off running to the scene. They called us up to the side one and uh, JARED was close behind me. I was in the apartment first. Well let

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me go back. Uh, they got me up to side one and uh, wanted me to just hang back until they got the gal out, the female. And then she came out with one of the officers, I just kind of quickly assessed her, she didn't appear to be injured. At least acutely that I could see so I allowed her to pass and uh, then once they determined that the apartment was secure I went in and uh, straight to the victim.

Hall: And um, I didn't, I didn't grab a map uh, with me but uh, what side is uh, side one that you're referring to?

Fink: That is the front door of the motel.

Hall: Okay. Um, so you go into the motel room, take it from there.

Fink: Uh, so it was uh, disheveled apartment, it was clear that he had made preparations to barricade himself in the apartment or in the uh, hotel room. Um, let's see. I walked around some debris and uh, the, the patient was in the bathroom. So with feet pointing kind of towards the window he was lying supine, kind of with head turned. Large expanding pool of blood around his head. I saw blood coming from his left ear. There might've been a little blood on his like anterior face, I wasn't really sure. Um, no respiration. Uh, still holding the knife in his right hand. Uh, it appeared to me that he died immediately and uh, I pronounced him dead.

Hall: Do you...

Fink: ...and I didn't look at the, I, I –

Hall: (Unintelligible).

Fink: I was, I didn't look at my watch to see what time.

Hall: Okay.

Fink: Um, it may have come over the radio I think so I'm sure there's –

Hall: That, that, okay. Uh, do you know, as a matter of practice, if, if they do mark that stuff over the radio, is it time stamped? Is it secure uh, uh, is it a person-to-person radio with your guys' team or is it?

Fink: Uh, I know there was a dispatcher on the Op's channel.

Hall: Okay.

Fink: So I'm assuming.

Hall: Okay.

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Fink: At least on the fire side that's what happens, so.

Hall: Okay um, and then, then what do you do from there? After you um, pronounced him as deceased?

Fink: Uh, after I pronounced him deceased JARED uh, who's one of our newer medics on the team wanted to know if he could come up and just take a look to see...

Hall: ...uh-huh...

Fink: ...what I saw. Uh, he concurred, patient appeared deceased and uh, then we exited the apart- or the hotel room. So -

Hall: Did you have to uh, move or manipulate the patient at all?

Fink: I did not, no.

Hall: No, okay.

Crockett: Uh, do you recall who the other SERT members were in that room?

Fink: Um, Sergeant LIVINGSTON was in there. I don't remember who else. I want to say uh, shoot I can't think of his name now. TOWNLEY I want to say was in there with me. I don't remember.

Crockett: Okay.

Hall: Do you recall what the knife looked like?

Fink: It was black, that's all I remember.

Hall: As far as the blade of it, it was all black or?

Fink: Um -

Hall: What'd you mean by black?

Fink: Gosh, you know I don't remember. I just remember that I thought it was unusual that he still had it like held in his hand. Like as he had like fell to the floor. So I just recognized a, a fairly lengthy black object in his hand. A knife, so -

Hall: Okay. I think that's all I got. Is there anything else that seems like it'd probably be relevant to you that we haven't got a chance to ask?

Fink: No sir.

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Hall: Alright, I'm -

Crockett: Kenney anything?

Kenney: Do you think that the SERT team made an effort to get you in there to render aid as soon as practical?

Fink: I do, yeah. Um, it was, I, I couldn't tell you how many seconds but I mean as soon as the shot was fired we heard the, the [REDACTED] and uh, they were inside and almost immediately they were calling for medics up so we ran up to the scene.

Hall: Based off of the injury that you saw do you think that there is any uh, medical uh, aid that could've been done?

Fink: No. Anything else?

Crockett: That's it.

Hall: Alright time is 2:25 now, we'll go ahead and end the interview.

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GO 42 2018-347005

IMAGE ATTACHMENT (2789462) A106977

BUREAU OF POLICE 2619 NW INDUSTRIAL ST., STE. B4 PORTLAND, OREGON 97210 503-823-2179		PROPERTY/EVIDENCE RECEIPT		HOURS OF OPERATION: 9:00 AM TO NOON & 1:00 PM TO 4:00 PM, M-F	
THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT					
RECEIPT NUMBER No. A106977	DATE/TIME 10-10-18	AM PM	REFER CASE NO.	PPB CASE NO. 18-347005	
CHECK ONE TYPE <input checked="" type="checkbox"/> EVIDENCE		<input type="checkbox"/> FOUND PROPERTY		<input type="checkbox"/> PRISONER'S PROP. GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>	
PROPERTY TAKEN FROM:		LAST NAME		FIRST	
DENIED OWNERSHIP <input type="checkbox"/>		CITY		STATE	
HOME ADDRESS		CITY		STATE	
OWNER OF PROPERTY		LAST NAME		FIRST	
HOME ADDRESS		CITY		STATE	
TYPE OF INCIDENT OIS		DELIVERING OFFICER J. Russek		DPSST/ASSIGN 2922	
LOCATION WHERE SEIZED, FOUND, SURRENDERED North Precinct		INVESTIGATOR (IF DIFFERENT)		DPSST/ASSIGN	
<input type="checkbox"/> DEFENDANT		LAST NAME		FIRST	
<input type="checkbox"/> SUSPECT		CITY		STATE	
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 - Officer Dale # 58314 Officer Higginbotham # 28713				
ITEM 2	1 map by Officer Higginbotham # 28713				
ITEM 3					
ITEM 4					
ITEM 5					
ITEM 6					
ITEM 7					
ITEM 8					
DELIVERED TO: <input type="checkbox"/> STATE CRIME LAB <input checked="" type="checkbox"/> SATELLITE PROP. ROOM <input type="checkbox"/> PED					
CHECK ONE ONLY <input type="checkbox"/> FED <input type="checkbox"/> OTHER					
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY					
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DATE		TIME		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT	

07/12

CONFIDENTIAL

IMAGE ATTACHMENT (2814097) 9-1-1 CALL WITH SAM RICE 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

October 10, 2018

**9-1-1 Call with
SAMUEL RICE**

TAPED STATEMENT TRANSCRIPTION

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Portland Police Bureau
PUBLIC RECORD RELEASE
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GO 42 2018-347005

PORTLAND POLICE BUREAU
DETECTIVE DIVISION
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Dispatcher: 9-1-1.

Rice: Where's TALON's wallet?

Dispatcher: 9-1-1, anyone there?

Rice: The men out in front of Del Rancho going after 16, are trying to kill me and [REDACTED] TALON uh, OCHOA again.

Dispatcher: Okay what unit number are you in?

Rice: 16. My name is AARON ALEX DIESEL, I'm stressed out fuck I've got the best and hottest boy voice in the world and I am dead fuckin' pissed about this. I had my nuts cut open...

Dispatcher: ...what...

Rice: ...I had my ball sack ripped open, I've got a scar on my penis to prove it (unintelligible).

Dispatcher: Do you need...

Rice: ...that I'm going to prove.

Dispatcher: Do you need an ambulance?

Rice: Shut your mouth, no you need an ambulance if you don't fuckin' give me some money. Bring her the fuckin' wallet in there.

Dispatcher: Would you...

Rice: ...and send bags of cash from Loomis, Garner and Brink's.

Dispatcher: And do you want to, to be transferred to an officer?

Rice: No I don't. You are stupid for letting this happen to people. Especially women, you shoot yourself no, you shouldn't sell yourselves for food and money and uh, freedom. You shouldn't sell your body parts for that. I told people this would happen. What's happening on the inside of the (unintelligible) right now?

Dispatcher: I'm, inside of the what?

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Rice: Why is (unintelligible) lifting off the ground? It will leave and go somewhere else later. After you give her, her wallet, my new ID, my proper ID with my proper birthdate that I remember on a screen.

Dispatcher: Do you remember where...

Rice: ...front window.

Dispatcher: Where did you leave your wallet?

Rice: Her wallet was in my back right pocket.

Dispatcher: And what is her name again?

Rice: She's verified everybody, she's, no shut up. She doesn't trust anybody. I, I don't mean, I don't mean to be rude but you shouldn't sell people fuckin' uh, you know body parts. You shouldn't have sold her.

Dispatcher: Okay and what was her name again?

Rice: No you're, no, no I'm done with it. DARREN JARSON stuck his dick in her before I came back for her, when I came back to have sex with my li- my wife it was gaped and, and loose and it's not loose. Leave it alone, leave it there. Okay she was loose and fucked. (unintelligible) I got fuckin' second on something that should've been a virgin, but still had two pieces of glass in her vagina. One at the center and one on the right, was supposed to be the left and uh, what else? Oh two razor blades come out. That's your fault. I'm suing you for attempted murder on my fiancé, TALON (unintelligible)-OCHOA. No court because I can't walk through terrain. If I get punched somewhere by other man's hands I'm gonna fight back and it's gonna kill me.

Dispatcher: So TALON is there with you right?

Rice: My (unintelligible) with my (unintelligible) open.

Dispatcher: So AARON –

Rice: My final (unintelligible) ...

Dispatcher: AARON?

Rice: Shut your fuckin' mouth.

Dispatcher: So TALON is there with you right?

1107.5sbr

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Rice: Shut your mouth! Shut up. She's right here, doesn't want to talk, she's scared of you.

Dispatcher: Well let's (unintelligible).

Rice: (Unintelligible) gonna listen and nobody talk! You're a female.

Transcribed Verbatim with Punctuation Added 110718 / 0744 T. Bradshaw 

1107.5sbr

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IMAGE ATTACHMENT (2814099) CNT PHONE CONVERSATIONS WITH SAM RICE 10-10-18

**PORTLAND POLICE BUREAU
CASE NUMBER 18-347005**

October 10, 2018

**CNT Conversation with
SAMUEL RICE
TAPED STATEMENT TRANSCRIPTION**

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Page 1

(Phone ringing)

Recording: Please leave your message for 971-.

(Phone dialing)

Weinberger: Here's the headset button.

Steinbronn: I'm here to help.

Weinberger: Thanks.

(Phone ringing)

Weinberger: He uh —

Rice: Hello?

Weinberger: Hello? Who am I speaking with? This is Officer Weinberger, Portland Police.

Rice: Yeah well I just (phone cutting out)

Weinberger: What, what was that?

Rice: That was the code to end it, go home.

Weinberger: What...

Rice: ...it's over. You have your formation, look at where you're standing. I'll tell you right now, I'll give you my (unintelligible). Okay your formation is four right?

Weinberger: Formation is four?

Rice: No, no, no.

Weinberger: Okay.

Rice: No building movements, right? What'd you do?

Weinberger: I, I...

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Rice: ...no (unintelligible) and leave you and me alone for...

Weinberger: ...alright.

Rice: ...a few minutes.

Weinberger: So –

Rice: So, no listen, listen, listen, how do you stack up on a window?

Weinberger: Stack up on window, what'd you?

Rice: Just, just (unintelligible), let me do this, okay. They want this for me so fine on a (unintelligible) op situation, no, no, no, no, no. But Codus, right for what? The entire world? And positionals, so what buildings would you use to form up and make a stack in a for- squad or a platoon so to say, if this, this a matter of platoons it's, yes it's continuing.

Weinberger: Okay –

Rice: So you stack up on a building and move through the land, they stop the surrounding covers and then move as one through the land.

Weinberger: Okay. So –

Rice: So go away, see if you can do that, the formation you have here where he was standing all he was doing, he was stacking. None, never keep, keep it moving. That's good.

Weinberger: What –

Rice: You shouldn't stop.

Weinberger: Are you, are you seeing a...

Rice: ...(unintelligible) and captains don't stop going down or up.

Weinberger: Okay. Hey what's go- what's going on in there?

Rice: You, you, you're, you're mentally (unintelligible) stress. My (unintelligible) level (unintelligible).

Weinberger: So –

Rice: You're killing me, stop it. It's attempted murder (phone cutting out).

1107.4sbr

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Weinberger: So, so tell me, tell me more about what's going on in there.

Rice: What (unintelligible) (phone cutting out) you people. 'Cause she put her fuckin' (unintelligible).

Weinberger: I – what, what do you want me to, to stop happen, happening?

Rice: (unintelligible talking in background).

Weinberger: Did – hey did you put the phone down? Will you, hey will you pick up the phone for me? Pick, pick up the phone so we can talk. You – you need to, you need to pick up the phone. Hey AARON. AARON? AARON pick up the phone.

Rice: Go fuck yourself, go, go fuck yourself dude or I'm gonna cut her throat. You have two seconds to have (unintelligible) you've got two seconds. One.

Weinberger: AARON what do you, what do you want me stop having happen? AARON?

(Dial tone – Call disconnected)

(Phone dialing)

Steinbronn: I would just keep him talking.

Weinberger: Yeah.

Steinbronn: Hey tell me more, tell me more. Even enter into his –

Weinberger: Little delusion.

Steinbronn: Like not enter in but...

Weinberger: ...but participate it, with it.

Steinbronn: Allow him, allow him to keep going.

Recorder: Please leave your message for 971-2.

(Call disconnected, redialing)

Recording: Please leave your message for 971.

(Call disconnected, redialing)

Steinbronn: Do you want to just loop?

1107.4sbr

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Recording: Please leave your message for 97.

(Call disconnected, redialing)

Steinbronn: And again, you know keep rambling, fairly incoherently at times, something about formations and...

Weinberger: ...yeah.

Steinbronn: Fact. Again we're just trying to keep him on the line, gaining intel.

Recorder: Please leave your message for nine.

(Call disconnected, redialing)

Weinberger: I'm switching to one oh, 106.

(Phone dialing)

Weinberger: This feels bad. Hey.

Unknown: So we've got this like half set-up.

Weinberger: Okay.

Unknown: And I'll, I'll be back.

Weinberger: Okay.

Steinbronn: Yeah just (unintelligible).

Weinberger: Okay, perfect.

Steinbronn: But I'm gonna get a search and (unintelligible).

Recording: Please leave your message for nine.

(Call disconnected, redialing)

Recording: Please leave your message for nine.

(Call disconnected, redialing)

Weinberger: I'm just gonna call him AARON, that's the last thing he's identified as -

Steinbronn: Even though he says it's not my name but still.

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Weinberger: It's the closest we have. They just do a sniper shot?

Steinbronn: Yeah (unintelligible background talking).

(Call disconnected)

Transcribed Verbatim with Punctuation Added 110718 / 0841 T. Bradshaw



1107.4sbr

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PUBLIC RECORD RELEASECASE NUMBER
GO 42 2018-347005**CONFIDENTIAL**

IMAGE ATTACHMENT (2831538) 10/22/18

**Oregon**

Kate Brown, Governor

An ASCLD/LAB - International Accredited Testing Laboratory Since 2006

Department of State Police
Forensic Laboratory
13309 S.E. 84th Ave Suite 200
Clackamas, OR 97015
(971) 673-8230
FAX (971) 673-8309

October 22, 2018

Portland Police Bureau
1111 S.W. 2nd Avenue
Portland, OR 97204

Attention: Scott P. Broughton

RICE, SAMUEL (Suspect)
Agency Case 18-347005
Lab No. 18L-7418

Analytical Report

On October 16, 2018, the Forensic Services Division received sealed via Scott P. Broughton the following:

<u>EXHIBIT #</u>	<u>AGENCY #</u>	<u>DESCRIPTION</u>
1	A109103:1-3	A 5.56X45mm Colt semiautomatic rifle, model M4/M16A2E, serial number A0105765, with a magazine and seventeen 223 Remington caliber cartridges.
2	A109106-1	A fired 223 Remington caliber cartridge case.
3	A109108:1	A fired damaged 22 caliber bullet fragment and one additional fired damaged bullet fragment weighing a combined 41.1 grains.
4	A109108:2	Three lead fragments with no useable firearms detail for comparison. Not examined further.

EXAMINATIONS/CONCLUSIONS:

Exhibit 1 was test fired using evidence ammunition and found to be operable. Examination and microscopic comparison identified the Exhibit 2 cartridge case as being fired in the Exhibit 1 semiautomatic rifle. Examination and microscopic comparison identified the Exhibit 3 bullet fragments as being fired from the Exhibit 1 semiautomatic rifle. Evidence ammunition used for comparison will be returned as Exhibit 1.1.

Evidence will be returned at the earliest convenience.

Travis D. Gover, Forensic Scientist

Pursuant to ORS 40.460 (25), I hereby certify that I retrieved this document directly from the computer system maintained and operated by the Oregon Department of State Police and that this document accurately reflects and is a true copy of the information contained in that computer system. In testimony whereof, I have affixed my signature.

Portland Police Bureau

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CASE NUMBER
GO 42 2018-347005

IMAGE ATTACHMENT (2903914) A106483

BUREAU OF POLICE
2619 NW INDUSTRIAL ST., STE. B4
PORTLAND, OREGON 97210
503-823-2179

PROPERTY/EVIDENCE RECEIPT

THIS RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE REPORT

HOURS OF OPERATION:
9:00 AM TO NOON &
1:00 PM TO 4:00 PM, M-F

RECEIPT NUMBER	No. A106483		DATE/TIME	12/8/2018		AM PM	REFER CASE NO.	PPB CASE NO.	18-347005					
CHECK ONE TYPE	ONLY <input checked="" type="checkbox"/> EVIDENCE		<input type="checkbox"/> FOUND PROPERTY		<input type="checkbox"/> PRISONER'S PROP.		<input type="checkbox"/> SAFEKEEPING							
						GAVE COPY? YES <input type="checkbox"/> NO <input type="checkbox"/>								
PROPERTY TAKEN FROM:			LAST NAME		FIRST		M.I.		SEX		DOB			
DENIED OWNERSHIP <input type="checkbox"/>														
HOME ADDRESS			CITY		STATE		ZIP		I VOLUNTARILY RELINQUISH THE ITEM(S) LISTED FOR SAFEKEEPING					
OWNER OF PROPERTY			LAST NAME		FIRST		M.I.					SEX		DOB
HOME ADDRESS			CITY		STATE		ZIP		SIGNATURE					
TYPE OF INCIDENT			DELIVERING OFFICER		DPSST/ASSIGN									
LOCATION WHERE SEIZED, FOUND, SURRENDERED			INVESTIGATOR (IF DIFFERENT)		DPSST/ASSIGN									
DEFENDANT <input type="checkbox"/>			LAST NAME		FIRST		M.I.		SEX		DOB			
SUSPECT <input type="checkbox"/>			LAST NAME		FIRST		M.I.		SEX		DOB			
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	Oregon State Police crime lab test fired casings, projectiles and live rounds from exam performed on officer Vamboldt's rifle listed on PER A109103													
ITEM 2														
ITEM 3														
ITEM 4														
ITEM 5														
ITEM 6														
ITEM 7														
ITEM 8														
DELIVERED TO:			<input type="checkbox"/> STATE CRIME LAB		<input checked="" type="checkbox"/> SATELLITE PROP. ROOM		<input type="checkbox"/> PED		PRECINCT & LOCKER#		DATE		RECEIVED BY	
CHECK ONE ONLY			<input type="checkbox"/> FED		<input type="checkbox"/> OTHER				C16		12/8/18			
DO NOT WRITE IN SPACE BELOW — FOR PED USE ONLY														
RECEIVED BY PED			DATE:		TIME:		BY		WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT					

07/12

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***** END OF HARDCOPY *****