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February 3, 2021

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

From: Portland Copwatch

Re: List of 304 Law Enforcement Deadly Force Incidents in Oregon 2010-2021, Average Now 28 Per Year.

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). We now have data collected for eleven years: 2010-2020. Adding in the 35 cases from 2020 (and one from 2010 we came across), there have been at least 304 incidents in the past 11 years, bringing the average-- which was 25 per year before 2017-- up to 28 per year. This letter updates the data to include the 2020 incidents. In 2019, we asked your office to pay close attention to the uptick in officer shootings when the number had gone above 30 for the third year in a row, despite the national number of deadly force incidents ending in death remaining constant at about 1000 (per the *Washington Post*). As of February 3, we have there have already been three such incidents in Oregon in 2021.*-1

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. The State DOJ created that list quietly in late 2016. At last check, only 37 of 54 deaths caused by law enforcement from 2018 to 2020 (69%) were listed on the DOJ website.*-2 While that is an improvement over the 30% figure we found last year, it is unacceptably low.

Twenty people died at the hands of law enforcement in 2020, bringing the total to 171 in eleven years (16 per year). Relatively speaking, Oregon has a low homicide rate compared to other states-- about 95 per year,*-3 meaning law enforcement in Oregon is responsible for about 1 in every 6 homicides. At least nine people were killed by police Taser use including in 2020. Such rampant use of violence to enforce state power deserves your attention.

To summarize our updated findings:

___Totals:

---304 incidents involving 306 civilians*-4	[was 268/270]
----286 shootings, 155 ending in death (54%)	[was 252/136 and 54%]
----9 Taser-related deaths	[was 8]*-5
----5 deaths in custody	[was 4]
----4 vehicles as deadly force, 3 ending in death	[no change]

___Location of 303 incidents (excluding one in Washington state):

- The incidents occurred in 27 of Oregon's 36 counties [no change].
- The incidents happened in 99+ municipalities or unincorporated areas in Oregon [7 new].
- The top 5 cities accounted for 115 incidents (38%); the top 5 counties accounted for 192 (63%).

___Agencies involved:

- 93 Oregon agencies were involved including involving multiple agencies.
- Most frequently involved were Portland Police (52), Oregon State Police (34), Washington County Sheriffs (19), Clackamas County Sheriffs (16), Hillsboro Police (15), Salem Police (13), Eugene Police (11), plus Medford and Gresham Police (9 each).

[Note: includes 3 new incidents by OSP (plus 3 where they were a secondary agency), 2 new incidents by each of the PPB, Clackamas County, Eugene, Gresham, and Washington County (plus 1) and one by Salem Police. Other incidents this year included two by Jackson County, and one each by Bend, Forest Grove, Grants Pass (plus 1), Hillsboro, Josephine County, Klamath County, Lake County, Lincoln City, Linn County, Marion County, Milton Freewater (2ndary), Milwaukie, Oregon City, Sandy, Silverton, Springfield, Tualatin (2ndary), Umatilla County, Warrenton Police and the Warm Springs Tribal Police as well as US Marshals in Portland.]

___ Broken down by year:

--2020:

--- 35 incidents
--- 33 shootings, 18 ending in death
----> 2 by Portland Police, 1 each by
Gresham Police and US Marshals in Portland
----> 4 with no hits (maybe 5)
----> 1 by Warm Springs Tribal Police,
1 by US Marshals
--- 1 death in custody, 1 Taser-related death

--2019:

--- 35 incidents
--- 32 shootings, 17 ending in death
----> 6 by Portland Police, one by
Vancouver (WA) Police in Portland
----> 9 with no hits
--- 1 death in custody, 1 deadly force using vehicle
ending in death, 1 Taser-related death

--2018:

--- 37 incidents
---36 shootings, 19 ending in death
----> 6 in Portland plus one death in custody
----> 4 with no hits
---1 death in custody (in Portland)

--2017:

--- 26 incidents
---26 shootings, 12 ending in death
----> 6 in Portland
----> 4-6 with no hits (unclear)

--2016:

--- 25 incidents
---24 shootings, 15 ending in death
----> 2 in Portland
----> 1 with no hits
---1 deadly force using vehicle ending in death

--2015:

--- 25 incidents
---24 shootings, 16 ending in death
----> 6 in Portland
----> 3 with no hits
---1 deadly force using vehicle ending in death

--2014:

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

--2013:

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

--2012:

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

2011:

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

2010:

--- 26 incidents 2010 *-6
---24 shootings, 12 ending in death
----> 6 in Portland
----> 1 with no hits
---2 Taser-related deaths

___Race: We do not have enough information to fully break down the list by race statewide.

--12 of the 57 Portland shootings/deaths were of African Americans, or 21% of victims in a city that is 6% black.

--Overall, at least 18 of the 306 civilians were African Americans, still 6% in a state which is 2% black.

___Gender: All but 14 of the 305 civilians were male (95% male, a figure that was 96% last year).

Four of the cases where women were shot (or tasered) were in 2014; one female was shot in 2018; three were shot at in 2019, and two were shot in 2020, one of whom was killed.

___Age: The victims ranged in age from 17 to 88.

--Most common ages were 29 (16); 26 and 31 (14); 25 and 34 (13); 27 (12); 30 (11); 44 (10); 36 (9); 40, 49 and 55 (8); 20, 22, 23, 33, 37, 51, and 56 (7).

[Two sets of 3 of people we added this year were each 26 or 29; none were under 21; three were over 55.]

[At the time of this reporting, six people's ages are not known including three from 2020.]

--Average age was 38, normal for our study.

___Veterans/mental health: At least eleven 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 civilians were in crisis, although in 2020 at least Chase Brooks in Springfield, Alexander Jiminez in Astoria, Doug Diamond in Welches and Terry Dickson in Lakeview were known to have 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. In 2018, 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. The Oregon DOJ found no criminal wrongdoing in that case, but we continue to encourage the state to provide an outside look at these most serious events.

The officers who have not yet been named (we believe) in 2020 are the Astoria and Warrenton officers involved in Alexander Jiminez's death, the Warm Springs officer who shot Mackline Kamala, the Milwaukie officer who killed Robert Woodside, the Oregon City officer who fired at Abe McCarthy, the Grants Pass officers who wounded Jonny James, the Gresham officer who shot Joseph Jacobs, the Forest Grove officer who tased James Marshall, the Clackamas deputies who killed John Dehoney, the Josephine County Deputy and Oregon State Trooper who shot at Donald Guest, the US Marshal who shot Jonathan Crowley and the Oregon State Trooper who killed Alaina Burns. In previous recent years only 2-3 cases lacked such information, the fact that police did not report the officers involved in eleven incidents is unprecedented; we urge the AG to ensure such names are published.

We hope to hear back from you.

dan handelman
Portland Copwatch

footnotes:

*1- The incidents on 1/1 near Lakeview, 1/3 in Ontario and 1/6 in Tigard each ended in the suspect's death.

*2- OR DOJ data: <https://justice.oregon.gov/deathincident/home/search> ; 2 incidents listed in 2020 are from earlier.

*3- Data from FBI UCS crime reports retrieved at <http://www.disastercenter.com/crime/orcrime.htm> and <https://www.oregon.gov/osp/programs/cjis/Pages/Uniform-Crime-Reporting.aspx>

*4- One civilian was shot at twice by police in 2018; in three other cases, including Sept. 27, 2019 in Yamhill County, two people were targets of the police.

*5- Allen Pitts died in custody in Salem after being struck by a Taser in 2019, it is not clear if this contributed to his death. If so there have been at least 13 such deaths since Tasers were introduced in Oregon in 2002.

*6- Includes a shooting by US Marshals in July 2010 added to this year's totals.

Additional notes:

--The Portland Police used a carotid choke hold in late August 2018, 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.

--There was also a report of a Clackamas County Sergeant negligently discharging his gun in Jan 2019, no one was hit so we are similarly not including this or other such negligent discharges which were not aimed at civilians.

PCW's database can be found at: <http://www.portlandcopwatch.org/ORshootings2010-20.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 civilians, 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. In 2019, a St. Helens officer deliberately struck and killed a man with his patrol car.

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

(B) Breakdown of incident data: (New: Warm Springs Reservation, Gates, Sunset Beach, Terminal City, Troutdale, Umapine, White City)

--By location (303 incidents in Oregon): 59 in Portland; 20 in/near Salem; 13 in Hillsboro; 12 in Eugene; 11 in/near Medford; 9 in Gresham; 8 in or near Aloha, Beaverton and Bend; 6 in/near Grants Pass; 5 in/near Klamath Falls; 4 in Oregon City; 3 in Albany (or near) and Springfield, Eagle Point, Fairview, McMinnville, Milwaukie, Pendleton, Roseburg, Silverton, The Dalles, Tualatin and Woodburn; 2 in Astoria, in/near Boring, in/near Brownsville, Cave Junction, Central Point, Cornelius, Forest Grove, Gladstone, Happy Valley, Keizer, Lakeview, Lebanon, Lincoln City, in/near Madras, in/near Oak Grove, in/near Oakridge, Ontario, Redmond, Sandy, Seaside, in/near Sherwood, St. Helens, Tigard and the Warm Springs Reservation; and 1 each in/near Amity, Ashland, Athena, Aumsville, Beatty, Bethany, Boardman, Burns, Canyonville, Cedar Mill, Clackamas County, Colton, Cottage Grove, Creswell, Dallas, Elgin, Florence, Gaston, Gates, Gold Beach, Gold Hill, Grand Ronde, Hermiston, Hubbard, Lafayette, La Pine, Modoc Point, Molalla, Mt. Angel, Myrtle Creek, Newport, North Albany, North Bend, Philomath, Reedsport, Scappoose, Sisters, Sunset Beach, Talent, Terminal City, Troutdale, Turner, Tygh Valley, Umapine, Warren, West Linn, White City, Winchester Bay, Wolf Creek, Yachats and Yamhill County.

--By county: 72 in Multnomah; 43 in Washington; 31 in Marion; 23 in Clackamas and Lane; 20 in Jackson; 12 in Deschutes; 9 in Josephine, 8 in Klamath; 7 in Douglas; 6 in Linn, Umatilla and Yamhill; 5 in Clatsop; 4 in Columbia, Jefferson, Lincoln and Wasco; 3 in Benton; 2 in Coos, Lake, Malheur, Polk and Union; and 1 each in Curry, Harney, and Morrow. [The nine counties without shootings in the past 11 years are Baker, Crook, Gillam, Grant, Hood River, Sherman, Tillamook, Wallowa and Wheeler; these are nine of the 14 least populous counties in the state.]

--By agency (second number after /slash/ indicates agency was one of multiple responsible in additional incident[s]): Portland Police (52-including 3 SERT); Oregon State Police (25-including 2 SWAT/9); Clackamas County Sheriff (15-including 4 SWAT/1); Hillsboro Police (13/2); Salem Police (13); Washington County Sheriff (13-including 3 SWAT or TNT/6); Eugene Police (11-including 1 SWAT); Medford Police (9); Gresham Police (9/1); Beaverton Police (7/1); Jackson County Sheriff (6); Marion County Sheriff (6/1); Deschutes County Sheriff (5); Klamath Falls Police (5); Lane County Sheriff (5); Springfield Police (5); Bend Police (4); Fairview Police (4); Linn County Sheriff (4); Douglas County Sheriff (3/2); Grants Pass Department of Public Safety (3/1); Klamath County Sheriff (3/1); Milwaukie Police (3); Polk County Sheriff (3); The Dalles Police (3); Tualatin Police (3/1); Yamhill County Sheriff (3); Benton County Sheriff (2), Dallas Police (2); Eagle Point Police (2); Josephine County Sheriff (2), Keizer Police (2); Oregon City Police; Pendleton Police (2); Reedsport Police (2); Seaside Police (2); Silverton Police (2); St. Helens Police; Tigard Police (2); and 1 each by Albany Police, Astoria Police, Athena Police, Aumsville Police, Central Point Police, , Cornelius Police, Eastern Oregon Correctional Institution, Elgin Police, Forest Grove Police (1/2), Gladstone Police, Gold Beach Police, Hermiston Police, Jefferson County Sheriff, LaGrande Police, Lake County Sheriff's Office SWAT, Lebanon Police, Lincoln City Police, McMinnville Police, Milton-Freewater 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, Portland State University Police (1/1), Redmond Police, Roseburg Police, Sandy Police, Umatilla County Sheriff's Office, Warm Springs Tribal Police, Warrenton, Wasco County Sheriff, West Linn Police, Woodburn Police, Yamhill Police, a "multijurisdictional SWAT team" in Gladstone and, Vancouver (WA) Police; also shootings involving US Marshals (4/1) 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 Clatsop County Sheriff's Office, Columbia County Sheriffs, Confederated Tribal Police, Coos Bay Police, Coos County Sheriff, Coquille Police, Florence Police, PSU Campus Safety, and Sherwood Police.

[Note: police in Clatsop/ Lake/ Umatilla Counties, Lincoln City/ Milton-Freewater/ Sandy/ Warrenton and Warm Springs are new on the list, all other agencies had previous incidents.]