

Portland Copwatch
PO Box 42456
Portland, OR 97242
503-236-3065

January 8, 2019

To: Attorney General Ellen Rosenblum
1162 Court St NE
Salem, OR 97301

From: Portland Copwatch

Re: List of Law Enforcement Deadly Force Incidents in Oregon 2010-2018

Attorney General Rosenblum:

Since 2014, Portland Copwatch has been sending you information about officer involved deadly force incidents in Oregon (or involving Oregon law enforcement). This letter updates the data to include the unprecedented 35 deadly force incidents which occurred in 2018, marking a 40% deviation from the average of 25 a year, and a number five higher than the previous high of 30 incidents in 2013. We hope your office will pay close attention to this uptick in officer shootings. As of January 6 there have already been three in 2019.

We began our analysis to ensure your office was complying with SB 111 (2007) regarding publishing the incidents in which a person died at the hands of Oregon law enforcement, which the State DOJ only started to do quietly at the end of 2016. We sent you a copy of our news release on May 4 calling attention to errors in the state database, some of which have been fixed. At that time we noted we found four incidents (three in 2010, one in 2013) which were not in our previous data.**

Adding in the new 35 cases (and the four older ones) this means there have been 231 incidents in the last nine years. 20 people died at the hands of law enforcement in 2018 (24 with the older cases), bringing the total to 131 in nine years. An average of 14 people per year are dying at the hands of police, which we have previously noted would prompt some kind of investigation if it were caused by a statewide restaurant franchise.

To summarize our updated findings:

* Totals:

---231 incidents involving 232 civilians***	[was 192/194]
----218 shootings, 119 ending in death (55%)	[was 191/97 and 54%]
----7 Taser-related deaths	[added one from 2013]
----3 deaths in custody	[one new incident in November 2018]
----3 vehicles as deadly force, 2 ending in death	[no change]

* Location of 230 incidents (excluding one in Washington state):

- The incidents occurred in 27 of Oregon's 36 counties [Coos County had its first two]
- The incidents happened in 89 municipalities or unincorporated areas in Oregon [up by 12].
- The top 5 cities accounted for 144 incidents (63%); the top 5 counties accounted for 148 (64%).

* Agencies involved:

- 84 Oregon agencies were involved including incidents involving multiple agencies.
- Most frequently involved were Portland Police (44), Oregon State Police (24), Washington County Sheriffs (15), Clackamas County Sheriffs (11), Salem Police (11), Hillsboro Police (11) and Medford Police (8).

[Note: includes 7 new incidents by PPB, 3 by Hillsboro, 2 each by OSP, Portland State University Campus Police, Gresham, Salem, Multnomah County, Washington County and Lane County (plus one in 2010), 1 each by the Drug Enforcement Administration, Confederated Tribal Police, PSU Campus Public Safety, Aumsville, Beaverton, Bend, Coos Bay, Coquille, Eagle Point, Eugene, Keizer, Klamath Falls, Medford, North Bend, Seaside, and Clackamas, Coos, Deschutes, Josephine, Klamath, Wasco and Yamhill Counties, and one each from Linn County, LaGrande Police and Douglas County in 2010/2103; some incidents included multiple agencies.]

* Broken down by year:

--2010:

--- 25 incidents
----23 shootings, 12 ending in death
-----6 in Portland
-----1 by US Marshals
-----1 with no hits
----2 Taser-related deaths

--2011:

--- 14 incidents
----13 shootings, 5 ending in death
-----4 in Portland plus one death in custody
-----1 by off duty Federal Protective Service officer
-----2 with no hits
----1 death in custody (in Portland, as noted above)

--2012:

--- 28 incidents
----25 shootings, 12 ending in death
-----6 in Portland
-----1 by US Marshals
-----2 with no hits
----3 Taser-related deaths

--2013:

--- 30 incidents
----28 shootings, 13 ending in death
-----2 in Portland
-----3 with no hits
----2 Taser-related deaths

--2014:

--- 23 incidents
----21 shootings, 16 ending in death
-----4 in Portland
----1 death in custody
----1 deadly force using vehicle

--2015:

--- 25 incidents
----24 shootings, 16 ending in death
-----6 in Portland
----1 deadly force using vehicle ending in death

--2016:

--- 25 incidents
----24 shootings, 15 ending in death
-----2 in Portland
----1 deadly force using vehicle ending in death

--2017:

--- 26 incidents
----26 shootings, 12 ending in death
-----6 in Portland

--2018:

--- 35 incidents
----34 shootings, 19 ending in death
-----6 in Portland plus one death in custody
-----3 with no hits
----1 death in custody (in Portland, as noted above)

- * Race: We do not have enough information to break down the list by race statewide.
 - 11 of the 44 Portland shootings/deaths were of African Americans, or 25% of victims in a city that is 6% black.
 - At least 15 of the 232 suspects were African Americans, still 6% in a state which is 2% black.
- * Gender: All but nine of the 232 suspects were male (still 96%).
Four of the cases where women were shot (or tasered) were in 2014; one female was shot in 2018.
- * Age: The victims ranged in age from 17 to 88.
 - Most common ages were 29 (11); 31 (10); 25, 26 and 27 (9 each); 30 (8); 34, 37, 44, 49, and 55 (7); 20, 22, 23, 36, 40 (6); 17, 38, 45, 47, 50, 52 and 56 (5 each).
 - [3 of the people we added this year were 27, none were under 20 or over 65.]
 - Average age was 38 [normal for our study].
- * Veterans/mental health: At least nine of the victims were primarily identified as military veterans in some kind of psychological crisis. We are still unable to track exactly how many of the suspects were in crisis, although in 2018 John Elifritz and Samuel Rice in Portland and Matthew Graves in Eagle Point were reportedly having mental health issues.

The fact remains that the only indictment for an officer in any of these cases (that we know of) ended with the unfortunate suicide of Portland Officer Dane Reister in 2015. His prosecution for a 2011 shooting was never carried out as an appeal from the Multnomah District Attorney was pending at the time of his death. We continue to encourage the AG's office to look into the idea of special prosecutors for these incidents, since local DAs are unlikely to pursue charges in cases involving officers they need to convict criminal suspects in their daily court proceedings. It is notable that the Klamath County DA asked the Oregon DOJ to investigate the death of Philip Moskios, Jr., citing potential conflict of interest for knowing the officers plus the involvement of the DEA agent. As you know, the Oregon DOJ found no criminal wrongdoing in that case, but we welcome the precedent for the state providing an outside look at these most serious events.

This year, the officers who have not yet been named (to our knowledge) are the Gresham officer who shot at Vasile Manta in April and the Deputies who killed Mark Farrell in December (and the DEA agent, who is not necessarily subject to Oregon law). We still do not know the names of the State Trooper who shot LaVoy Finicum in 2016 or the Gold Beach officers who shot at Brian Anthony Widby in 2017. As we have written before, transparency in our state government is crucial and we urge the AG to ensure such names are transmitted to the public.

We hope to hear back from you.

dan handelman
Portland Copwatch

** Only four of the nineteen deaths caused by police intervention in 2018 are on the state's website so far including the three PPB shootings and the one in Josephine County.

*** (a) In an odd turn of events, the same person was shot at by police in Multnomah County on April 30 and May 14, 2018, so the total number of civilians went up by 38 rather than 39.
(b) The Portland Police also used a carotid choke hold in late August, but we're not including that incident on this list as otherwise every use of a Taser or other violence that could lead to death would also be included.

This letter can be found in PDF format at:
http://www.portlandcopwatch.org/oregon_shootings_letter0119.pdf
The attached database can be found at:
<http://www.portlandcopwatch.org/ORshootings2010-18.pdf>

NOTES:

(A) Explanation of data other than shootings by Oregon law enforcement (or not in Oregon) resulting in injury or death:

---Shootings with no hits are included because the officer(s) intended to injure or kill the suspects, so the incidents should be tracked as deadly force anyway and investigated as attempted homicides.

---Incidents involving federal agencies within Oregon's borders should be of concern to the State.

---The incident near Lincoln City in 2014 in which an officer using a patrol car struck a suspect who was on foot should be counted as deadly force, especially since the suspect ended up in critical condition. The incident in Klamath Falls in 2015 saw the officer hit the suspect's car, causing his death. In 2016 a Redmond officer deliberately struck a suspect, who died three days later.

---A 2013 incident in Wishram, Washington involved deadly force by a plainclothes officer from The Dalles.

(B) Breakdown of incident data:

--By location (230 incidents in Oregon): 48 in Portland; 15 in/near Salem; 10 in/near Medford and in Hillsboro; 8 in Gresham; 7 in Aloha and Eugene; 6 in Beaverton; 5 in Bend; 4 in/near Grants Pass and Klamath Falls; 3 in Eagle Point, Fairview, McMinnville and Pendleton; 2 in/near Albany, Boring, in/near Brownsville, Cornelius, Gladstone, Happy Valley, Keizer, Lebanon, Madras, Oregon City, Redmond, Roseburg, Seaside, Sherwood, Silverton, Springfield, The Dalles, Tigard, Tualatin and Woodburn; and 1 each in/near Amity, Ashland, Astoria, Athena, Aumsville, Beatty, Bethany, Boardman, Burns, Canyonville, Cave Junction, Cedar Mill, Central Point, Clackamas County, Colton, Creswell, Dallas, Elgin, Florence, Forest Grove, Gold Beach, Grand Ronde, Hermiston, Hubbard, Lakeview, Lincoln City, Modoc Point, Molalla, Mt. Angel, Myrtle Creek, Newport, North Albany, North Bend, Oak Grove, Oakridge, Ontario, Reedsport, Sandy, Scappoose, Sisters, St. Helens, Talent, Turner, Tygh Valley, Warren, West Linn, Winchester Bay, Wolf Creek, Yachats and Yamhill County.

--By county: 59 in Multnomah; 34 in Washington; 24 in Marion; 16 in Jackson; 15 in Clackamas; 14 in Lane; 8 in Deschutes; 6 in Douglas, Josephine and Klamath; 5 in Umatilla, Linn and Yamhill; 3 in Clatsop, Columbia, Lincoln and Wasco; 2 in Benton, Coos, Jefferson, Polk and Union; and 1 each in Curry, Harney, Lake, Malheur, and Morrow.

--By agency (second number after /slash/ indicates agency was one of multiple responsible in additional incident[s]): Portland Police (44-including 3 SERT); Oregon State Police (19-including 1 SWAT/5); Washington County Sheriff (11-including 3 SWAT or TNT/4); Salem Police (11); Clackamas County Sheriff (10-including 3 SWAT/1); Hillsboro Police (10/1); Medford Police (8); Gresham Police (7/1); Beaverton Police (6/1); Eugene Police (6); Marion County Sheriff (5/1); Fairview Police (4); Jackson County Sheriff (4); Klamath Falls Police (4); Lane County Sheriff (4); Linn County Sheriff (3); Polk County Sheriff (3); Springfield Police (3); Tigard Police (3); Bend Police (3); Klamath County Sheriff (2); Eagle Point Police (2); Grants Pass Department of Public Safety (2); Keizer Police (2); Pendleton Police (2); Reedsport Police (2); The Dalles Police (2); Seaside Police (2); Tualatin Police (2); Deschutes County Sheriff (2); Douglas County Sheriff (2/2); Yamhill County Sheriff (2); and 1 each by Astoria Police, Athena Police, Aumsville Police, Benton County Sheriff, Central Point Police, Cornelius Police, Dallas Police, Eastern Oregon Correctional Institution, Elgin Police, Gladstone Police, Gold Beach Police, Hermiston Police, Jefferson County Sheriff, Josephine County Sheriff, LaGrande Police, Lebanon Police, McMinnville Police, Milwaukie Police, Morrow County Sheriff, Mt. Angel Police, Myrtle Creek Police, Multnomah County Sheriff (1/1), Newberg-Dundee Police, Newport Police, North Bend Police, Ontario Snake River Corrections Officers, Oregon City Police, Portland State University Police (1/1), Redmond Police, Roseburg Police, Silverton Police, St. Helens Police, Tualatin Police (1/1), Wasco County Sheriff, West Linn Police, Woodburn Police, Yamhill Police and a "multijurisdictional SWAT team" in Gladstone; also three shootings involving US Marshals (2/1) and one off duty Federal Protective Service officer, plus one which involved the Department of Justice, one with the FBI, one with the DEA and two with Alcohol, Tobacco and Firearms as additional agencies. Listed as secondary agencies are also Columbia County Sheriffs, Confederated Tribal Police, Coos Bay Police, Coos County Sheriff, Coquille Police, Florence Police, Forest Grove Police (2 times), PSU Campus Safety, and Sherwood Police.

[Note that police in Aumsville, Josephine County, LaGrande (2010), Multnomah County, North Bend, PSU (Police and Public Safety), and Wasco County are new to this list.]