

To: Attorney General Ellen Roseblum

From: Portland Copwatch

March 19, 2024

re: REPORT: Review finds 74 missing law enforcement deadly force incidents, 56 errors in Attorney General's Database

Attorney General Roseblum:

Following up on its annual report your office on law enforcement deadly force incidents,\*-1 Portland Copwatch (PCW) has found that among 23 counties, they have failed to report at least 74 deaths caused by police since 2010. The state database goes back to 2008, when SB 111 went into effect requiring the reporting, and includes incidents as far back as 2003. In addition to the missing cases, PCW has found 56 errors such as misspellings of the deceased community members' names, duplicate entries and questionable data on race\*-2 in entries from 16 of 27 counties where law enforcement caused people's deaths.

### MISSING PERSONS

As part of this project, PCW is sending letters to the District Attorneys in all of the counties which failed to submit data, since the DAs are in charge of how the local plans are implemented. They are also all receiving a copy of the spreadsheet listing all 74 people by county.

Not surprisingly, the counties with the most deadly force incidents generally have the most missing entries. Three counties with just one death have each not reported those deaths. Notably at least eight are people whose deaths followed police uses of Tasers, and five others were people who died after police used force on them. SB 111 only requires reporting if deadly force is applied, but PCW encourages any death caused by police action to be posted, such as the 2012 Taser-related death reported by Jackson County. Here is a breakdown:

Marion County: 10 missing of 25 deaths (40%).  
Multnomah County: 9 missing of 47 deaths (19%).  
Washington County: 8 missing of 25 deaths (32%).  
Jackson County: 7 missing of 17 deaths (41%).  
Lane County: 4 missing of 18 deaths (22%- including the high profile death of Stacy Kenny).  
Clackamas County: 4 missing of 19 deaths (21%).  
Klamath County: 4 missing of 8 deaths (50%).  
Umatilla County: 4 missing of 4 deaths (100%- one may be due to it being caused by Tribal Police).  
Deschutes County: 3 missing of 7 deaths (43%).  
Yamhill County: 3 missing of 4 deaths (75%).  
Benton County: 2 missing of 3 deaths (67%).  
Clatsop County: 2 missing of 4 deaths (50%).  
Columbia County: 2 missing of 3 deaths (67%).  
Douglas County: 2 missing of 10 deaths (20%).  
Josephine County: 2 missing of 11 deaths (18%).  
Crook County: single death missing (100%).  
Curry County: single death missing (100%).  
Tillamook County: single death missing (100%- Sept. 2023).  
Coos County: 1 missing of 3 deaths (33%).  
Lake County: 1 missing of 3 deaths (33%).  
Lincoln County: 1 missing of 3 deaths (33%).  
Linn County: 1 missing of 3 deaths (33%).  
Malheur County: 1 missing of 2 deaths (50%).

### Counties with 100% Reporting:

Wasco County: all three deaths reported, plus one that took place in Wishram, WA.  
Polk County: all three deaths reported.  
Union County: all three deaths reported.  
Harney County: single death reported.

Notably, of the 29 counties where deadly force took place, there were two where the incidents did not result in any deaths:

Jefferson County: 6 shootings with no deaths

Morrow County: 3 shootings with no deaths.

There are also three deaths which were attributed in the media to the community member taking their own life following law enforcement discharging their weapons, but are listed anyway. (Note: This is a decidedly different issue from the cases, including that of Christopher Kalonji, where the police caused the death but the Medical Examiner listed the cause of death as “suicide.”) The three are:

Andrew DeHart (Washington County, involved agency Oregon State Police, 10/28/2015).

David Engebreston (Clackamas County, 1/5/2019).

Christopher Harper-Mercer (Douglas County, involved agency Roseburg police, 10/1/2015).\*-3

## PROBLEMS WITH PUBLISHED REPORTING FORMS AND DATA

The law requiring data to be reported explicitly says that the agencies have to report “The name, gender, race, ethnicity and age of the decedent” [Section 5 (6)(a)(A)]. The state’s drop-down menu includes a mandatory “ethnicity” field. For a number of entries, the “race” is listed as “other” but there is no published data we can find that includes the ethnicity options (“Hispanic or Latino,” “Not Hispanic or Latino” or “Unknown.”).

Thus, the errors we are reporting to the counties may actually be due to a technical issue on the State’s part where that required “ethnicity” field isn’t included in the published reports.

The following eight community members are listed with “other” race and are more likely than not Latino:

Emilio Hernandez (Klamath County, involved agency Klamath Falls Police, 11/24/2017).

Victor Morales Zavala (Malheur County, involved agency Oregon State Police, 3/14/2019).

Arcadia Castillo III (Marion County, involved agency Salem Police, 7/9/2021).

Robert Fletemeier-Brown (Marion County, involved agency Salem Police, 7/13/2022).

Rodolfo Martinez-Cortez (Marion County, involved agency Salem Police, 10/29/2020).

Joel Arevalo (Multnomah County, involved agency Portland Police, 2/19/2022).

Adrian Suarez (Wishram, Washington, but agency involved was The Dalles Police [Wasco County], 10/16/2013).

Baltazar Escalona-Baez (Polk County, 10/28/2017).

There are also seven people whose race is listed as “unknown,” which seems like something the police should be able to determine during the process of identifying them.\*-4

There is also a required field for “location category” which does not appear on any of the published forms.\*-5

## OTHER ERRORS

Portland Copwatch also identified 13 cases where the person’s name was spelled incorrectly (or at least, based on media reports about the same incidents it appears that way), nine duplicate entries (some of which were entered by the state DOJ rather than the involved agency), seventeen incorrect dates (again based on media reports), and two people whose race/ethnicity is other than white but they are listed as white. A complete packet of errors is at [tinyurl.com/ORdataErrors](https://tinyurl.com/ORdataErrors).

## CONCLUSION

While PCW would prefer that the police stop using deadly force, they should at least follow the law when reporting on the people whose lives they have taken. PCW’s overarching project, tracking all deadly force incidents in the state, includes cases where people were wounded or not hit by police bullets. The AG should consider asking the legislature to expand SB 111’s scope to include all deadly force incidents, particularly following the nationwide protests after the death of George Floyd in 2020. We hope at the very least the AG and the District Attorneys will ensure that the current database is up-to-date and corrected.

Thank you

Dan Handelman, Jocelyn McAuley and other members of  
Portland Copwatch

\*1- [https://www.portlandcopwatch.org/OR\\_shootings\\_letter0224.pdf](https://www.portlandcopwatch.org/OR_shootings_letter0224.pdf)

\*2- the state's data form led to most of these, as explained in the "Problem with Reporting Form" section

\*3- the entry for this incident includes "multiple agencies" but the only ones reported to have fired weapons were Roseburg Police.

\*4- Chance Thompson (Clackamas, 4/21/2017), Robert Jenkins (Douglas, 12/23/2014), Elias Ruiz (Jackson, 1/22/2012), Adam Wehniger (Jackson, 4/30/2010), Robert Vaughan (Lane, 5/31/2012), Natzerlyt Viertel (Marion, 4/2/2021) and Anthony McDowell (Multnomah, 1/31/2011).

\*5- The drop-down menu options for location are: "Field/Woods/Lake/Waterway/Beach; Law Enforcement Facility; Parking Lot/Garage; Residence/Home; Roadway/Highway/Street/Sidewalk; Other; Unknown"