

DATE: September 11, 2007
TO: John A. Tellis
Captain
Internal Affairs Division

FROM: Michael R. Barkley
Sergeant
Internal Affairs Division

SUBJ: **JAMES CHASSE I.A.D. INVESTIGATION**



Bureau of Police Portland, Oregon

INTER-OFFICE MEMORANDUM

CONFIDENTIAL

On Tuesday, July 24, 2007 I spoke with Ms. Dunaway, Multnomah County counsel, regarding me and Sergeant Derek Rodrigues interviewing Multnomah County Detention Center Deputy Thomas Hollenbeck. Deputy Hollenbeck is a witness related to the Internal Affairs Division Case #2006-B-0016, In-Custody Death of James Chasse. Ms. Dunaway advised me that she would *not* approve Deputy Hollenbeck being interviewed until following his civil deposition scheduled for the first week in September. The same date, Ms. Dunaway's position was discussed with Captain Tellis and Deputy City Attorney Stephanie Harper. As a result, the Internal Affairs Division investigation was placed on hold while waiting for the completion of the scheduled deposition.

On Thursday, September 6, 2007 I had two conversations with Susan Dunaway regarding the availability of the Deputy Hollenbeck and former Deputy Burton, currently a Portland Police officer, to be interviewed by me and Sergeant Derek Rodrigues. Ms. Dunaway stated that she and City of Portland Deputy Attorney Jim Rice would not allow Multnomah County deputies or Portland Police Bureau officers to be interviewed prior to their re-scheduled civil depositions in January 2008. Later this date, Captain Tellis, Sergeant Rodrigues, Deputy City Attorney Dave Woboril and I met in the Internal Affairs Division conference room to discuss the issue.

Sergeant Rodrigues and I request the interviews of Deputy Burton and Deputy Hollenbeck be conducted prior to the interviews of Sergeant Nice and Officer Humphreys in order to produce a transparent, complete and thorough I.A.D. investigation. The following are significant areas to be covered during the interviews of the two deputies (Deputy Burton's interview is more critical):

DEPUTY BURTON:

1. Why was **Mr. Chasse's** behavior at N.W. Everett Street and 18th Avenue considered so "peculiar" to cause **Deputy Burton** and **Officer Humphreys** to clear the cover call and search for **Mr. Chasse**.
2. What was discussed between **Deputy Burton**, **Officer Humphreys** and **Sergeant Nice** regarding **Mr. Chasse** prior to clearing N.W. Everett Street and 18th Avenue.
3. What was discussed between **Deputy Burton** and **Officer Humphreys** regarding **Mr. Chasse** from the time they cleared N.W. Everett Street and 18th Avenue and located him on N.W. Everett Street between 14th and 13th Avenues.

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4. What was **Deputy Burton's** *legal justification* for contacting and ultimately engaging in a foot chase of **Mr. Chasse**.
5. What was discussed between **Deputy Burton, Officer Humphreys** and **Sergeant Nice** regarding *legal justification* for contacting and chasing **Mr. Chasse**.
6. Was any other physical force used by any officers and/or deputies directed at **Mr. Chasse** following his transportation from N.W. Everett Street and 13th Avenue.
7. Did **Deputy Hollenbeck** observe or hear of any actions by officers and/or deputies who were present that caused him any concerns or violated Oregon criminal statutes.

DEPUTY HOLLENBECK:

1. When **Mr. Chasse** arrived at the M.C.D.C. sally port, were any Multnomah County Detention Center deputies present (**Officer Humphreys** had called and requested assistance with **Mr. Chasse**)
2. If no M.C.D.C. deputies were present when **Mr. Chasse** arrived, does **Deputy Hollenbeck** know how long **Mr. Chasse** was in the sally port area alone with **Deputy Burton** and **Officer Humphreys**.
3. Is **Deputy Hollenbeck** aware, either via personal observations or by another person, of *any* physical force directed at **Mr. Chasse** while at M.C.D.C. by any officers and/or deputies.
4. Did **Deputy Hollenbeck** observe or hear of any actions by officers and/or deputies who were present that caused him any concerns or violated Oregon criminal statutes.
5. Is **Deputy Hollenbeck** aware why **Mr. Chasse** was transported from the facility by the police rather than requesting an ambulance to the location.