

**Fatal Officer Involved Shooting of Jeremiah Lee Wright
Clackamas County Sheriff's Office**

Deputy Casey Newton, # 52810

CCDA File: 005-330380



JOHN D. WENTWORTH

District Attorney

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SUBJECT: Fatal Officer Involved Shooting of Jeremiah Lee Wright

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On July 14th and 15th, 2021, the Clackamas County District Attorney's Office presented a grand jury panel with the investigation of the fatal shooting of Jeremiah Lee Wright which occurred June 7th, 2021. 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, civilian, deputy medical examiner and law enforcement witnesses, and were presented the evidence collected in the case. Following deliberations, the grand jurors voted and a finding of "not a true bill" was returned. A "not a true bill" finding is a legal determination that the actions of the involved deputy were justified and lawful under Oregon law.

The investigation into the death of Jeremiah Lee Wright 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 crimes in Clackamas County.

In this case, investigators from Oregon State Police, Sandy Police, Gladstone Police, Lake Oswego Police, Clackamas County Sheriff's Office and Clackamas County District Attorney's Office participated and were 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 Jeremiah Lee Wright's Death.

Case facts

The evidence in this case shows that Deputy Casey Newton attempted to conduct a lawful stop of Wright at the intersection of SE 129th and SE King Rd for operating a motor vehicle while failing to display license plates (ORS 803.450). Deputy Newton was operating a fully marked police vehicle, with activated emergency lights and sirens. Deputy Newton was in uniform and displaying a badge.

Wright eluded Deputy Newton in the car for 1.06 miles, including driving through a construction barricade, and reaching speeds of nearly 100 miles per hour, until he crashed over the sidewalk and into the fence of the Sunnyside Montessori School at the intersection of SE 122nd Ave and SE Eagle Glen Drive. Just prior to the crash, Wright called a friend to say he was eluding police and stated, "I'm coming in hot."

Wright then fled on foot from the car, Southbound on SE 122nd Ave. Witnesses reported hearing the crash as well as Deputy Newton's siren and seeing his overhead lights.

Deputy Newton chased Wright on foot, Southbound on SE 122nd Ave, repeatedly yelling for Wright to stop. Wright was armed with a 9mm semi-automatic Glock pistol which was at the time unseen by Deputy Newton.¹² Wright, a convicted felon currently on parole, was prohibited from possessing firearms (ORS 166.250).



¹ Wright, a convicted felon currently on parole, was prohibited from possessing firearms (ORS 166.250).

² The serial numbers for the firearm had been unlawfully obliterated (ORS 166.450).

Photo taken at crime scene of Wrights 9mm, Glock 19X.³⁴

As Deputy Newton ran after Wright, civilian witnesses heard Deputy Newton repeatedly order Wright to stop running and get on the ground. Wright continued Southbound for nearly 400 feet at which point he stopped on the sidewalk at SE 122nd Ave and SE Timber Valley Drive. During the chase Deputy Newton saw that Wright was armed with a firearm. Deputy Newton continued to yell at Wright to get down on the ground and “Drop the gun.”



Photo capture from Deputy Newton’s dash camera. Front of pistol visible.

³ Pistol was found with base plate of magazine missing. The base plate, locking plate, spring and follower were found in Wright’s car along with multiple rounds 9mm ammunition. The magazine was damaged while exiting the car.

⁴ Also of note, the pistol was recovered with the trigger in the fire position having been pressed prior to it being dropped.



Photo capture from Deputy Newton's dash camera. Wright's pistol is visible in his right hand.

Wright stopped and turned towards Deputy Newton. The area where Wright was stopped was illuminated by a street light at the intersection as well as Deputy Newton's flashlight. Seeing that Wright was still armed and turning towards him, Newton yelled at Wright repeatedly to drop the gun. Wright did not comply and continued to turn towards Deputy Newton. Deputy Newton, in fear for his life, fired his service weapon striking Wright in the torso.⁵ This occurred at 02:13:00 hours.

Wright fell to the pavement with his pistol landing near his body. Deputy Newton continued to issue commands to Wright, told Wright that medical help was on the way, and requested cover officers and medical assistance at 02:13:17 hours. The first responding cover officer arrived at 02:13:37 hours. The Deputies began first aid efforts at 02:14:22 hours and requested Life Flight air ambulance to be placed on standby. Deputies remained engaged in lifesaving efforts including the use of CPR and an AED. Medical services arrived at 02:21:10 hours.

The subsequent investigation into the events leading up to and including the shooting showed that Wright was knowingly in possession of a stolen motor vehicle and a semi-automatic pistol.⁶

⁵ Deputy Newton fired five times with each round striking Wright in the torso.

⁶ The vehicle Wright was operating when he crashed found to contain ammunition for the aforementioned pistol as well as heroin, fentanyl, steroids, methamphetamine, and OxyContin

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Legal Analysis

Oregon law provides that the use of physical force is justifiable upon another person for self-defense or to defend a third person from what the person reasonably believes to be the use or imminent use of unlawful physical force, and the person may use a degree of force which the person reasonably believes to be necessary for that purpose. ORS 161.209.

Notwithstanding the provisions of ORS 161.209 (Use of physical force in defense of a person), a person is not justified in using deadly physical force upon another person unless the person reasonably believes that the other person is:

- (1) Committing or attempting to commit a felony involving the use or threatened imminent use of physical force against a person; or
- (2) Committing or attempting to commit a burglary in a dwelling; or
- (3) Using or about to use unlawful deadly physical force against a person.

ORS 161.219

Furthermore, 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.

In the instant matter, Deputy Newton used deadly physical force against Wright as Wright was bringing his weapon around in a manner that posed an imminent deadly threat to Deputy Newton.

Conclusion

The grand jury concluded that Deputy Newton acted lawfully and in self-defense. Deputy Newton's use of deadly force was justified and reasonable under the totality of the circumstances.

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