

**Fatal Officer Involved Shooting of  
Jack J. Watson**

**CCDA File: 005-347738**



**JOHN D. WENTWORTH**  
**District Attorney**

**June 20, 2023**

**SUBJECT:     Officer Involved Shooting of Jack James Watson**

Contact:        Chief Deputy District Attorney Christopher Owen  
                     Clackamas County District Attorney's Office  
                     503-655-8431 [districtattorney@clackamas.us](mailto:districtattorney@clackamas.us)

On June 9<sup>th</sup>, 2023, the Clackamas County District Attorney's Office presented a grand jury panel with the investigation of the officer involved fatal shooting of Jack James Watson, which occurred April 24<sup>th</sup>, 2023. A grand jury is a body of seven Clackamas County citizens drawn by the court at random from the pool of jurors selected to serve during a particular jury service term.

The grand jurors heard testimony from the involved deputy and officers, representatives from the medical examiner's office and investigators. The grand jury also reviewed evidence collected in the case including but not limited to photographs, dispatch recordings and dash cam videos, body camera videos and surveillance footage. Following deliberations, the grand jurors determined by a unanimous vote that the actions of the involved officers and deputies were justified and lawful under Oregon law.

The investigation into the death of Jack Watson was led by the Clackamas County Interagency Major Crimes Team in cooperation with the Clackamas County District Attorney's Office. The Major Crimes Team (MCT) is a consortium of state, county and local law enforcement who investigate serious crimes in Clackamas County.

In this case, investigators from Oregon City Police Department and the Milwaukie Police Department were the lead investigators with assistance from the Molalla Police Department, the Sandy Police Department, the Canby Police Department, the Lake Oswego Police Department, the Clackamas County Sheriff's Office, the Clackamas County District Attorney's Office, and the Portland Police Bureau. All these agencies were also assisted by the Interagency Crime Reconstruction and Forensics Team (CRAFT).

Additionally, the Clackamas County and State Medical Examiner's Offices conducted their own investigations into the cause and manner of Mr. Watson's death.

## **FACTS PRESENTED TO THE GRAND JURY**

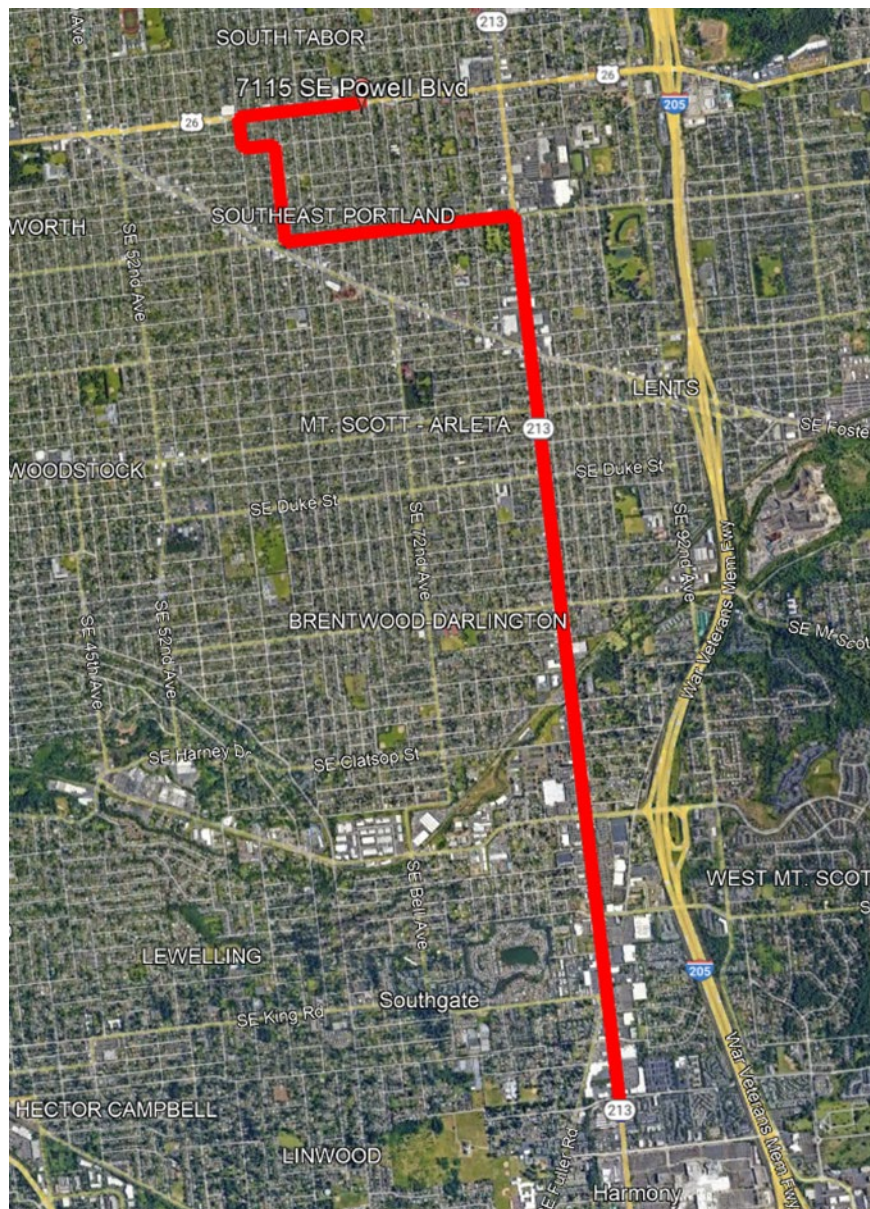
The grand jury heard that on April 23<sup>rd</sup>, 2023, officers and detectives from the Portland Police Bureau responded to a report of a shooting at the Fantasyland Adult Store and Smoke Shop, located at 5228 SE Foster Rd in the City of Portland. Patrons of the store reported hearing a disturbance in the back of the store, along with a single gunshot then witnessed a male rapidly exit the store and flee the scene in a Toyota sedan.

After arriving at the scene officers found that Zachary Freeman had been shot and killed with a single gunshot wound to the head. The firearm used in the murder was not recovered at the scene and no cartridge case was located. Using surveillance video and evidence located at the scene, the Portland Police Bureau Homicide Detail identified Jack Watson as the suspect in Zachary Freeman's murder. Watson's image and vehicle description were captured by surveillance video at the crime scene. As a result, Portland Police obtained an arrest warrant for Jack Watson for the crime of Murder in the Second Degree from a Multnomah County Circuit Court Judge. Information identifying Jack Watson and his vehicle was circulated to all Portland Police officers, including the fact a firearm was not recovered and may still be in Watson's possession. The information for Watson's arrest and his vehicle were also entered into the state police information system (LEDS Law Enforcement Data System) as well as the federal information system (NCIC National Crime Information Center).



Surveillance Footage Images of Watson's vehicle captured at Fantasyland store on SE Foster Rd.

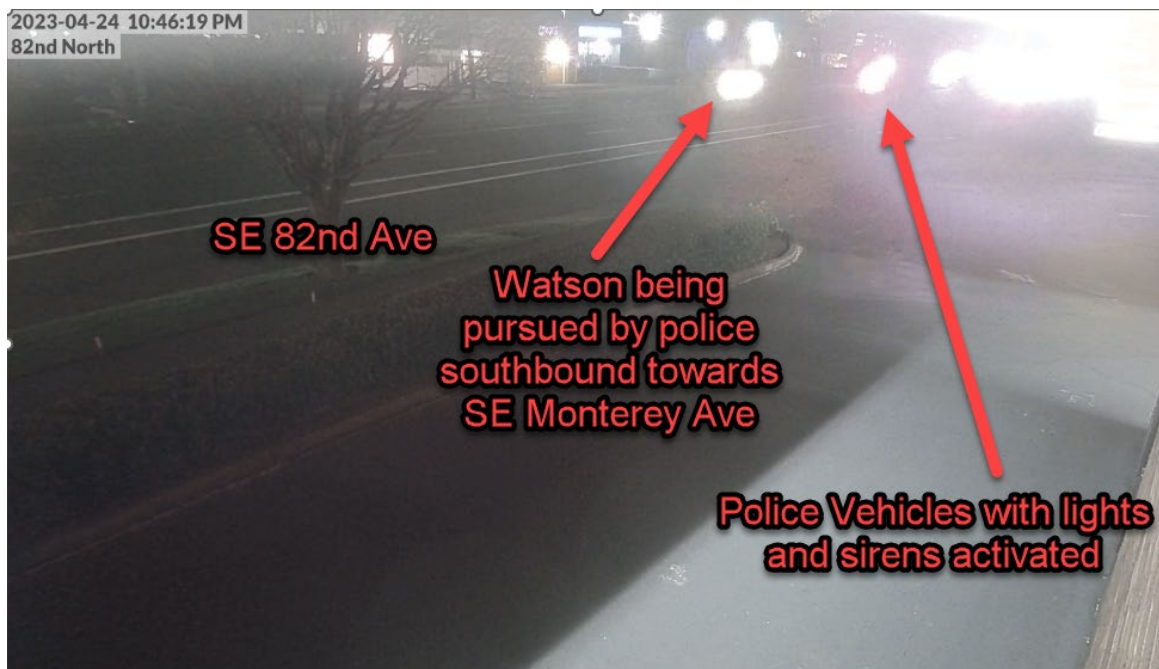
The following evening, on April 24<sup>th</sup>, 2023, at 10:39 pm, a Sergeant with the Portland Police Bureau observed a car matching the description of Watson's vehicle at a convenience store located on SE Powell Blvd. As the Sergeant started to maneuver himself into a position to observe the vehicle, a person matching Watson's description exited the convenience store. The Sergeant believed the person to be Jack Watson. Watson got into his vehicle, looked at the sergeant, and began to drive off. The Sergeant began following Watson while awaiting other units from the Portland Police Bureau to assist him in stopping Watson's vehicle. Watson proceeded through an intersection against a traffic control device. The Sergeant pursued Watson and activated his lights and siren. Watson fled in a pursuit that lasted approximately 7 minutes and 35 seconds and proceeded down several Portland streets including 82<sup>nd</sup> Avenue. Other officers from the Portland Police Bureau began to move toward the Sergeant's location to assist in stopping and apprehending Jack Watson.



Path driven by Watson while he was pursued by Police.

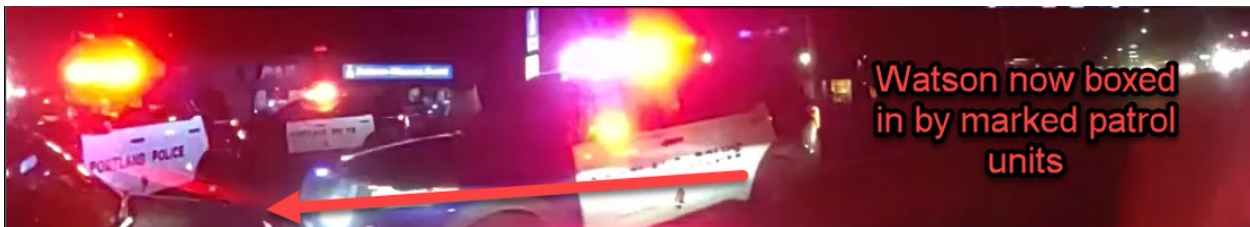


Watson ultimately turned from SE Holgate and proceeded south on 82<sup>nd</sup> Avenue into Clackamas County. Watson drove 5.4 miles while officers of the Portland Police Bureau and deputies from Clackamas County Sheriff's Office followed him with lights and sirens activated. Police twice deployed spike strips and Watson's tires began to deflate; however, Watson remained steadfast in driving away from police. Over two minutes passed after Watson's vehicle was affected by stop sticks. Watson drove toward an active and marked construction zone located at SE 82<sup>nd</sup> Avenue and Monterey Ave.

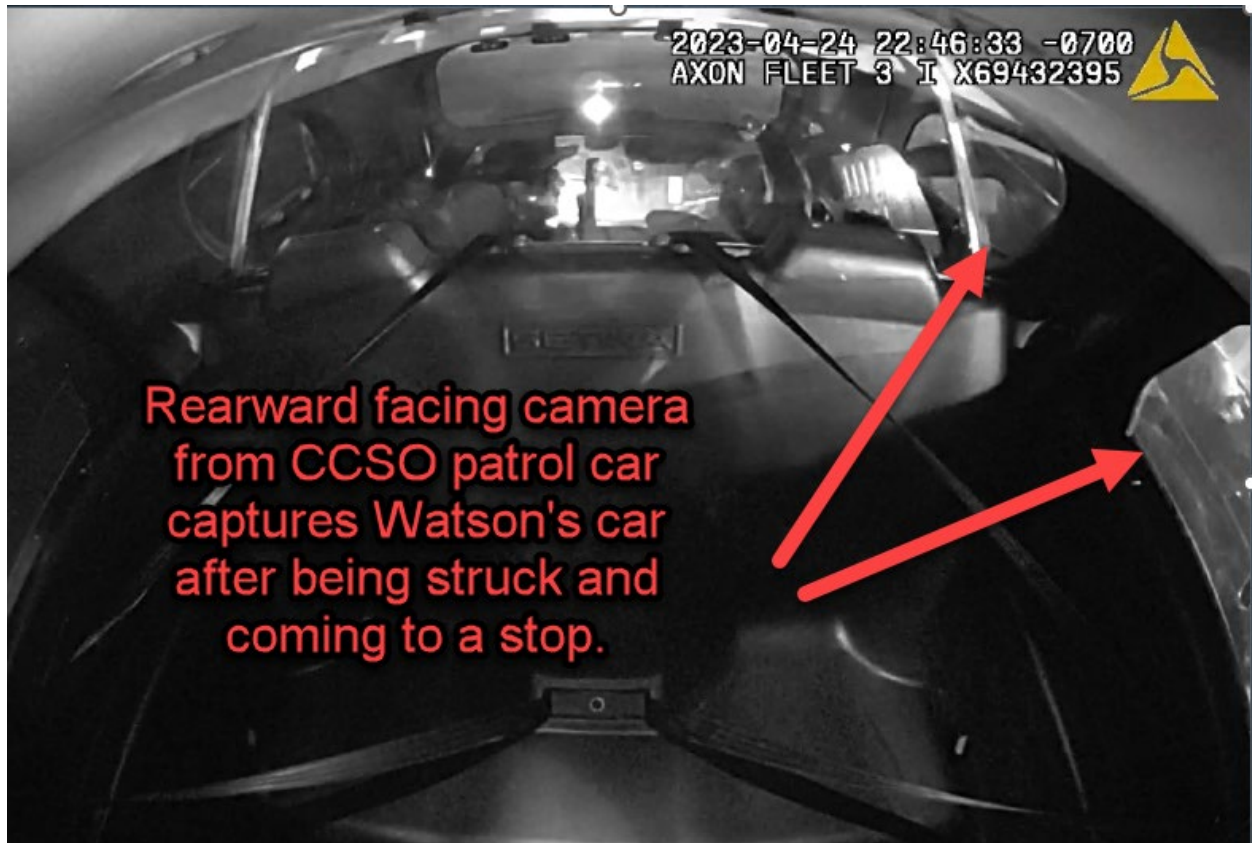


As Watson approached the construction zone, he began to turn around his vehicle, and an officer took the opportunity to attempt use of the Pursuit Intervention Technique (PIT) by striking Watson's vehicle.

However, Watson still attempted to drive away Northbound on 82<sup>nd</sup> Avenue. Other officers struck Watson's vehicle with theirs' to 'box in' Watson. Watson's vehicle was disabled as two Portland Police Bureau officers and one Clackamas County deputy surrounded Watson's vehicle to prevent it from moving.

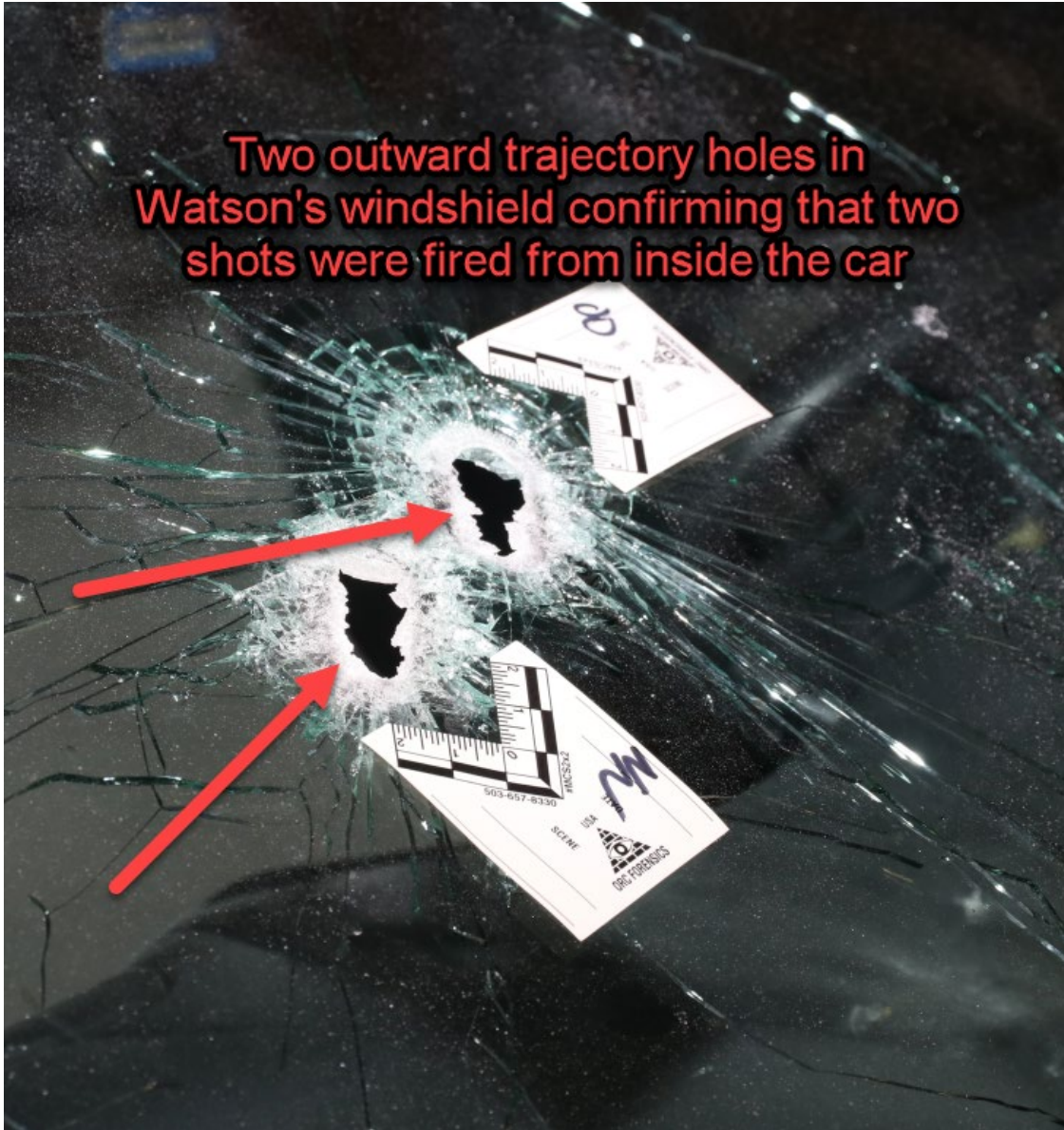


Watson fired two rounds through his windshield toward the police officers. One of the rounds fired from his weapon stuck the windshield of one of the Portland Police vehicles in which Ofc. Nick Wambold was seated.

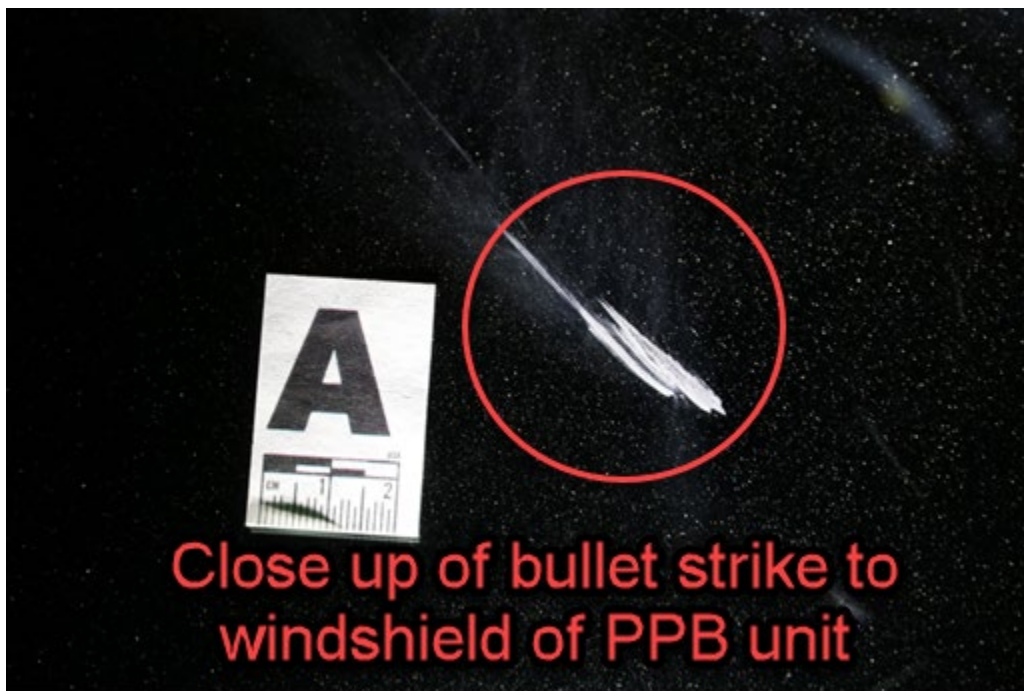




Two outward trajectory holes in  
Watson's windshield confirming that two  
shots were fired from inside the car



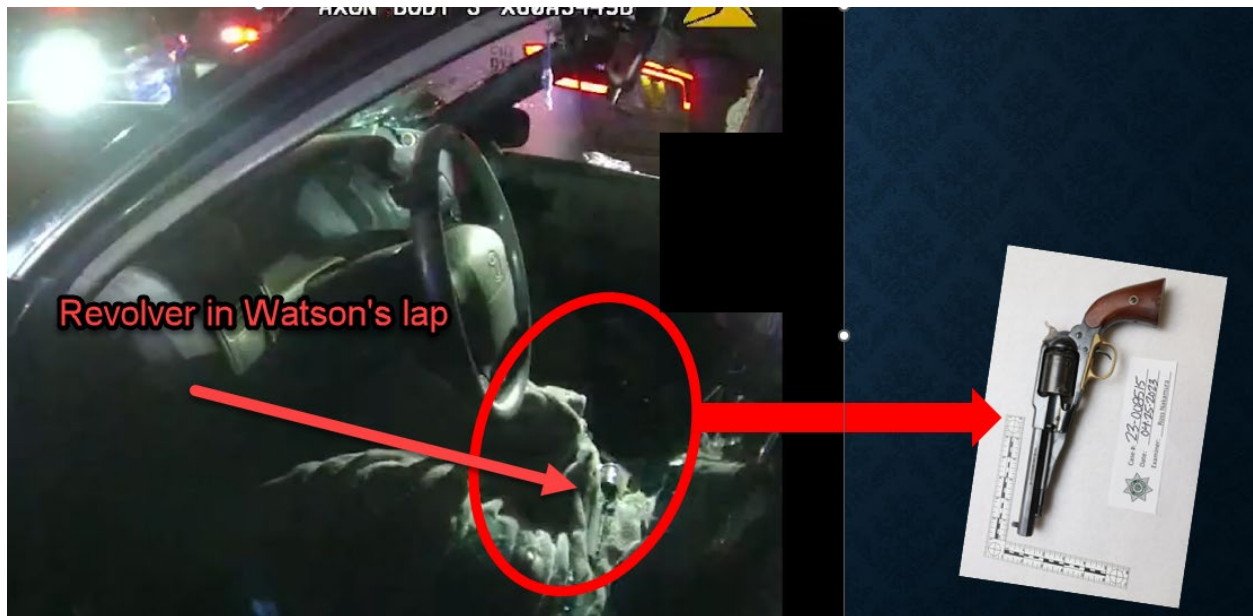




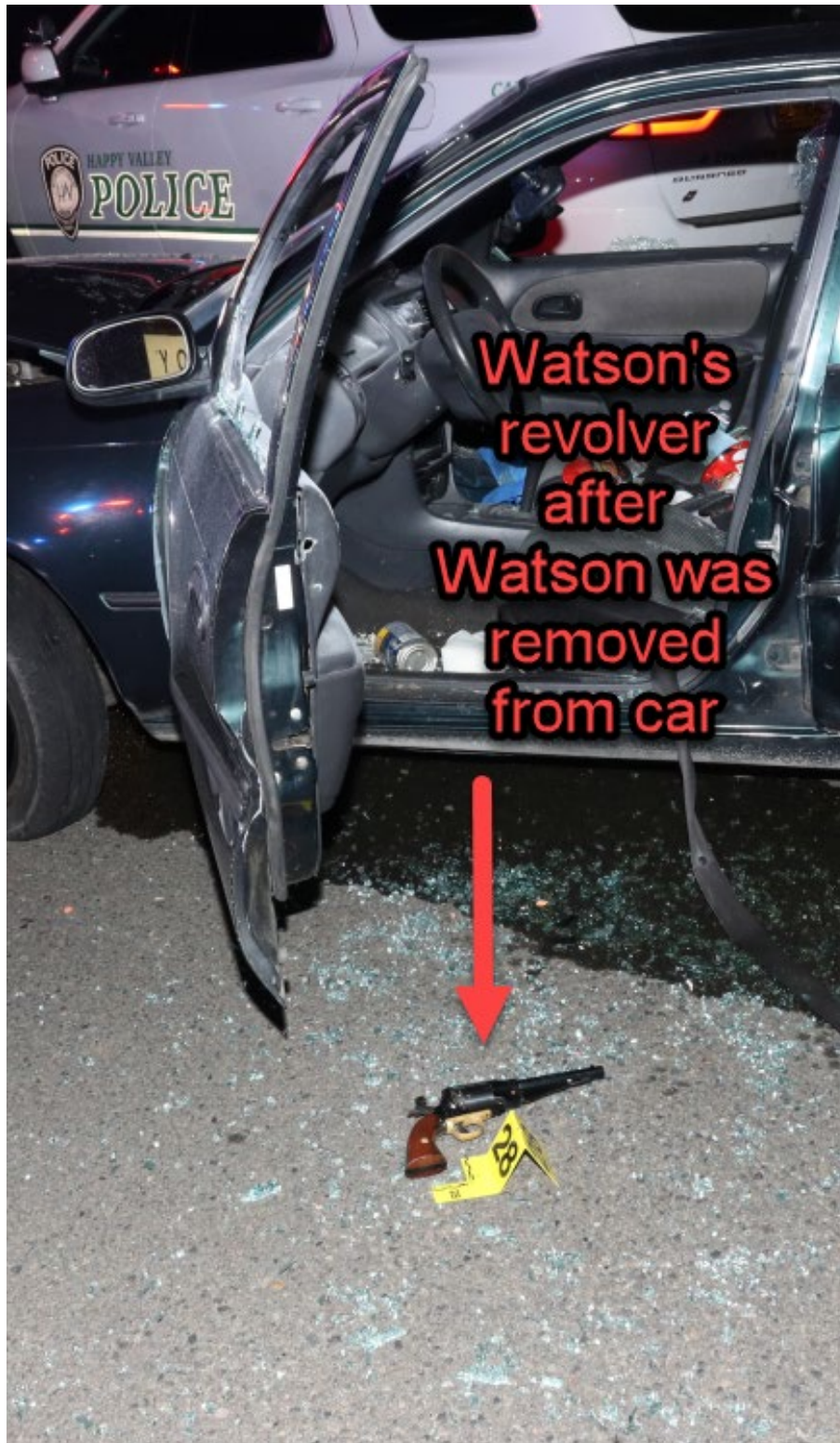
Watson fired at the officers twice in quick succession. Officer Nick Wambold and Officer Brian Wheeler from the Portland Police Bureau and Deputy David Sloboda from Clackamas County Sheriff's Office returned fire, striking Watson. Watson's actions of immediately firing at officers left no reasonable opportunity for officers to attempt any further less than lethal or de-escalation techniques.

Officers of the Portland Police Bureau and deputies of the Clackamas County Sheriff's Office immediately took steps to secure Watson, provide medical aid, and avoid any further potential injuries.

An ad-hoc group of deputies and officers created a custody team to safely take Watson into custody. The group approached Watson and observed a revolver in his lap.



Law enforcement officers removed Watson from his vehicle and immediately began to assess his medical condition and provided medical care while awaiting an ambulance. Medical professionals and additional first responders arrived shortly thereafter, assessed Watson, and determined he was deceased. The incident scene was secured and preserved, and members of the Clackamas County Major Crimes Unit began an investigation. The revolver was recovered and determined to be an unregistered .38 caliber pistol converted from its original state as a black powdered pistol.







Watson's weapon. Hammer was lowered by investigators for safety.



Watson's weapon with cylinder removed.



Watson's pistol cylinder. Two cartridges are fired and two remain unfired.

On June 9<sup>th</sup>, 2023, members of a Clackamas County grand jury were presented with the investigation of the deputy and officers' use of deadly physical force in this incident. The Grand Jury reviewed video, audio, testimony, and other digital evidence collected during the investigation. At the conclusion of the review, the Grand Jury determined the use of force in this incident was justified.

#### **Legal Analysis**

Oregon law provides that a peace officer may use deadly physical force when the peace officer reasonably believes that the use of deadly physical force is necessary to defend the peace officer or another person from the use or threatened imminent use of deadly physical force, or the officer's life or personal safety is endangered in the particular circumstances involved. ORS 161.239(1) (c) and (e).

The "reasonableness" inquiry is whether the officer's actions are "objectively reasonable" in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation. Graham v. Connor, 490 U.S. 386, 296-97 (1989).

The prosecution has the burden of proving beyond a reasonable doubt that the shooting in self-defense was not justified. ORS 161.055.

Additionally, Oregon law states that prior to using deadly physical force upon another person, if the peace officer has a reasonable opportunity to do so, the peace officer shall:

(a) Consider alternatives such as verbal de-escalation, waiting, using other available resources and techniques if reasonable, safe, and feasible, or using a lesser degree of force; and

(b) Give a verbal warning to the person that deadly physical force may be used and provide the person with a reasonable opportunity to comply.

However, given the actions of Jack Watson and the speed at which the events unfolded none of the officers involved had an opportunity to attempt de-escalation techniques nor give verbal commands for compliance.

### **Conclusion**

The grand jury unanimously concluded that Deputy Sloboda, Officer Wambold and Officer Wheeler were justified in using deadly physical force.

The grand jury has completed its review of this case and will take no further action.