

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JAMES P. CHASSE, JR.; JAMES P. )  
CHASSE; LINDA GERBER; and MARK )  
CHASSE, individually and in his )  
capacity as Personal Representative )  
of the ESTATE OF JAMES P. CHASSE, )  
JR., )

Plaintiffs, )

v. )

CHRISTOPHER HUMPHREYS; KYLE NICE; )  
CITY OF PORTLAND; CITY OF PORTLAND )  
JOHN DOE FIREFIGHTERS/PARAMEDICS; )  
PORTLAND POLICE BUREAU and OTHER )  
PORTLAND JOHN and JANE DOE )  
OFFICIALS; BRET BURTON; MULTNOMAH )  
COUNTY; MULTNOMAH COUNTY JOHN and )  
JANE DOE DEPUTY SHERIFFS and MEDICAL )  
PERSONNEL; MULTNOMAH COUNTY JOHN and )  
JANE DOE SHERIFF'S OFFICE and OTHER )  
OFFICIALS; TRI-COUNTY METROPOLITAN )

TRANSPORTATION DISTRICT OF OREGON; )

and AMERICAN MEDICAL RESPONSE )

NORTHWEST, INC., )

Defendants. )

COPY

No. CV-07-0189-HU

DEPOSITION OF

ELIZABETH A. ANDERSON

Taken in behalf of Defendants

\* \* \*

July 17, 2008

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Portland, Oregon

Shannon K. Krska, CSR

Court Reporter



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APPEARANCES:

For the Plaintiffs:	MR. THOMAS M. STEENSON Attorney at Law 815 S.W. Second, Suite 500 Portland, OR 97204
For the Defendants Humphreys, Nice, and City of Portland:	MR. JAMES RICE Attorney at Law 1221 S.W. Fourth, Suite 430 Portland, OR 97204
For the Defendants Burton and Multnomah County:	MS. SUSAN DUNAWAY Attorney at Law 501 S.E. Hawthorne, Suite 502 Portland, OR 97214
For the Defendant AMR:	MS. JEAN BACK Attorney at Law 1211 S.W. Fifth, Suite 1900 Portland, OR 97204

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EXHIBITS

[None marked.]

1 PORTLAND, OREGON; THURSDAY, JULY 17, 2008

2 11:00 AM

3 \* \* \*

4 ELIZABETH A. ANDERSON

5 called as a witness in behalf of the Defendants,

6 having first been sworn by the Reporter,

7 testifies as follows:

8 EXAMINATION

9 BY MR. RICE:

10 Q. Good morning, Miss Anderson.

11 A. Hello.

12 Q. I'm Jim Rice. We just met each other. And  
13 I'm an attorney. I work for the City of Portland.

14 A. Okay.

15 Q. And we're here to take your deposition  
16 today. Do you understand that?

17 A. Yes.

18 Q. Have you ever had your deposition taken  
19 before?

20 A. No.

21 Q. Have you ever testified in court on  
22 anything?

23 A. No.

24 Q. Has anyone had the chance to talk to you  
25 about what a deposition is?

1 A. Yes.

2 Q. And who have you talked to about that?

3 A. This gentleman.

4 Q. Mr. Steenson?

5 A. Yes.

6 Q. And did you meet with him before today?

7 A. Yes.

8 Q. And when did you meet with him?

9 A. On Monday.

10 Q. On Monday?

11 A. M-hm.

12 Q. Okay. Did he explain to you that it's a  
13 question-and-answer format?

14 A. Yes.

15 Q. And to help our court reporter take down  
16 everything accurately we try and do a couple things.  
17 One is sometimes we nod or shake our heads and the  
18 other person knows what that means, but the court  
19 reporter --

20 A. Okay.

21 Q. -- needs like a verbal answer so she can put  
22 that down.

23 A. Okay.

24 Q. No. 2, I'm going to let you finish your  
25 answer before I start to ask my next question. I may

1       misunderstand that but I'll try not to talk over you.  
2       And I would ask you to wait for a pause before I  
3       complete my question so the court reporter can  
4       accurately take down both the question and the answer.

5             A.   Okay.

6             Q.   All right.  Is there any reason you can't  
7       take your deposition today such as you are ill or on  
8       prescribed medication, didn't get enough sleep,  
9       anything like that, to give us your best answers --

10            A.   No.

11            Q.   -- here today?

12                    And if you were to be asked a question today  
13       and let's say the case goes to trial and you were  
14       actually called as a witness at trial, if you answered  
15       a question differently at trial than you answered here  
16       today, the lawyer, whoever it is, would have a right  
17       to point that out to the jury.  Do you understand  
18       that?

19            A.   Yes.

20            Q.   So it's important that you understand my  
21       question.  And if I ask a question that you don't  
22       understand, maybe it's got a word in it or it's just  
23       garbled perhaps, too, would you stop me and say I  
24       don't understand your question and I will try and  
25       rephrase it?

1 A. Yes.

2 Q. Is that okay?

3 A. Yes.

4 Q. Great.

5 Lastly, if you want to take a break at any  
6 time, a glass of water or anything like that, after a  
7 question has been answered you can just say I need to  
8 take a five-minute break and you can stand up and  
9 we'll go from there. Good enough?

10 A. Yes.

11 Q. All right. Would you tell the court  
12 reporter your full name, please.

13 A. Elizabeth Ann Anderson.

14 Q. And have you gone by any other names?

15 A. My maiden name, Elizabeth Ann Salisbury.

16 Q. And what was your maiden name?

17 A. Elizabeth Salisbury, Elizabeth Ann  
18 Salisbury.

19 Q. And how do you spell that?

20 A. S-A-L-I-S-B-U-R-Y.

21 Q. Okay. What's your date of birth?

22 A. 9-14-75.

23 Q. Okay. And how tall are you?

24 A. Approximately five four.

25 Q. All right. And where were you born?

1 A. Fairfax, Virginia.

2 Q. All right. And how long have you been in  
3 the Portland metro area?

4 A. Around 15 years.

5 Q. Okay. Did you graduate from high school?

6 A. Yes.

7 Q. And where did you do that?

8 A. Spokane, Washington.

9 Q. Okay. And after you went to high school,  
10 did you have any kind of additional education or  
11 training of any kind?

12 A. Yes.

13 Q. And what was that?

14 A. I graduated from cosmetology school.

15 Q. Okay. And where was that?

16 A. Here in Portland.

17 Q. Okay. Are -- is there more than one kind of  
18 a degree someone gets when they graduate from  
19 cosmetology school? Seems like it's a pretty broad  
20 field.

21 A. Yes.

22 Q. And what kind of a degree did you get?

23 A. I am certified as a hairstylist and  
24 esthetician.

25 Q. Okay. And the esthetician part of it, what

1 does that entail doing?

2 A. A skin care specialist.

3 Q. I gotcha, okay.

4 If you graduated from school and then went  
5 to work, is there any sort of state licensure or  
6 anything like that that takes place?

7 A. Yes.

8 Q. And what kind of a license is that?

9 A. There's a practical examination as well as a  
10 written examination that you take in Salem.

11 Q. Okay. And did you take that test and pass  
12 it?

13 A. Yes.

14 Q. And when did you do that? When did you get  
15 your certification is what I'm going to call it?

16 A. Approximately ten years ago.

17 Q. Okay. And do you have any other formal  
18 education beyond that?

19 A. A bit of community college.

20 Q. Okay. And what did you study in community  
21 college?

22 A. General studies.

23 Q. Okay. Did you ever get a degree from them?

24 A. No.

25 Q. Okay. Anything else we've not talked about



1 in terms of education?

2 A. No.

3 Q. Can you go -- kind of go through the last  
4 maybe five years of your work history, what that  
5 consists of.

6 A. Most recently, for almost two -- in I think  
7 August it'll be two years that I've been employed at  
8 Rudy's Barbershop.

9 Q. Okay.

10 A. Prior to that I was working at Bishop's  
11 Barbershop, and prior to that I was working at a salon  
12 downtown called Tonic.

13 Q. Okay. So you've been working downtown in  
14 the hairstylist business for approximately five years;  
15 is that right?

16 A. Yes, at least.

17 Q. Okay. So the date in question we have here  
18 is in September of '06, so you had been working at  
19 Rudy's for about a month when this happened?

20 A. M-hm.

21 Q. Is that right?

22 A. M-hm.

23 Q. Okay. Back in September of '06, did you  
24 require either a hearing aid or eyeglasses or contact  
25 lenses, anything like that, to assist you with either

1 seeing or hearing?

2 A. Yes. I wear contact lenses.

3 Q. Okay. And when the incident transpired you  
4 observed with Mr. Chasse were you wearing your contact  
5 lenses?

6 A. Yes.

7 Q. Do you have any hearing impairment?

8 A. No.

9 Q. Have you ever been in the military?

10 A. No.

11 Q. Do you have any training in psychology?

12 A. No.

13 Q. How about any paramedic or EMT training?

14 A. No.

15 Q. Medical training of any kind?

16 A. No.

17 Q. Okay. Ever have any law enforcement  
18 training?

19 A. No.

20 Q. Have you had any interaction with law  
21 enforcement as an adult?

22 A. Yes.

23 Q. And can you describe what that consisted of?

24 A. When I -- well, when I was in my early 20s I  
25 got a DUI.

1 Q. How about ever even just calling the police  
2 by using a 9-1-1 system or anything like that?

3 A. Yes, I have.

4 Q. Aside from the DUI, would you describe the  
5 kinds of interaction you've had with law enforcement?

6 A. Aside from that, I -- my ex-husband was  
7 physically abusive and I called the police one night.

8 Q. Okay.

9 A. And had him -- had to have him removed from  
10 our home.

11 Q. Okay. And did they respond?

12 A. Yes, they --

13 Q. Was that here in Portland --

14 A. Yes.

15 Q. -- or someplace else.

16 It was in Portland?

17 A. Yes.

18 Q. Did they generally behave appropriately that  
19 evening?

20 A. Oh, yes.

21 Q. Okay.

22 A. They were great.

23 Q. Any other interaction with law enforcement  
24 other than that?

25 A. No.

1 Q. Okay. Prior to the date you observed

2 Mr. Chasse in the Blue Hour area --

3 A. M-hm.

4 Q. -- had you ever met him or seen him?

5 A. No.

6 Q. Have you had any contact with any members of  
7 the Chasse family?

8 A. No.

9 Q. Have you given statements, prior to today,  
10 to any person or entity regarding what you observed  
11 that day?

12 A. Can you rephrase the question?

13 Q. Sure.

14 You observed Mr. Chasse's interaction with  
15 police or emergency people back in September of '06 --

16 A. Yes.

17 Q. -- is that right?

18 A. Yes.

19 Q. After that date, did anyone come to you and  
20 take a statement from you; an investigator, a police  
21 officer, grand jury, anything like that?

22 A. Yes.

23 Q. Could you tell me about that?

24 A. Two detectives came to Rudy's right -- after  
25 the incident, I don't remember if it was the next day

1 or a few days after, and took a statement from  
2 myself --

3 Q. Okay.

4 A. -- yes.

5 Q. Any other people take statements from you?

6 A. Do you mean specifically at the time of the  
7 incident?

8 Q. No. Just since then, but regarding the  
9 incident.

10 I mean, has someone come, for example, and  
11 taken a taped statement from you or a video statement  
12 from you, interviewed you in any way?

13 A. An investigator came to my house a few week  
14 ago.

15 Q. Okay. And did you give that person a  
16 statement?

17 A. Yes, I did.

18 Q. How about media, did the media ever come and  
19 get a statement from you?

20 A. No.

21 Q. All right. Sometimes in our lives, either  
22 through contact with family members, friends, other  
23 things, we come into contact with people who have a  
24 significant mental illness.

25 A. M-hm.

1 Q. Have you had any contact like that?

2 A. No, I haven't.

3 Q. Okay. Let's talk about the incident with  
4 Mr. Chasse. You remember that incident?

5 A. Yes.

6 Q. And that incident was on a Sunday I believe.  
7 Do you --

8 A. Yes.

9 Q. -- agree with that?

10 A. Yes.

11 Q. Were you working that day?

12 A. I was.

13 Q. Okay. What were your hours that day you  
14 were working?

15 A. 11 AM to seven PM.

16 Q. Okay. So Rudy's is open on Sundays; is that  
17 right?

18 A. Yes, correct.

19 Q. Is it the kind of -- is it a salon, is that  
20 what it is?

21 A. Yes.

22 Q. Okay. Does the salon take reservations  
23 where people come in and also take people coming in  
24 off the street or how does that work?

25 A. We take appointments day of and also

1 walk-ins.

2 Q. Okay. Some salons are run by a person and  
3 they -- when someone comes in they send them  
4 somewhere, other people just keep their own book is  
5 what I would call it.

6 A. M-hm, m-hm.

7 Q. Do you maintain your own client base --

8 A. No.

9 Q. -- or does it come through Rudy's?

10 A. I'm an employee of the company, yes.

11 Q. And about what time of the day do you  
12 believe you saw Mr. Chasse's incident with the police  
13 officers?

14 A. It had to be five o'clock or after.

15 Q. Okay. And what was the first thing where  
16 you thought something was going on?

17 A. Well, the arrival of police cars coming up  
18 the street.

19 Q. Okay. Could you see them coming up off the  
20 street or did you hear them or what was the first  
21 indicator to you?

22 A. Just seeing them pull up. There was a large  
23 window.

24 Q. And when -- if someone walks into Rudy's  
25 there's a window that you could look out into the

1 street; is that right?

2 A. M-hm.

3 Q. And which street does it look out on to?

4 A. 13th.

5 Q. And are there a number of I'm going to call  
6 just stations for lack of a better --

7 A. Sure.

8 Q. -- term where different people work? Is  
9 that right?

10 A. Yes.

11 Q. How many station are there at Rudy's?

12 A. I think there are seven.

13 Q. Okay. And are there seven -- is a stylist,  
14 is that what you would call yourself?

15 A. Yes.

16 Q. Are there seven stylists that work there or  
17 are there more stations than there are stylists?

18 A. There are more stylists than there are  
19 stations.

20 Q. Okay. Do you always work at the same  
21 station or does that change from day to day?

22 A. It changes.

23 Q. Do you remember which station -- as you're  
24 coming in the door, what station -- how would you  
25 describe what station you were at?



1 A. I don't recall on that day.

2 Q. Okay. Were you actually working on a -- is  
3 a client the term?

4 A. Yes.

5 Q. Okay. Were you working with a client when  
6 you first heard or saw some commotion?

7 A. No.

8 Q. Okay. Were you waiting for someone to come  
9 in?

10 A. No. Myself and some of my coworkers were  
11 sitting outside.

12 Q. Okay. Sort of taking a break; is that  
13 right?

14 A. Yeah. Well, yes.

15 Q. And when you go outside, is it on ground  
16 level or is it raised?

17 A. It's raised.

18 Q. Okay. Is that a raised platform off the --  
19 off the sidewalk itself?

20 A. Yes. It's a platform that runs the length  
21 of the building.

22 Q. Okay. And about how high do you think that  
23 is off the ground?

24 A. Oh, six feet.

25 Q. Okay. So when you saw police cars arriving,

1 did you notice Mr. Chasse?

2 A. Not immediately.

3 Q. Okay. When you saw the police cars arrive,  
4 what did the officers inside the cars do?

5 A. Well, we -- we went outside and we saw like  
6 that there was like police cars around and the -- they  
7 were already out of their cars --

8 Q. Okay.

9 A. -- yeah.

10 Q. All right. And when you get outside and the  
11 police officers are outside their cars, what did you  
12 see?

13 A. It seemed to me like -- it seemed to me like  
14 they were like milling around and kind of talking with  
15 each other.

16 Q. Okay. Could you hear what they were saying?

17 A. No, not specifically.

18 Q. All right. Did you next see them doing  
19 something or did you see Mr. Chasse? What's the next  
20 sort of chronological thing that you observed?

21 A. My coworker and I walked down to the end of  
22 the platform where Blue Hour is.

23 Q. Okay. So that would be the intersection  
24 then of Everett and 13th; is that right?

25 A. Correct.

1 Q. Okay. And who were you walking with?

2 A. David Lillegaard.

3 Q. All right. So you and Mr. Lillegaard walked  
4 to the -- sort of the edge there where the two --

5 A. Yes.

6 Q. Does the platform continue onto Everett  
7 Street or does it end?

8 A. No, it ends.

9 Q. It ends there.

10 A. There's a staircase going down.

11 Q. So are you at the staircase at that time?

12 A. Yes.

13 Q. Are there other people there as well?

14 A. Yes.

15 Q. And are they on the stairs themselves?

16 A. I don't remember specifically.

17 Q. Okay. When you got to the end with  
18 Mr. Lillegaard, what did you see?

19 A. Mr. Chasse laying face down in the street.

20 Q. Okay. And at that time, what did you notice  
21 about him?

22 A. He was not moving. He had his arms and legs  
23 bound.

24 Q. And just indicating you put your hands sort  
25 of behind your back --

1 A. Yes.

2 Q. -- is that correct?

3 A. Correct.

4 Q. So were his hands behind his back?

5 A. Yes.

6 Q. And were his feet bound as well?

7 A. Yes.

8 Q. All right. Different people notice  
9 different things about people.

10 A. M-hm.

11 Q. As a hairstylist, did you notice his hair?

12 A. I didn't.

13 Q. Did you notice his clothing?

14 A. It wasn't stand out to me.

15 Q. Okay. Was he saying anything at that time?

16 A. No.

17 Q. Was he moving at that time?

18 A. No.

19 Q. When you looked at him, was he outstretched  
20 lying on his back, laying on his side, laying on his  
21 stomach?

22 A. Face down.

23 Q. Face down to me would meaning lying on his  
24 stomach?

25 A. Yes, correct.

1 Q. And when a person is lying down on their  
2 stomach -- and this is on pavement; is that right?

3 A. Yes.

4 Q. How would you describe the location of his  
5 face, if you recall?

6 A. It seemed to be turned to the side.

7 Q. Okay.

8 A. I don't -- I don't specifically recall him  
9 laying flat face down, but I'm not -- I'm not sure.

10 Q. Okay. And if someone -- and let's also say  
11 this happened many months ago --

12 A. Right.

13 Q. -- and sometimes people's -- sometimes we  
14 simply forget some details, too.

15 A. Of course.

16 Q. And if you don't remember I just expect you  
17 to say I don't remember that detail.

18 A. Okay, yes.

19 Q. And what we're doing is sort of taking a lot  
20 of small steps here --

21 A. Okay.

22 Q. -- I'm trying to, in a chronological order.

23 So when he's lying on his stomach and you  
24 think his head is turned --

25 A. Yes.

1 Q. -- would his face have been toward you or  
2 away from you?

3 A. Away.

4 Q. Okay. And as -- as he's lying there, are  
5 the police officers generally standing around him?

6 A. Yes.

7 Q. Okay. And are they saying anything at this  
8 time that you recall?

9 A. Not that's audible.

10 Q. All right. And are there any EMTs or fire  
11 people or medical people of any kind at the scene at  
12 that time?

13 A. There was an ambulance as well as a fire  
14 truck at the scene.

15 Q. Okay. They'd arrived at that point?

16 A. Yes.

17 Q. And could you tell, starting looking at what  
18 I'm going to call law enforcement people as a general  
19 term --

20 A. Yes.

21 Q. -- were their uniforms all the same or do  
22 you remember anything about the uniforms?

23 A. Not everybody's uniform was the same that  
24 was in the group.

25 Q. Okay. Are there things you could talk to us

1 about today or tell us about today distinguishing the  
2 uniforms either by color or size or --

3 A. I don't remember the detail.

4 Q. All right. Did you notice anyone who you  
5 thought was either a fire bureau person or an EMT as  
6 opposed to a law enforcement officer?

7 A. I didn't -- I don't -- that didn't make the  
8 distinction.

9 Q. Okay. Sometimes we look at a group of  
10 people and we can distinguish them by saying some were  
11 male and some were female.

12 A. Correct.

13 Q. Could you make any distinctions by gender as  
14 you looked at this group?

15 A. Yes. It seemed like there were a few  
16 females present.

17 Q. A few females present?

18 A. M-hm.

19 Q. All right. And sometimes we can also look  
20 at a group of people --

21 A. A female present.

22 Q. A female?

23 A. I don't -- yeah, I don't recall.

24 Q. Okay.

25 A. I'll -- I'll just go with that.

1 Q. All right. Sometimes we also look at a  
2 group of people and there's just something physical  
3 about someone like someone's extremely tall or  
4 extremely short or --

5 A. I don't remember anything specific.

6 Q. Okay.

7 A. Pardon me, I'm sorry.

8 Q. All right. What did you observe happening  
9 to Mr. Chasse as he is lying in the street with these  
10 police officers and EMTs around him? Do you remember  
11 seeing or recalling what they did?

12 A. It didn't seem like they were -- I didn't  
13 see anybody attending to him. I didn't see anybody --  
14 I didn't -- it seemed like he was just lying there and  
15 they were kind of milling around and then they kind of  
16 like would nudge him with their -- somebody nudged him  
17 with their foot.

18 Q. Okay. And do you recall whether that person  
19 was an EMT or a police officer?

20 A. I don't remember.

21 Q. All right. And sometimes we use words and  
22 we don't -- two people don't exactly agree on it. Was  
23 it the kind of nudge where you're trying to get  
24 someone's attention as opposed to a kick?

25 A. I wouldn't call it a kick.



1 Q. You would not?

2 A. No. It was -- yeah, I guess more like, yes,  
3 if you were trying to like wake somebody up or --

4 Q. Okay, all right. And you don't know who  
5 that person was; is that right?

6 A. No.

7 Q. All right. After that person nudges  
8 Mr. Chasse, what's the next thing that you observed?

9 A. He continued to lie there.

10 Q. Okay. And did that -- did something  
11 ultimately happen other than him simply lying there  
12 and the officers and EMTs standing around?

13 A. I went at that point back up to the salon  
14 and was more so situated in front of the salon versus  
15 the position at Blue Hour.

16 Q. Okay. And when you were in that -- first of  
17 all, how long do you think you were down at that --  
18 you know, the end of the platform there by the stairs?  
19 How long were you there, do you have an estimate?

20 A. I don't remember.

21 Q. Okay. And then you went back to -- did you  
22 go back into the barbershop or you stood out in front  
23 of the barbershop?

24 A. Outside.

25 Q. What did you?

1 A. Also on the platform.

2 Q. On the platform. What did you observe from  
3 that vantage point?

4 A. It seemed like after a while Mr. Chasse kind  
5 of came to and started screaming.

6 Q. Okay.

7 A. It sounded like he was saying please help  
8 me.

9 Q. All right.

10 A. He continued to scream.

11 Q. And when he's screaming, is it loud or soft  
12 or is there some way of, you know, describing it?

13 A. It was loud and very guttural.

14 Q. Guttural?

15 A. M-hm.

16 Q. Using full breath, in other words?

17 A. I wouldn't say that. It just seemed very --  
18 it seemed like he was in extraordinary pain.

19 Q. Okay.

20 A. Very animalistic.

21 Q. Animalistic sounding?

22 A. M-hm.

23 Q. And as he's beginning to make that noise,  
24 are the people around him doing anything differently?

25 A. They -- I don't recall.

1 Q. All right. How long did, if you have an  
2 estimate, did that go on before something else  
3 happened?

4 A. I don't have an estimate.

5 Q. All right. What's the next thing that you  
6 observed?

7 A. They picked up Mr. Chasse --

8 Q. Okay.

9 A. -- and carried him away.

10 Q. All right. Immediately prior to that, is he  
11 still in the same position that he's been all along?

12 A. Yes.

13 Q. Okay. So his body essentially stayed the  
14 same whether he was still or during the screaming  
15 phase; is that right?

16 A. Yes.

17 Q. All right.

18 A. As far as I -- yes.

19 Q. All right. As best you recall?

20 A. Right.

21 Q. All right. And that's all we're asking for  
22 today.

23 A. Okay.

24 Q. When he was picked up, did you actually see  
25 that?

1 A. Yes.

2 Q. Okay. How many people picked him up, if you  
3 recall?

4 A. I don't recall.

5 Q. Okay. Do you know whether they were law  
6 enforcement officers versus EMTs?

7 A. I don't.

8 Q. Okay. Do you remember how they picked him  
9 up?

10 A. Not specifically. I --

11 Q. And when the individuals picked him up, what  
12 did they do with him?

13 A. They carried him away.

14 Q. All right. Did you see where he was carried  
15 to?

16 A. A police car.

17 Q. Okay. And could you see him being placed in  
18 the police car?

19 A. No.

20 Q. So was the police car in -- in your visual  
21 line of sight or was it around the corner?

22 A. I don't recall.

23 Q. During the time that Mr. Chasse was being  
24 picked up --

25 A. M-hm.

1 Q. -- could you either -- hear anyone in  
2 uniform say anything?

3 A. I couldn't -- at no point could I  
4 specifically make out what anybody specifically was  
5 saying.

6 Q. Okay. And how about Mr. Chasse, how was he,  
7 if at all, reacting to being picked up?

8 A. It seemed like he was in pain.

9 Q. And -- and how did he seem like he was in  
10 pain?

11 A. Because he continued screaming.

12 Q. Okay. Could you see his face at this point  
13 in time?

14 A. No.

15 Q. Okay. Did you ever see his face when he was  
16 either lying on the ground or being carried away or at  
17 some other point?

18 A. Not up close.

19 Q. Okay. Not up close?

20 A. No.

21 Q. Okay. Did you ever see his face at all that  
22 you actually recall?

23 A. I saw his face, but not like, you know,  
24 close enough to make out detail or --

25 Q. Okay. When you looked at Mr. Chasse, could

1           you look and see this person somehow has an injury?

2           A. No.

3           Q. All right. After Mr. Chasse was carried out  
4 of your view to --

5           A. M-hm.

6           Q. -- wherever he went, did -- what else did  
7 you observe?

8           A. I went back inside at that point.

9           Q. Okay. Did you, after he'd been carried  
10 away, look at the ground, either the sidewalk in front  
11 of you or the street in front of you, anything like  
12 that?

13          A. No.

14          Q. Between you walking back inside --

15          A. M-hm.

16          Q. -- and a police officer later talking to  
17 you --

18          A. M-hm.

19          Q. -- about this incident, is there anything  
20 else that you've not told us about today that you  
21 remember?

22          A. No.

23          Q. Okay. I would assume that the day in  
24 question you were working at Rudy's Barbershop, is it  
25 true you didn't drink any alcohol that day?

1 A. Yes.

2 Q. Okay. Were you on any prescribed medication  
3 that day?

4 A. No.

5 Q. When you went from the stair area and walked  
6 back to the front of Rudy's, did Mr. Lillegaard come  
7 with you?

8 A. I don't recall.

9 Q. Okay. When you were making the observations  
10 that you've told us about --

11 A. Yes.

12 Q. -- today, you've told us about  
13 Mr. Lillegaard.

14 A. M-hm.

15 Q. Is there anyone else you know of as a friend  
16 or associate or work with that observed what was going  
17 on?

18 A. Not that I'm aware of.

19 Q. Did you ever see anyone punch Mr. Chasse?

20 A. No.

21 Q. Did you ever see anyone strike Mr. Chasse in  
22 any way --

23 A. No.

24 Q. -- other than the nudge of the foot you told  
25 us about?

1 A. Yes, no.

2 Q. Did you see the EMTs, either an ambulance or  
3 a fire truck, leave the scene?

4 A. I -- no, I don't recall.

5 Q. And as the police officers were leaving the  
6 scene, am I correct you didn't speak with any of them?

7 A. No.

8 Yes, you are correct.

9 Q. Is there anything that you heard Mr. Chasse  
10 say that day that you've not told us about?

11 A. No.

12 Q. How about, did you engage in any  
13 conversation with anyone -- is it a patio, is that  
14 what you'd called that raised area?

15 A. I don't know. A platform is probably a more  
16 accurate description.

17 Q. Okay. With regard to the people on the  
18 platform or people on the street, did you engage in  
19 any conversation that day with anybody?

20 A. Do you mean in general or --

21 Q. Talk to them about what had happened, for  
22 example.

23 A. Not -- not that I recall.

24 Q. Okay. From what you had seen that day --

25 A. M-hm.



1 Q. -- did you come to any conclusions about any  
2 conditions that Mr. Chasse may have had?

3 MR. STEENSON: Objection, vague.

4 Q. (By Mr. Rice) He gets to do that for the  
5 court reporter, but you can go ahead and answer the  
6 question.

7 A. Okay.

8 I don't understand the question.

9 Q. Sometimes when a person's downtown they  
10 observe someone else downtown and they might think  
11 that person's mentally ill, that person is drunk as  
12 they're walking down the street, that person's hurt  
13 because their leg is limping as they're walking along.

14 A. M-hm.

15 Q. Sometimes we just arrive at conclusions at  
16 people --

17 A. M-hm.

18 Q. -- we see. What you observed of Mr. Chasse,  
19 did you arrive at any conclusions about him?

20 A. No.

21 Q. Did you testify before the grand jury?

22 A. No.

23 Q. Aside from the DUI that you mentioned, have  
24 you ever been convicted of a crime?

25 A. No.

1 Q. Okay. We may at some point want you to  
2 testify in court on some lawyer's behalf here.

3 A. M-hm.

4 Q. Could you tell us what your present address  
5 is?

6 A. 7023 North Montana Avenue, Portland, Oregon  
7 97217.

8 Q. Okay. If we're going to ask a person to  
9 testify in court some -- like we did today, we try not  
10 to inconvenience people more than we already have to.

11 A. M-hm.

12 Q. And typically the way we get ahold of the  
13 person today is either by cell phone or some other  
14 best phone number. If we need to get ahold of you is  
15 there a best phone number to do that with?

16 A. Yes.

17 Q. And what would that be?

18 A. Area code 503-989-2385.

19 Q. Okay. And that's all the questions I have  
20 of you today.

21 A. Okay.

22 Q. Thank you for coming down. There's some  
23 other lawyers here in the room and they may have some  
24 questions for you.

25 A. Okay.

1

EXAMINATION

2

BY MS. DUNAWAY:

3

Q. I just have a few questions.

4

You described the -- the sounds that Mr. Chasse was making as being guttural or animalistic.

5

6

7

A. Yes.

8

Q. What does that mean? Can you give me something that we could both relate to that would give me some idea of what you mean?

9

10

11

A. It just sounded, in my opinion, like the -- the cries of somebody in -- genuinely in an excruciating amount of pain.

12

13

14

Q. And -- and have you ever heard any sounds, a human being make those kind of sounds before? I mean, did you have a point of reference? Had you heard somebody in pain before and so when you -- making those kind of sounds that when you heard Mr. Chasse making those sounds you had a point of reference?

15

16

17

18

A. Yes.

19

20

Q. Who -- who would that have been? Somebody previous to Mr. Chasse who made those kind of sounds and you knew that that person was in pain.

21

22

A. I guess I don't have a specific instance.

23

Q. So there's not some specific person that you

24

25

1 heard before this who had those type of -- who made  
2 those type of sounds?

3 A. No, I guess not.

4 Q. Have you ever been around somebody who,  
5 prior to, you know, seeing Mr. Chasse -- and then I  
6 assume later you found out he died. Correct?

7 A. Yes.

8 Q. When you found out that Mr. Chasse had died,  
9 did that news come to you and were you surprised when  
10 you heard that?

11 A. Yes.

12 Q. During the time that you were observing  
13 Mr. Chasse, did you ever see Mr. Chasse left alone?

14 A. What do you mean?

15 Q. Well --

16 A. Like unattended?

17 Q. Unattended.

18 A. There was always -- there was -- do you mean  
19 specifically attended to by one person?

20 Q. Well, he's laying there alone and nobody is  
21 near him.

22 A. No. There was a group of people around him.

23 Q. At all times that you were observing him,  
24 there were people that were around him?

25 A. Yes.

1 Q. And the people who you -- it seems like you  
2 can't really identify at this point --

3 A. No.

4 Q. -- did they appear to be watching  
5 Mr. Chasse?

6 A. Not -- no. I mean, no.

7 Q. What were they doing then?

8 A. My best description of it would be kind of  
9 milling around and speaking with each other.

10 Q. Except for one thing, they nudged him?

11 A. Yes.

12 Q. Okay. And when they nudged him, if I recall  
13 what you were saying --

14 A. M-hm.

15 Q. -- Mr. Chasse's face was facing away from  
16 you?

17 A. I don't recall specifically.

18 Q. Did you ever see Mr. Chasse's face?

19 A. Yes, but not -- I mean, his face. His head  
20 is attached to his body. I mean, I didn't  
21 specifically see his face like --

22 Q. Okay. I may have misunderstood you.

23 A. Yes.

24 Q. I thought that you had testified that when  
25 you walked down to the end of the dock and you saw

1 Mr. Chasse laying on the ground --

2 A. He was not face down.

3 Q. He was not face down at that point?

4 A. Pardon me, I'm confused.

5 Q. I am, too. And I'm trying to -- I am trying  
6 to understand what it was that you saw.

7 A. M-hm.

8 Q. So you walk down to the end of the dock --

9 A. M-hm.

10 Q. -- and you see Mr. Chasse?

11 A. M-hm.

12 Q. What position is Mr. Chasse in at that  
13 point?

14 A. He was laying on his stomach, his arms and  
15 legs behind him, to the best of my recollection, his  
16 face was not down in the ground. That's as specific  
17 as I can be --

18 Q. Okay.

19 A. -- without making assumptions.

20 Q. So was his face -- it was on his side  
21 turned?

22 A. His face?

23 Q. You're saying he wasn't -- his nose wasn't  
24 touching the concrete; is that correct?

25 A. To the best of my recollection, no.

1 Q. Okay. So if his nose isn't touching the  
2 concrete --

3 A. M-hm.

4 Q. -- and his head is turned to one side or the  
5 other --

6 A. Yes.

7 Q. -- could you see the back of his head or his  
8 face, if you can recall?

9 A. I don't -- I don't recall.

10 Q. But you -- do you -- you don't have any  
11 specific recollection then of seeing Mr. Chasse's face  
12 at all?

13 A. Not -- no, no.

14 Q. No, okay.

15 And do you have any specific recollection of  
16 seeing the back of Mr. Chasse's head?

17 A. Yes.

18 Q. You do, okay.

19 I think that you said at some point that we  
20 went outside, you left Rudy's and went outside on the  
21 dock.

22 A. Yes.

23 Q. Who is we?

24 A. Myself and a few of my coworkers.

25 Q. Do you remember who that was?

1           A. The only person -- I don't remember who else  
2 was working on that day. Specifically the only person  
3 I remember would be David Lillegaard.

4           Q. Were there any customers in -- or in the  
5 store at the time?

6           A. I don't -- I was not specifically with a  
7 customer. I don't recall if there were any in the  
8 store.

9           Q. When you're -- I think you said that you  
10 called the police once and because -- because of your  
11 ex-husband.

12          A. Yes.

13          Q. Was your husband -- husband arrested?

14          A. Yes.

15          Q. Was there any struggle with the police when  
16 your husband was arrested?

17          A. Between myself and the police?

18          Q. No, no. Between -- your husband was  
19 arrested, you weren't --

20          A. Yes.

21          Q. -- right?

22                   Was there any struggle between your husband  
23 and the police when --

24          A. I didn't see the police arrest him. I  
25 locked myself in a room separate from him.



1 Q. And called the police?

2 A. Yes.

3 Q. From behind locked doors?

4 A. Yes.

5 Q. The police came and arrested him, you did  
6 not observe?

7 A. I did not observe them arresting him.

8 Q. And you didn't hear anything subsequent to  
9 that about the circumstances surrounding the arrest?

10 A. Of my ex-husband?

11 Q. Right.

12 A. Can you re -- I'm sorry, can you repeat  
13 that?

14 Q. Neither the police nor your ex-husband, at  
15 some point down the road, told you anything about how  
16 the arrest occurred, the arrest of your husband?

17 A. No, not specifically.

18 Q. What about when you got your DUI, were --  
19 were you arrested?

20 A. Yes.

21 Q. And how -- just kind of generally, how --  
22 how did the police treat you?

23 A. Fine. I mean, they were doing their job.  
24 I -- you know. I don't remember them being rough or  
25 abusive. Just be business, straightforward --

1 Q. Okay.

2 A. -- yeah.

3 Q. So they weren't physically abusive with you?

4 A. No.

5 Q. Or verbally abusive?

6 A. No.

7 Q. Okay. And I just want to make sure I heard  
8 you right. You did not see any injuries on  
9 Mr. Chasse?

10 A. Not -- no.

11 Q. Okay. During the time that you were  
12 observing Mr. Chasse, did you make any observations in  
13 regard to whether or not he was breathing?

14 A. I wasn't close enough to Mr. Chasse to  
15 specifically observe his breathing or breathing  
16 patterns.

17 Q. So the answer is no, you did not --

18 A. Right.

19 Q. -- make any observations?

20 That's all I have.

21 EXAMINATION

22 BY MS. BACK:

23 Q. I just have a few questions.

24 I'm Jean Back. I represent AMR. They're  
25 the paramedics that work for the ambulance company

1 that was called to the scene that day.

2 And I wanted to know whether -- I think that  
3 you've testified that you really couldn't distinguish  
4 between the police officers and the paramedics that  
5 were there that day --

6 A. M-hm.

7 Q. -- is that true?

8 A. (Nods head.)

9 Q. Did you observe -- how -- what is the time  
10 period that you -- that you observed Mr. Chasse on the  
11 ground? I mean, how long do you believe that you were  
12 looking at him for?

13 A. It seemed like at least ten minutes.

14 Q. At least ten minutes?

15 At any time during that ten minutes, do  
16 you -- did you observe one of the people in the group  
17 kneel down or do any sort of medical tests or --

18 A. No.

19 Q. -- anything like that?

20 A. No.

21 Q. Do you know whether, during the time period  
22 that you were observing that, they were waiting for  
23 any sort of test results to come back?

24 A. I -- I wouldn't know that.

25 Q. Okay. So you don't know whether, prior to

1 the time that you got there, one of the paramedics or  
2 more than one of the paramedics had been attending to  
3 his needs?

4 A. I don't know. Yes, I don't know that.

5 Q. And you -- when you gave your information to  
6 the police --

7 A. M-hm.

8 Q. -- when they came out to talk to you that  
9 night, you told them that another person named Ann was  
10 with you.

11 A. Yes.

12 Q. And what is Ann's name?

13 A. Ann Stevenson.

14 Q. And is she -- and who is she?

15 A. She's the receptionist -- she was the  
16 receptionist.

17 Q. And did she go with you and David?

18 A. No.

19 Q. Okay. Did she just come out and look and  
20 then go back in?

21 A. I believe so, yes.

22 Q. Okay. Have you and Ann spoken about this  
23 event or what your observations were?

24 A. We might have that day, but no, not  
25 recently, no.

1 Q. Do you remember, that day, any conversations  
2 that you had with Ann or David about the events?

3 A. No.

4 Q. And so if you -- if you didn't -- can't  
5 really remember whether you saw his face then you  
6 don't know whether his eyes were open at all?

7 A. No.

8 Q. Did you observe any communication between  
9 like -- I mean, between any of the folks there that  
10 might have been paramedics and police? Did you  
11 observe any sort of --

12 A. I wasn't -- at no point could I specifically  
13 hear conversations between members of that group down  
14 there.

15 Q. But you were able to hear Mr. Chasse?

16 A. Yes.

17 Q. Because he was loud?

18 A. Yes.

19 Q. And do you specifically remember -- is your  
20 memory of the words that you stated today that he  
21 spoke that day, is that a clear memory for you or is  
22 that a guess or a speculation?

23 A. It was a clear memory at the time.

24 Q. And do you --

25 A. I mean, it --

1 Q. Do you remember -- you don't remember him  
2 saying anything other than --

3 A. It sounded like he was saying help me.

4 Q. And that's the only thing that you remember  
5 him saying?

6 A. Yeah.

7 Q. And do -- who was he -- who was he saying  
8 that to?

9 A. I don't know specifically.

10 Q. Do you recall anybody respond -- that  
11 anybody responded to him when he said that?

12 A. I don't recall.

13 Q. Do you -- sometimes there's more than one  
14 way to respond to someone. Sometimes you can have a  
15 verbal response --

16 A. M-hm.

17 Q. -- sometimes you can have eye contact with  
18 somebody or maybe just even hand maneuvers.

19 A. M-hm.

20 Q. Do you remember --

21 A. I don't recall.

22 Q. -- seeing anything like that?

23 MR. STEENSON: Just objection,  
24 argumentative. But she's answered.

25 Q. (By Ms. Back) Certainly not trying to argue

1 with you. I'm just trying to understand exactly what  
2 you know and observed --

3 A. M-hm.

4 Q. -- so --

5 Did you see any sort of object like a  
6 backpack or anything around Mr. Chasse?

7 A. No, I don't recall.

8 Q. Did you see that the -- did you see any  
9 medical kit around the area?

10 A. Not that I observed.

11 Q. Sometimes there's been a lot of construction  
12 going on in the area of the Pearl. It's a fairly new  
13 area. Was there any construction in that area that  
14 day?

15 A. Not that I remember. I couldn't be  
16 positive, though. I'm sure there was at some -- I  
17 mean, I don't know. I don't remember it specifically  
18 being noisy.

19 Q. I'm just looking through to make sure that  
20 I've asked you everything that I want to ask you  
21 before I'm done here.

22 I may have some more questions but I'm going  
23 to let Mr. Steenson, if he has anything for you, I'm  
24 going to let him go, and if not --

25 MR. STEENSON: I have a few questions.

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EXAMINATION

BY MR. STEENSON:

Q. I'm looking at the police report that was completed that contains a summary of information that you apparently provided. It seems to indicate that you called the police to offer your --

A. Yes.

Q. -- assistance?

If this happened on a Sunday --

A. M-hm.

Q. -- September 17th, according to the report, if I read it correctly, you were talked to on the 28th of September.

A. M-hm.

Q. It's like ten or 11 days later. Does that sound right or do you recall?

A. I don't -- I don't remember.

Q. Okay. This report is completed by a Detective Rhodes. Do you recall the name of the person who spoke with you?

A. I don't.

Q. Was there more than one detective or officer who spoke with you at that time?

A. There was two that came to the salon, but only one that I really specifically spoke with.



1 Q. They were both men, do you recall?

2 A. Yes.

3 Q. In the report it says "Anderson said at that  
4 point the subject on the ground did not appear to be  
5 moving or breathing."

6 A. M-hm.

7 Q. Did you tell the detective, at that time,  
8 that you did not believe that Mr. Chasse was  
9 breathing?

10 A. Yes.

11 Q. Okay. Did you hear anyone, it could have  
12 been one of the officers or it could have just been  
13 standing around, talk about drugs or mention drugs or  
14 drug behavior or drug activity in relation to  
15 Mr. Chasse?

16 MS. BECK: Objection, argumentative.

17 THE WITNESS: No.

18 Q. (By Mr. Steenson) Did you ever make any  
19 observation about any changes in Mr. Chasse's skin  
20 color?

21 A. No.

22 Q. Did you ever see any blood associated with  
23 Mr. Chasse either on the ground or on him or on his  
24 clothing, anything like that?

25 A. I don't recall.

1 Q. Okay. In the report it says "Anderson said  
2 the subject finally moved and started screaming  
3 something to the effect please help me, please help  
4 me."

5 A. Yes.

6 Q. Okay. Did you mean by that he said  
7 something like please help me more than once or do you  
8 recall?

9 A. Yes.

10 Q. All right. Do you remember how many times  
11 he said something like that?

12 A. Not specifically.

13 Q. All right. That's all I have. Thank you.

14 MS. BECK: I just have a few more questions.  
15 Do you mind if I finish?

16 MR. RICE: You go ahead and finish and then  
17 I have maybe a couple.

18 FURTHER EXAMINATION

19 BY MS. BECK:

20 Q. The guttural sounds that you remember him  
21 making --

22 A. M-hm.

23 Q. -- do you believe -- do you -- did you hear  
24 him moan or groan or anything like that?

25 A. No.

1 Q. Okay. Do you remember whether he moved,  
2 made any movements at all, other than just what you've  
3 testified to?

4 A. No. It seemed like he was -- I'm obviously  
5 in no way an expert, but it seemed like he was passed  
6 out or unconscious, but I wouldn't specifically know.  
7 So no, I didn't see him move.

8 Q. So you wouldn't specific -- so sitting here  
9 today, you can't specifically say whether he was just  
10 sort of laying there quietly or actually passed out?

11 A. I don't know. I'm not a medical expert.

12 Q. And sitting here today, you can't say  
13 whether he was just sitting there quietly or not  
14 breathing?

15 MR. STEENSON: He wasn't sitting, but --

16 Q. (By Ms. Beck) Laying there quietly or not  
17 breathing.

18 A. It appeared to me that he wasn't breathing,  
19 but I -- as I've said before, I wasn't close enough to  
20 him to observe specifically.

21 Q. Okay. Well, just so that I can understand  
22 that, the reason that it appeared to you that he  
23 wasn't breathing -- sometimes maybe we don't think  
24 people are breathing because we can't see their chest  
25 move up and down or -- so I'm just trying to figure

1 out what it was that made it seem like he wasn't  
2 breathing to you.

3 A. He just seemed very, very, very still.

4 Q. Okay. Have you -- and you've never seen  
5 anybody restrained after a struggle with -- with the  
6 police or some other agency; is that right?

7 A. Not that I recall, no.

8 Q. Okay. I don't have any further questions.

9 MR. RICE: Okay. I'm done.

10 MS. DUNAWAY: Thank you.

11 MR. STEENSON: Thank you.

12 (The deposition concluded at 11:50 AM.)

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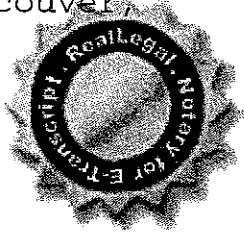
C E R T I F I C A T E

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF CLARK )

I, Shannon K. Krska, a Certified Shorthand Reporter for Oregon, do hereby certify that, pursuant to stipulation of counsel for the respective parties hereinbefore set forth, ELIZABETH A. ANDERSON personally appeared before me at the time and place set forth in the caption hereof; that at said time and place I reported in Stenotype all testimony adduced and other oral proceedings had in the foregoing matter; that thereafter my notes were reduced to typewriting under my direction; and that the foregoing transcript, pages 3 to 52, both inclusive, constitutes a full, true and accurate record of all such testimony adduced and oral proceedings had, and of the whole thereof.

Witness my hand and CSR stamp at Vancouver, Washington, this 1st day of August, 2008.

*Shannon K. Krska*



Shannon K. Krska  
Certified Shorthand Reporter  
Oregon CSR No. 90-0216