

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

MICHAEL A. GENTRY

Taken in behalf of Defendants

\* \* \*

July 30, 2008

1211 S.W. Fifth, Suite 1900

Portland, Oregon

Shannon K. Krska, CSR

Court Reporter



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APPEARANCES:

For the Plaintiffs: MR. THOMAS M. STEENSON  
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Portland, OR 97204

For the Defendants MR. DAVID LANDRUM  
Humphreys, Nice, and Attorney at Law  
City of Portland: 1221 S.W. Fourth, Suite 430  
Portland, OR 97204

For the Defendants MS. SUSAN DUNAWAY  
Burton and Multnomah Attorney at Law  
County: 501 S.E. Hawthorne, Suite 502  
Portland, OR 97214

For the Defendant MS. JEAN BACK  
AMR: Attorney at Law  
1211 S.W. Fifth, Suite 1900  
Portland, OR 97204

Also Present: Kari Furnanz

INDEX

EXAMINATION BY:	PAGE NO.
Mr. Landrum	3 - 22
Ms. Dunaway	22 - 29
Ms. Back	29 - 30
Mr. Steenson	30 - 34
Ms. Dunaway	34 - 38

EXHIBITS

No. 305	Diagram	38
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1 PORTLAND, OREGON; WEDNESDAY, JULY 30, 2008

2 1:30 PM

3 \* \* \*

4 MICHAEL A. GENTRY

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. LANDRUM:

10 Q. All right. Mr. Gentry, my name is David  
11 Landrum. I'm a deputy city attorney for the City of  
12 Portland. I represent the city and the police  
13 officers in this case. The other lawyers represent  
14 other parties. The case is brought against the city  
15 and the other parties by Mr. Chasse's family, so I'm  
16 going to be asking you some questions about -- mainly  
17 about what you saw on September 17, 2006. That was  
18 the date that they took him away in an ambulance.

19 Have you ever had your deposition taken  
20 before?

21 A. No.

22 Q. All right. Well, there's a couple three  
23 ground rules. First thing is the court reporter is  
24 transcribing everything that we say so we need to make  
25 an effort to let the other one finish before we start

1 talking so she can take it all down. And the second  
2 thing is you need to say yes or no or whatever it is  
3 you're going to say in answer to the question instead  
4 of saying uh-huh or huh-uh or nodding or shaking your  
5 head, and that's also so she can take it down. And  
6 third thing is it's important that you and I  
7 understand each other today, so if you don't  
8 understand what I'm asking you, just tell me and I'll  
9 rephrase the question and make sure you understand  
10 what I'm asking you. Okay?

11 A. Okay.

12 Q. All right. What's your full name?

13 A. Michael Gentry.

14 Q. Do you have a middle initial?

15 A. A.

16 Q. Have you ever gone by any other names?

17 A. No.

18 Q. Where do you live now?

19 A. I just moved over to Milwaukie. I'm not  
20 sure of the exact address.

21 Q. Where were you living in September of 2006?

22 A. N.E. 33rd and Clackamas.

23 Q. Okay. What's your date the birth?

24 A. 3-31-86.

25 Q. So you must be, what, 22 now?

- 1           A. (Nods head.)
- 2           Q. So in September of '06 you were 20?
- 3           A. 21 -- or 20. September, yeah, 21.
- 4           Q. Okay. What do you do for a living now?
- 5           A. I'm a valet over at the Heathman Hotel.
- 6           Q. What were you doing for a living in
- 7           September of 2006?
- 8           A. I was a coffee roaster at Coffee Bean
- 9           International.
- 10          Q. Is that here in Portland?
- 11          A. Yeah.
- 12          Q. Okay. Did you graduate from high school?
- 13          A. Yes.
- 14          Q. Which high school?
- 15          A. Gladstone.
- 16          Q. What year was that?
- 17          A. 2004.
- 18          Q. Have you ever been to college?
- 19          A. No.
- 20          Q. Have you ever been in the military?
- 21          A. No.
- 22          Q. Have you ever worked for law enforcement?
- 23          A. Nope.
- 24          Q. Know anybody that does?
- 25          A. My grandfather works volunteer for the

1 Klamath Falls sheriff's department.

2 Q. Do you have any kind of medical training or  
3 first aid or CPR or anything like that?

4 A. No.

5 Q. Okay.

6 A. Well, I got certified in CPR when -- in high  
7 school.

8 Q. Are you current now?

9 A. No.

10 Q. Okay. Did you look at any documents before  
11 you came over for your deposition today?

12 A. No.

13 Q. Did you talk to -- have you talked to any  
14 lawyers about doing your deposition today?

15 A. I scheduled it to come in.

16 Q. Is that the only thing?

17 A. That's it.

18 Q. Okay, all right. Now, the events that we're  
19 talking about, like I told you, that happened on  
20 September 17, 2006. That was a Sunday. Is that how  
21 you remember it, day of the week?

22 A. Sunday afternoon, yeah.

23 Q. Okay. And did you talk to the police or  
24 somebody from the police bureau about what you saw  
25 that day sometime after it happened?

1           A. Actually they came at me when I tried to  
2           leave my yard. They had tape all the way up to my  
3           tree and across my sidewalk, and I can't leave my yard  
4           without going down the stairs.

5           Q. This is on the same day or the next day?

6           A. No, this is the -- half hour after they took  
7           him away.

8           Q. All right. And that was the yellow police  
9           tape, is that what you're talking about?

10          A. Yeah. He got angry because I crossed it.

11          Q. You -- were you crossing it as you came out  
12          of the house?

13          A. Well, yeah. We were trying to go to the  
14          store and he had taped off all the entrances and such  
15          to my place.

16          Q. Okay. And was your house right on that  
17          corner or is it down the street one way or another?

18          A. It's -- it's not the one directly across  
19          from the off ramp but the one just to the left, so  
20          he -- they pulled over across the street from me.

21          Q. You're talking about the off ramp from  
22          eastbound 84?

23          A. 84.

24          Q. Okay. Do you know the name of the officer  
25          that you talked to -- or that talked to you when you

1       came out of the house and you were crossing the --

2           A. They were just perimeter police.

3           Q. Okay.

4           A. They just -- one of them stepped forward and  
5 started yelling because we crossed it.

6           Q. What did he yell at you?

7           A. Don't you know somebody died here today.

8           Q. Did he make you go back in the house?

9           A. Well, no. Then I proceeded to explain to  
10 him that you put the tape in my yard and I have to go  
11 to the store, so -- and so he told us to go around up  
12 Clackamas.

13          Q. Okay, all right. Were you -- were you  
14 present when they put Mr. Chasse in the ambulance and  
15 then drove away?

16          A. M-hm.

17          Q. Okay. Here's what I want you to do. I want  
18 you to just tell me what happened from the time you  
19 first knew the cop car was out there across the street  
20 until they drove away in the ambulance, and then as  
21 you go along I'll probably stop you and ask you for a  
22 detail or something, but just start off telling me how  
23 you -- how you knew they were out there and what you  
24 did.

25          A. We were in the backyard barbecuing and then

1 we saw the lights. He pulled over. And it's just a  
2 dead end right there in the cul-de-sac. So we went  
3 around to the front of the house -- or the side, the  
4 one along the street. And I was looking over there  
5 and noticed that they had actually pulled him out of  
6 the car.

7 Q. When you say him, do you mean the guy that  
8 wasn't a police officer?

9 A. It wasn't a police officer, no.

10 Q. Well, let me make sure I understand you.  
11 You're saying the police officers were taking somebody  
12 who wasn't a police officer --

13 A. Out of the back.

14 Q. And did you know his name at that time?

15 A. No, I didn't.

16 Q. Okay. Did you say where they pulled him out  
17 of the car from?

18 A. They pulled over, they were actually on  
19 33rd, and they were on the corner of that cul-de-sac  
20 right there of Clackamas and 33rd. And I was actually  
21 standing in the side of my yard so I could see the  
22 front of their car and the side of it. And they  
23 pulled him out onto the sidewalk.

24 Q. Okay. And when you say onto the sidewalk,  
25 how were they -- how were they handling him when they

1       took him out? Did they have him by the arms or  
2       shoulders?

3             A. Like this like underneath pulling him out.

4             Q. Were they on his sides like on one arm and  
5       one other, or was it front to back?

6             A. He was laying on his back. They put him  
7       back.

8             Q. But what I'm asking is when you say the  
9       officers were holding him underneath, you know how you  
10      might hold a, oh, if somebody's carrying, you know,  
11      the --

12            A. Well, the door opens like this.

13            Q. -- bride over the threshold.

14            A. They set him on the ground and then they're  
15      holding him off so they just didn't flop his head down  
16      and then laid him down on his back.

17            Q. Okay, all right. Could you tell whether or  
18      not his hands were behind him like they were  
19      handcuffed or something?

20            A. No. I just saw them lay him down.

21            Q. The same thing about his feet, could you  
22      tell whether or not his feet were --

23            A. Whether they were bound or not, no.

24            Q. Okay, all right. And then what happened  
25      after they laid him on the sidewalk?

1           A. They were both standing there kind of like  
2 this shocked kind of look on their face, and then my  
3 neighbors who lived across the street from me at that  
4 point came up and then they went back to their house.

5           Q. When you say came up, you mean came up to  
6 the officers?

7           A. M-hm.

8           Q. Okay.

9           A. And they went back to their house and then  
10 came out again, one of them had a -- those paddles.

11          Q. Right. They call that a defibrillator but  
12 we know what you mean when you say paddles.

13          A. Defibrillator. Had those. And they came  
14 back over there.

15                 And at that point I went back to get my  
16 roommate and my other buddy who was there, and they  
17 were like not really interested in it I guess,  
18 didn't -- one was barbecuing and the other one was  
19 just busy.

20                 And so when I came back they were standing  
21 there, my neighbors and the police officers. But they  
22 weren't -- I never actually saw them use the paddles.

23          Q. Okay.

24          A. And they were slowly but surely, like other  
25 neighbors, coming out and looking and watching. Then

1 about five minutes or so went by, a little longer,  
2 ambulance came up, and there were more cop cars. And  
3 I saw them put him on the stretcher and then load him  
4 up into the ambulance. But at no time did I like  
5 really ever see him move, like he just kind of laid  
6 there. He didn't -- I don't know.

7 Q. All right. Just a second.

8 So when you were watching him after -- after  
9 you went back and talked to your roommate and your  
10 friend and you say you came back, did you come back to  
11 the same place you'd been watching him from before?

12 A. M-hm.

13 Q. So --

14 A. Jumped out on the sidewalk and I was  
15 looking.

16 Q. Were you across the street from them or on  
17 the same side of the street?

18 A. Same side.

19 Q. Okay. How far away from them would you say  
20 you were?

21 A. Just kitty-corner from them, down the block.

22 Q. Sorry about that.

23 So in terms of feet, were you -- could you  
24 say ten feet?

25 A. Whatever the distance between the two, the

1 corners of the blocks, I don't know. I just -- they  
2 were on that corner and I was on the one diagonal from  
3 them.

4 Q. Okay. I see what you're saying.

5 All right. Now, let's go back to the time  
6 before you went to get your friend. Did you see the  
7 officers touching Mr. Chasse in any way after they  
8 laid him down on the sidewalk?

9 A. I didn't really see them doing much. They  
10 were just kind of puzzled.

11 Q. Okay.

12 A. Kind of seemed like my neighbors took over  
13 more than anything. I think he's a nurse or  
14 something, works out of an ambulance or -- 'cause I  
15 don't have any paddles at home, that's for sure.

16 Q. Yeah, me either.

17 Well, so after you'd been back there to your  
18 roommate and your friend and you came back out and  
19 before the ambulance got there --

20 'Cause I mean --

21 A. Yeah.

22 Q. -- you said there was a few minutes time  
23 before the ambulance got there; right?

24 A. M-hm.

25 Q. Did you see the officers touching Mr. Chasse

1 in any way during that period of time before the  
2 ambulance got there?

3 A. Not that I remember. I just remember him  
4 being laid out on the -- the sidewalk.

5 Q. Were there other cop cars that got there  
6 before the ambulance got there?

7 A. Yeah.

8 Q. Any idea how many?

9 A. No, not really. They're just -- before you  
10 knew it, there were a lot of cop cars. And unmarked  
11 cars and officers in like gym shorts and just tons of  
12 people.

13 Q. Did they crowd around where Mr. Chasse was  
14 or did they stay back from it or how was that --

15 A. There was some and then they ended up making  
16 a perimeter.

17 Q. When you say made a perimeter, do you mean  
18 that with the tape?

19 A. Yeah, with the tape. And they had like --  
20 they were lined up like at my neighbor's house to the  
21 left of me and they blocked it off and they wouldn't  
22 let you come down 33rd or Clackamas.

23 Q. Okay. So when the ambulance gets there, are  
24 there people crowded around Mr. Chasse or is there not  
25 very many people around him or how does it look?

1           A. There were a couple people. It's like the  
2 ambulance driver -- or the ambulance people and a  
3 couple officers, but not that many.

4           Q. Were -- could you tell whether it was the  
5 same two officers you saw at the very first that were  
6 there?

7           A. I'm not sure.

8           Q. Okay.

9           A. Looked like they were talking to other  
10 people, if I remember right.

11          Q. You're talking about the first two that you  
12 saw there?

13          A. Yeah. They were talking to other officers.

14          Q. Okay. What did you see -- well, let me ask  
15 you a different way. Did you see the people get out  
16 of the ambulance?

17          A. M-hm.

18          Q. Okay. Remember to say yes or no.

19          A. Yes, sorry.

20          Q. That's all right.

21                 All right. Tell me what you saw the people  
22 who got out of the ambulance, what did you see them  
23 do?

24          A. They went over and checked him out, kind  
25 of -- he was just laying on the ground. They crouched

1 down. At that point, they crouched down with their  
2 backs to me.

3 Q. Okay.

4 A. And then they got out the gurney and put  
5 him -- lifted him onto the gurney while it was on the  
6 ground and then popped it up and then loaded him into  
7 the back of the ambulance.

8 Q. How long would you estimate that the  
9 ambulance people were actually there from the time  
10 they get out of the ambulance to the time they shut  
11 the doors and leave?

12 A. Oh, maybe ten minutes.

13 Q. Could you see anything that they were doing  
14 in terms of touching Mr. Chasse's body during the time  
15 that they were there?

16 A. No. They were crouched down with a couple  
17 other people.

18 Q. All right. Now, from where you were  
19 standing, could you see Mr. Chasse's face or his  
20 hands?

21 That's really two different questions.  
22 Start with his face, could you see his face?

23 A. I mean, you could see him laying there,  
24 yeah, and he -- he didn't look -- like I said, I never  
25 really saw him move at all, you know.

1 Q. Tell me what his face looked like. I'm not  
2 talking about, you know, describe him, did he have  
3 blue eyes or big nose. I don't mean like that. I  
4 mean, was his mouth open, was his mouth closed, did he  
5 look pale, did he look like he had blood on him? What  
6 did he look like?

7 A. Didn't have -- didn't look like any blood.  
8 He was just laying there and he wasn't moving, mouth  
9 closed. And I mean, I don't know how pale he was  
10 before or after, but he didn't look like he was moving  
11 when he got out of the car much and he didn't look  
12 like he was moving at all when he got in the  
13 ambulance.

14 Q. Could you see his hands?

15 A. No, I don't --

16 Q. Well, you said I don't know how pale he  
17 might have been before. In your own estimation of  
18 when you just see a stranger on the street, did he  
19 look --

20 A. He looked sick.

21 Q. He looked sick?

22 A. Yes.

23 Q. That's what I was getting at, okay.

24 Did you ever hear him make any sounds?

25 A. No.

1 Q. Did you hear anything that any of the  
2 officers said?

3 A. (Shakes head.)

4 Q. Did you hear anything that any of the --

5 A. No, sorry.

6 Q. -- ambulance people finally said?

7 A. No.

8 Q. Other than the cop that got on to you about  
9 coming across the yellow line, did you have any other  
10 conversation with any other cops?

11 A. Yes. Somebody called -- well, somebody  
12 called me and said that they were with the police  
13 bureau.

14 Q. Well, wait a minute. You're talking -- this  
15 is later?

16 A. This is, yeah, like two weeks or maybe a  
17 week, I don't -- I'm not sure when. There was a story  
18 published in The Oregonian.

19 Q. Right.

20 A. And it was shortly before that. Because  
21 they called me and said that they were a police  
22 officer, this and that. And I was, you know, hesitant  
23 about talking to anybody about anything.

24 Q. Okay.

25 A. And so -- and that's what I told them. And

1       then they said, well, you can call back and, you know,  
2       get my voice mail or something. I got their voice  
3       mail. And they said they were with the unit that  
4       investigates homicide or something like that with  
5       Portland Police.

6             Q. M-hm.

7             A. But couple days later everything that I said  
8       to him was quoted in The Oregonian. And so I don't  
9       know what happened. And they said they were a police  
10      officer and that none of this was going to be out and  
11      nobody would -- basically it was a private  
12      conversation, and next thing I know I've got my name  
13      and direct quotes from that conversation. So I don't  
14      know if I just got had and it was some reporter or if  
15      it was really the police.

16            Q. All right. Well, what I was actually asking  
17      you about -- I appreciate you telling me that. But  
18      what I was actually asking you about was on that same  
19      day that Mr. --

20            A. No.

21            Q. -- Chasse died, did you have any other  
22      conversation --

23            A. No.

24            Q. -- with any police officers?

25            Okay. When you first saw the officers

1 taking Mr. Chasse out of the police car, did he have  
2 anything on his head?

3 A. Not that I can remember.

4 Q. Let me ask you this way: Besides the fact  
5 that there's two officers taking a guy out of a police  
6 car who's not looking too good, is there anything else  
7 about what you saw the officers do or saw the  
8 ambulance people do that made you think something  
9 about it didn't look right?

10 A. Just the fact that he wasn't moving and it  
11 didn't seem like the cops were doing anything. And if  
12 I remember right, it was I want to say two different  
13 police bureaus, like it was Portland Police and  
14 Multnomah County police maybe for some reason.

15 Q. Well, I'll ask you a couple questions and  
16 it'll probably answer that question for you. Were the  
17 two officers that you saw, were they wearing the same  
18 kind of uniform?

19 A. No. And that's part of the reason why I --  
20 I looked.

21 Q. Was -- I'll put words in your mouth for a  
22 minute. Was one officer's uniform dark and one of  
23 them green?

24 A. I want to say one was green and, yes, and  
25 the other one -- and that's why I looked at them and I

1 thought one was Multnomah and one was Portland Police.

2 Q. That's right. There's the answer.

3 A. All right.

4 Q. Okay.

5 A. It's a long time ago so I'm still trying  
6 to --

7 Q. Right.

8 A. But yeah, and he wasn't doing anything,  
9 Mr. Chase (sic) or -- and the officers didn't seem  
10 like they knew what was going on. And then when I saw  
11 my neighbors get involved, then I was -- you know.

12 Q. Did you -- is that Mr. Olson, your neighbor?  
13 Do you know him by name?

14 A. I don't.

15 Q. Okay. Well, let me ask you this way: The  
16 neighbor who came out with the paddles --

17 A. M-hm.

18 Q. -- did you ever talk to him about any of  
19 this?

20 A. No, we actually didn't get to talk.

21 Q. Because the next thing I was going to ask  
22 you is did he tell you anything about what was  
23 happening over there? I'm guessing the answer is --

24 A. No. I was curious actually. I was going to  
25 knock on his door one day, I just never did.

1 Q. Okay. I think that's all the questions that  
2 I have. The other lawyers may have questions for you.  
3 Is there anything else significant about this event  
4 that you want to tell me that I haven't asked you  
5 about?

6 A. No. I think that's --

7 Q. Okay.

8 All right. Well, like I said, the other  
9 lawyers may have questions for you, but that's what I  
10 had for you. So thanks a lot.

11 A. Yep.

12 EXAMINATION

13 BY MS. DUNAWAY:

14 Q. I name's Susan Dunaway. I'm with Multnomah  
15 County, the green uniform instead of the dark uniform.

16 A. All right.

17 Q. I believe you testified that when you came  
18 out of your house you saw the police car and it had  
19 its lights on?

20 A. I -- I think I did say that, yeah. I mean,  
21 I'm -- it's two years ago. I'm not a hundred percent  
22 sure. I noticed the car right out front, though.

23 Q. Right out front.

24 A. Right.

25 Q. Is that the first place you noticed the car

1 was --

2 A. It pulled over.

3 Q. When it was pulled over?

4 A. Like it came right over, pulled over.

5 Q. Did you see it pull in?

6 A. It came right off the on ramp and  
7 immediately pulled over like the -- the curb's right  
8 next to the off ramp.

9 Q. And did you see it coming off the off ramp?

10 A. I didn't see it. You can't see down the off  
11 ramp. You can just see like the very corner and then  
12 it pulls over maybe three car lengths.

13 Q. Okay. And now you can't remember whether or  
14 not it had its lights on?

15 A. I don't want to -- no, I'm not a hundred  
16 percent sure the flashing lights were on, so I'll say  
17 no.

18 Q. No, okay.

19 Other than this particular incident, have  
20 you ever had any conversations in any situation with  
21 police officers?

22 A. Other than this one?

23 Q. M-hm.

24 A. Yes.

25 Q. What were those other situations?

1           A. I'm actually on bench probation for  
2 graffiti, but other than that --

3           Q. When were you placed on probation?

4           A. Six months ago maybe.

5           Q. Okay.

6           A. I think I have eight or nine months left.

7           Q. And that was for graffiti?

8           A. M-hm.

9           Q. Any other situation?

10          A. No. I've never had a speeding ticket or  
11 anything.

12          Q. So other than this particular incident when  
13 you had a conversation with the police, and I'm  
14 assuming you were arrested for your --

15          A. Yes.

16          Q. Okay. When you were arrested, were you  
17 taken to jail or issued a citation?

18          A. I just was released overnight -- after  
19 overnight.

20          Q. But you were booked into the jail?

21          A. I believe so, yeah.

22          Q. And what jail was that?

23          A. Just here downtown.

24          Q. And they were the only -- they're the only  
25 two situations in which you've ever talked to police

1 officers?

2 A. Yeah.

3 Q. How did the police officers treat you on the  
4 night that you were arrested?

5 A. Like somebody who was doing something they  
6 weren't supposed to.

7 Q. What's that mean?

8 A. They were fine with me. I -- I broke the  
9 law and they took me in. I mean --

10 Q. Okay.

11 A. -- nothing wrong with it. I mean, I  
12 didn't -- they didn't -- treated me fine.

13 Q. Okay.

14 A. I mean, they were officers.

15 Q. They weren't abusive?

16 A. No. They didn't -- they didn't rough me up  
17 or anything, no.

18 Q. Okay. What about at the jail, how were you  
19 treated at the jail?

20 A. Pretty good actually. It wasn't nearly as  
21 bad as I thought it was going to be.

22 Q. Okay. Were you booked in? Were you dressed  
23 in?

24 A. No. Like I said, they took my mug shot and  
25 I sat there for seven hours or something and then they

1 released me in the morning.

2 Q. Okay. The last thing I would like you to do  
3 is I'm having a really hard time picturing in my head  
4 what that cul-de-sac looks like.

5 A. Okay.

6 Q. How good are you at drawing?

7 A. I can draw.

8 Q. You can draw, okay.

9 MR. LANDRUM: That's pretty good, because  
10 almost every witness says I'm no artist.

11 Q. (By Ms. Dunaway) No, nobody. You're the  
12 first one.

13 A. After hearing about everything else, I --

14 Q. Here you go. Can you --

15 A. You just want to draw --

16 Q. Draw the cul-de-sac, m-hm.

17 A. Okay.

18 So the cul-de-sac goes back here, and then  
19 this is 33rd and 84, that off ramp's right here and --  
20 hold on, I'm sorry. This is Clackamas.

21 All right, I just messed this up.

22 Q. Okay. You need another sheet?

23 A. Yeah. I can just turn it over.

24 Q. Okay.

25 A. This is Clackamas and so the cul-de-sac goes

1 directly across from it, and then my house is here on  
2 the corner, and right here is 84.

3 Q. Okay. So what street is this here?

4 A. This is Clackamas, and then this is 33rd.

5 Q. Okay.

6 A. And they came off here and pulled over right  
7 here, like that was their car.

8 Q. Okay.

9 A. And my yard, I was just right here, like on  
10 the sidewalk.

11 Q. Okay. And then where did the ambulance come  
12 from?

13 A. They came from back off of Sandy I believe  
14 and they came over here and pulled around this way, so  
15 their back doors were right here.

16 Q. Okay. So where was Mr. Chasse?

17 A. He was on the sidewalk here.

18 Q. Okay. And doing it as a stick figure, can  
19 you put -- do a little stick figure where his head was  
20 and where his feet were?

21 A. (Witness complied.)

22 Q. So his head was on this end?

23 A. M-hm.

24 Q. Okay. Do you know where Mr. Olson's house  
25 is?

1 A. He's my neighbor; correct?

2 Q. Right.

3 MR. LANDRUM: Yeah, he's the paddle guy.

4 THE WITNESS: This is -- so he was next door  
5 here. This is his house.

6 Q. (By Ms. Dunaway) Is there a house here?

7 A. M-hm.

8 Q. Okay. Can you write Olson there?

9 A. M-hm.

10 Q. And can you write your name there?

11 A. M-hm.

12 Q. And you said that you had friends at your  
13 house and you were having a barbecue?

14 A. No. I had my roommate in the back  
15 barbecuing. My other friend was down in the basement  
16 printing T-shirts.

17 Q. Okay.

18 A. We had some silk screens. And Keith was in  
19 the back here barbecuing, and there's like a big green  
20 shrub that goes here so he couldn't even see and he  
21 was like, well, I'm going to burn this stuff so fill  
22 me in. And so I went back out here.

23 Q. Did he come out for a few minutes?

24 A. No.

25 Q. Not at all?

1 A. (Shakes head.)

2 Q. Okay. And the other friend never -- never  
3 came out?

4 A. He was printing downstairs.

5 Q. Okay.

6 All right. Can you write down at the bottom  
7 33rd and Clackamas for me.

8 A. (Witness complied.)

9 Q. Okay.

10 MR. LANDRUM: Do you want to make that an  
11 exhibit?

12 MS. DUNAWAY: Yep.

13 MR. LANDRUM: Okay.

14 Q. (By Ms. Dunaway) That's all I have, thanks.

15 EXAMINATION

16 BY MS. BACK:

17 Q. I just have a few questions for you.

18 A. All right.

19 Q. I'm Jean Back, and I represent the ambulance  
20 company.

21 And so I just want to ask you, do you  
22 remember seeing the ambulance folks doing any CPR on  
23 him?

24 A. No. They were crouched down and there were  
25 a couple other officers over there.

1 Q. Could it be that they were performing CPR  
2 but you couldn't see them?

3 A. They could have been trying. Like I said, I  
4 didn't see them or my neighbor use the paddles.

5 Q. You didn't even see your neighbor use the  
6 paddles?

7 A. No. That was when -- when they came out  
8 with them is when I went back to my backyard and down  
9 in the basement and came back up.

10 Q. Okay. So there was some point in time --  
11 did you miss some of the time when the ambulance was  
12 there as well?

13 A. No.

14 Q. No?

15 A. I saw the ambulance come up, and then that's  
16 when I watched 'cause it didn't look like he was  
17 moving, and then they loaded him up and drove off back  
18 up towards Sandy.

19 Q. Okay. That's all I have.

20 EXAMINATION

21 BY MR. STEENSON:

22 Q. I have a few questions.

23 I have a police report that indicates that a  
24 Portland detective named Rhodes talked to you on  
25 September 21st, so like four days later.

1 A. Is this the guy that called me?

2 Q. I can't tell from the report. I think from  
3 the report it looks like he called you.

4 A. Yeah. 'Cause then I'd like to know why all  
5 my stuff ended up quoting on The Oregonian after he  
6 promised me that none of that would be released, so I  
7 don't know who I talk to about that but maybe you guys  
8 could tell me.

9 Q. And then I have a transcript which seems to  
10 include some information about a phone message that  
11 was left for you and then maybe you calling back and  
12 then talking --

13 A. Yes.

14 Q. -- to this detective I think on the phone.

15 A. That's exactly it.

16 Q. Did you ever meet with the detective in  
17 person?

18 A. No.

19 Q. So other than that detective and maybe the  
20 phone message or two, have you talked to any other  
21 officers any other time about what happened?

22 A. No.

23 Q. All right. In the transcript it says, at  
24 one point, that after the ambulance people got there,  
25 the gurney was out, and he was still on the ground,

1 referring to Mr. Chasse, they kept pumping his chest,  
2 kept pumping it and pumping it. Do you remember  
3 whether at that time you recalled the ambulance people  
4 giving CPR to Mr. Chasse, you told the detective that?

5 A. It was just when they were crouched down.  
6 That's all -- I mean, this -- again, this is two years  
7 ago.

8 Q. Was your memory better then?

9 A. Within four days, yeah.

10 Q. Were you -- were you being -- trying to be  
11 accurate when you talked to the detective about what  
12 you saw?

13 A. Yeah.

14 Q. Okay.

15 A. I didn't even at first want to talk to him  
16 at all because I wasn't -- you know, I was afraid  
17 something like that Oregonian thing would happen,  
18 and -- but when I called back and he promised me, you  
19 know, whatever. And I actually talked to my  
20 grandfather and he said, you know, it's probably  
21 better if we've -- you talk to him about this.

22 Q. So you were trying to tell him what you had  
23 honestly recalled at the scene?

24 A. Yeah.

25 Q. Okay. Also in the transcript, if I read it

1       correctly, it says -- this is you talking, the guy's  
2       face was all bloody. Do you recall telling the  
3       detective, at that time, you could remember seeing  
4       Mr. Chasse's face all bloody?

5             A. I don't remember if I said that.

6             Q. Okay.

7             A. And, again, that's -- that's like one of  
8       those details of the head lamp or the lights, I don't  
9       remember that exact thing and I don't want to say yes  
10      or no now and now I'm getting crisscrossed and this is  
11      two years ago.

12            Q. All right. But, again, you weren't trying  
13      to --

14            A. No, I was not trying to -- I mean,  
15      everything I told him that day I honestly thought he  
16      was a detective who was going to figure this out and  
17      they were going to make whatever happened happen like  
18      make it right and that's -- I was giving him my  
19      statement. I didn't think there was going to be later  
20      down the line where I'd come back in. I thought that  
21      was --

22            Q. Sure, okay.

23                    And then there's some questions and answers  
24      or information being given to you by the detective,  
25      and at one point you say they looked like they shit

1 themselves, they looked like they were in trouble.

2 A. Yeah, they looked very puzzled and very --

3 Q. Okay. And was that when they were standing  
4 there before the ambulance people got there?

5 A. Before my neighbors actually got the  
6 paddles.

7 Q. Okay. And during that time, you didn't see  
8 the officers down giving CPR to Mr. Chasse?

9 A. (Shakes head.)

10 Q. Is that a no?

11 A. No.

12 Q. Okay. That's all I have. Thank you.

13 MR. LANDRUM: All right, there you go,  
14 unless somebody else has something.

15 FURTHER EXAMINATION

16 BY MS. DUNAWAY:

17 Q. I just have one question.

18 Were you nervous when you were talking to  
19 the detectives?

20 A. Extremely nervous. I mean, I don't -- as it  
21 is, I don't want my name out there with everyone  
22 knowing, you know, that I'm the person that saw it, I  
23 saw something that I maybe don't know that I saw, you  
24 know, and this is the piece that they need. I don't  
25 want to be that person. And I actually made a call

1 down here trying to reschedule this and kind of  
2 telling them that to begin with, that I didn't want to  
3 be in this.

4 And then it's hard for me to trust anything  
5 when somebody tells me they're an officer and then  
6 three days later it's all over The Oregonian. Like  
7 I -- I'm nervous about this meeting in general right  
8 here let alone that one. Like I was really nervous at  
9 that point because I just saw, you know, what I  
10 thought was somebody who's pretty much dead from the  
11 time they got into the ambulance and left and then in  
12 the paper they say that he died ten minutes afterwards  
13 on the way to the hospital and the cops telling me  
14 this. You know, I don't know.

15 Q. So just the entire thing was making you  
16 extremely nervous?

17 A. The whole thing is like nothing is --  
18 nothing is working out. Like the paper says it, it  
19 doesn't sound like what I saw. You know, the cop  
20 tells me he's a cop and then ends up in paper, so I  
21 don't know if that's -- just everything is just kind  
22 of --

23 Q. Well, when you were talking to the  
24 detective, sometimes you're so nervous that -- and  
25 emotional that you're not thinking real clearly. Did

1       you feel like you were that nervous?

2               A. I didn't -- you know, I honestly thought I  
3       told him everything that I had seen and -- and I  
4       honest to god believe that's -- I mean, I would rather  
5       go with what I said there than maybe this because this  
6       is two and a half years or however long it's been and  
7       that's honestly what I remember seeing. It's hard for  
8       me to remember two years ago and just that. Just  
9       it's -- yeah, and I haven't really talked to anyone  
10      about this. This is -- I was surprised to see it come  
11      back up this -- 'cause what I had thought is it was  
12      closed is what I had heard, that was it.

13              Q. Were you afraid you were going to get in  
14      trouble?

15              A. I don't -- not necessarily like -- like a  
16      sentencing or anything. But I just don't know -- I  
17      don't necessarily know if -- you know, whoever. If  
18      I'm the person they don't want around and I'm already  
19      in trouble on probation like I don't want to stir dust  
20      up where it's not needed.

21              MS. BACK: Mr. Gentry, this part is not  
22      anything to do with a criminal matter. This is a  
23      civil matter that is brought by Mr. Chasse's estate,  
24      so -- so that's what's going on right now.

25              THE WITNESS: Yeah, I just -- I feel like if

1 a -- if a police officer wanted to they could -- they  
2 could figure out a way to mess with me if they wanted  
3 to, you know. And I just don't really have any reason  
4 to be messed with and -- but I honestly don't think  
5 that I saw anything that crazy or anything that -- I  
6 mean, and I want people to know what happened, you  
7 know, 'cause it's not -- I don't think what happened  
8 was right. It just didn't seem right.

9 Q. (By Ms. Dunaway) Well, when you were giving  
10 your statement did you feel like you were telling the  
11 detectives that you were recounting things that were  
12 bad about the police?

13 A. No. I was just telling them -- he was just  
14 going through like he did, you know -- well, like when  
15 you came out what did you see and when this happened  
16 what -- you know, and I was just trying to just go  
17 through what had happened. I don't have anything  
18 against police officers or anything. I think, you  
19 know, there's bad people everywhere. Bad people get  
20 same jobs as good people, it happens every now and  
21 again. I got my grandfather, you know, he's -- he's a  
22 volunteer guy but he pretty much thinks he's the  
23 deputy or whatever and I let him think that and I  
24 don't -- and those cops that arrested me that night,  
25 they're just doing their job, they didn't do anything

1 bad.

2 And I don't think that necessarily that  
3 those cops were bad. I just don't know -- 'cause I  
4 didn't see what happened before he got in the car. I  
5 just know that when he got out of the car they didn't  
6 know what they were doing and they didn't look like  
7 they were -- you know, they looked shocked and puzzled  
8 and they didn't look -- you know, they looked like  
9 they goofed up. And that's just -- I don't know how  
10 it happened. I just know that when they got out of  
11 the car it wasn't good.

12 MS. BACK: Anyone have any more questions?

13 MR. LANDRUM: I don't.

14 MR. STEENSON: Thanks a lot.

15 MR. LANDRUM: All right, thanks for coming.

16 THE WITNESS: Thanks.

17 (DEPOSITION EXHIBIT NO. 305 was marked for  
18 identification.)

19 (The deposition concluded at 2:12 PM.)

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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, MICHAEL A. GENTRY 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 38, 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 11th day of August, 2008.

*Shannon K. Krska*



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