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February 21, 2020

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

From: Portland Copwatch

Re: List of 268 Law Enforcement Deadly Force Incidents in Oregon 2010-2019, A Full Decade of Data

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 an entire decade: 2010-2019. Adding in the 35 cases from 2019 (and the two from 2018), there have been at least 268 incidents in the past 10 years. This letter updates the data to include the 2019 incidents while bringing the total from 2018 to an unprecedented 37 incidents which occurred that year. Before these past two years, the largest number of incidents in any one year was 30 in 2013. In 2019, we asked your office to pay close attention to this uptick in officer shootings, especially in light of the steady rate of national deadly force incidents listed by the Washington Post at about 1000 per year. As of February 21 there have already been at least three in Oregon in 2020.*-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, which the State DOJ only started to do quietly at the end of 2016. At our last check, only 12 of the 40 deaths caused by law enforcement in 2018 and 2019 (30%) were listed on the DOJ website, eight of which were reported by the Portland Police.*2

Twenty people died at the hands of law enforcement in 2019, bringing the total to 151 in ten years. Comparatively 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 three people were killed by police vehicles including one in 2019. This rampant use of violence to enforce state power deserves your attention.

To summarize our updated findings:

* Totals:

---268 incidents involving 270 civilians*-4	[was 231/232]
---252 shootings, 136 ending in death (54%)	[was 218/119 and 55%]
---8 Taser-related deaths	[was 7]*-5
---4 deaths in custody	[was 3]
---4 vehicles as deadly force, 3 ending in death	[was 3/2]

* Location of 267 incidents (excluding one in Washington state):

--The incidents occurred in 27 of Oregon's 36 counties
--The incidents happened in 92+ municipalities or unincorporated areas in Oregon [corrected from 2018, 7 new].
--The top 5 cities accounted for 105 incidents (39%); the top 5 counties accounted for 170 (64%).

* Agencies involved:

--85 Oregon agencies were involved including incidents involving multiple agencies.
--Most frequently involved were Portland Police (50), Oregon State Police (28), Washington County Sheriffs (16), Hillsboro Police (14), Clackamas County Sheriffs (14), Salem Police (12), plus Medford and Eugene Police (9 each).

[Note: includes 6 new incidents by PPB, 3 by OSP (plus one where they were a secondary agency), Clackamas County and Eugene, two by Hillsboro (plus one where they were a secondary agency), one by Washington County (where they were a secondary agency), Salem and Medford. Others involved in new incidents were: Albany, Beaverton, Benton County, Dallas, Deschutes County (3), Douglas County, Klamath Falls, Lane County, Milwaukie, Oakridge, Springfield, St. Helens, The Dalles, Tualatin and Yamhill County. In one case Vancouver, WA police fired weapons in Portland. 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)

--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:

--- 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)

--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

- * Race: We do not have enough information to fully break down the list by race statewide.
 - 12 of the 55 Portland shootings/deaths were of African Americans, or 22% of victims in a city that is 6% black.
 - Overall, at least 17 of the 270 civilians were African Americans, still 6% in a state which is 2% black.
- * Gender: All but 12 of the 270 civilians were male (96% male).
 - 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, one of whom was killed.
- * Age: The victims ranged in age from 17 to 88.
 - Most common ages were 29 (13); 25 and 31 (12); 34 (11); 27 and 30 (10); 26 and 36 (9); 55 (8); 20, 23, 37, 40, 44, and 49, (7); 22, 33, 38, 45, 50 and 56 (6).
 - [4 of the people we added this year were 34, none were under 20; two were over 65.]
 - [At the time of this reporting, three people's ages are not known]
 - 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 civilians were in crisis, although in 2019 at least Andre Gladen, Lane Martin and Koben Henriksen in Portland, Allen Pitts in Salem, Tony Mills in Gold Hill and Steven Myers in Medford 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. 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 (to our knowledge) in 2019 are the Oregon State Troopers involved in killing Victor Zavala, the Clackamas Deputy who shot at Daniel Wiese, or the officers involved in the incidents involving Yamhill Deputies and Salem Police. We still do not know the names of the State Trooper who shot LaVoy Finicum in 2016, nor the Gold Beach officers who shot at Brian Anthony Widby or the many who shot at Nathaniel Macalevy in 2017, nor three officers involved in 2018 incidents. 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

footnotes:

- *1- The incidents on January 1, January 2 and February 14 all ended in deaths.
- *2- Oregon DOJ data: <https://justice.oregon.gov/deathincident/home/search>
- *3- Data from FBI UCS crime reports retrieved at <http://www.disastercenter.com/crime/orcrime.htm>
- *4- One civilian was shot at twice by police in 2018; in three other cases, including the Sept. 27 one 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 12 such deaths since Tasers were introduced in Oregon in 2002.

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/ORshootings2010-19.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: Cottage Grove, Gaston, Gold Beach, Lafayette, La Pine, Milwaukie, Philomath)

--By location (267 incidents in Oregon): 55 in Portland; 17 in/near Salem; 12 in Hillsboro; 11 in/near Medford; 10 in Eugene; 8 in Gresham; 7 in Aloha, Beaverton and Bend; 5 in/near Grants Pass and in/near Klamath Falls; 3 in Albany (or near), Eagle Point, Fairview, McMinnville, Oregon City, Pendleton, Roseburg, Springfield, The Dalles and Woodburn; 2 in/near Boring, in/near Brownsville, Cornelius, Gladstone, Happy Valley, Keizer, Lebanon, in/near Madras, in/near Oak Grove, in/near Oakridge, Ontario, Redmond, Seaside, in/near Sherwood and Silverton, St. Helens, Tigard, and Tualatin; and 1 each in/near Amity, Ashland, Astoria, Athena, Aumsville, Beatty, Bethany, Boardman, Burns, Canyonville, Cave Junction, Cedar Mill, Central Point, Clackamas County, Colton, Cottage Grove, Creswell, Dallas, Elgin, Florence, Forest Grove, Gaston, Gold Beach, Gold Hill, Grand Ronde, Hermiston, Hubbard, Lafayette, Lakeview, La Pine, Lincoln City, Milwaukie, Modoc Point, Molalla, Mt. Angel, Myrtle Creek, Newport, North Albany, North Bend, Philomath, Reedsport, Sandy, Scappoose, Sisters, Talent, Turner, Tygh Valley, Warren, West Linn, Winchester Bay, Wolf Creek, Yachats and Yamhill County.

--By county: 66 in Multnomah; 39 in Washington; 27 in Marion; 20 in Lane; 18 in Jackson and Clackamas; 11 in Deschutes; 7 in Douglas, Josephine and Klamath; 6 in Yamhill; 5 in Umatilla and Linn; 4 in Columbia and Wasco; 3 in Benton, Clatsop and Lincoln; 2 in Coos, Jefferson, Malheur, Polk and Union; and 1 each in Curry, Harney, Lake, and Morrow. [The nine counties without shootings in the past decade 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 (50-including 3 SERT); Oregon State Police (22-including 2 SWAT/6); Clackamas County Sheriff (13-including 4 SWAT/1); Hillsboro Police (12/2); Salem Police (12); Washington County Sheriff (11-including 3 SWAT or TNT/5); Medford Police (9); Eugene Police (9); Gresham Police (7/1); Beaverton Police (7/1); Marion County Sheriff (5/1); Deschutes County Sheriff (5); Klamath Falls Police (5); Lane County Sheriff (5); Fairview Police (4); Jackson County Sheriff (4); Springfield Police (4); Douglas County Sheriff (3/2); Linn County Sheriff (3); Polk County Sheriff (3); Bend Police (3); The Dalles Police (3); Tualatin Police (3); Yamhill County Sheriff (3); Klamath County Sheriff (2/1); Benton County Sheriff (2), Eagle Point Police (2); Grants Pass Department of Public Safety (2); Keizer Police (2); Pendleton Police (2); Reedsport Police (2); Seaside Police (2); Dallas Police (2); Milwaukie 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, Gladstone Police, Gold Beach Police, Hermiston Police, Jefferson County Sheriff, Josephine County Sheriff, LaGrande Police, Lebanon Police, McMinnville 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, Wasco County Sheriff, West Linn Police, Woodburn Police, Yamhill Police, a "multijurisdictional SWAT team" in Gladstone and, Vancouver (WA) Police; 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 Albany and Vancouver are new to this list, all other agencies had previous incidents.]