

Officers cleared in Santiam Canyon shooting

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USA TODAY NETWORK

A grand jury ruled three Oregon State Police troopers and a Linn County Sheriff's deputy were justified in shooting and killing a suspected Bend robber following a chase through the Santiam Canyon earlier this month.

Marion County District Attorney officials said troopers Caleb Yoder, Joseph Sousa, and Michael Jacob, and Deputy Brandon Rathelegurche collectively fired 16 rounds at Brad Tyler Masters, 27, after he pointed and fired a bb gun at officers on Highway 22 east of Gates.

Masters was struck three times. The officers were not injured.

Law enforcement officials and victims of the two robberies in Bend were unaware at the time that the weapon Master used was a bb or pellet gun, district attorney officials said.

On Tuesday, a Marion County grand jury heard testimony from six witnesses, including Salem Police Department detectives, who led the investigation, and Marion County Sheriff's Office deputies.

According to the district attorney's office, the grand jury found that all four officers "reasonably" believed the following:

- Masters had committed and attempted to commit felonies involving the use or threatened use of physical force against a person;

- Deadly physical force was necessary to defend a peace officer or another person from the use or threatened imminent use of deadly physical force;

- Masters had committed felonies or attempted to commit felonies and under the totality of the circumstances existing at the time and place, the use of such force was justified, and;

- The officer's life or personal safety was endangered in the particular circumstances involved.

Marion County District Attorney Paige Clarkson praised the grand jury: "Their thoughtful, thorough, and careful deliberations in such an important case is essential for our community's continued confidence in our law enforcement officers."

Rainy night chase through the Santiam Canyon ends with deadly shooting

District attorney officials said events leading up to the shooting unfolded as follows:

On Dec. 8, Masters brandished a black, semi-automatic pistol and demanded money from a Dutch Brothers in Bend. Shortly after, he robbed a Domino's Pizza restaurant and demanded an employee's vehicle.

Bend police and Deschutes County Sheriff's Office deputies located Masters in the stolen vehicle, but he fled.

Officials said Master drove at high speed toward the Santiam Pass, heading west on Highway 22.

Deschutes County deputies stopped the pursuit around Suttle Lake and sent a "Be on the Lookout" notice to nearby law enforcement agencies.

Linn County Sheriff's deputy Brandon Rathelegurche was working patrol between Mill City and Lyons, when he heard the "BOLO" over his radio.

A Marion County Sheriff's Office deputy also began following Masters.

When Rathelegurche determined Masters' location, he laid out spike strips on a curve on the highway.

Rathelegurche was able to spike the tires of Masters' vehicle, but because of the speed of the chase, he wasn't able to remove the spike strip before the Marion County deputy also drove over it.

Rathelegurche took over the chase for several miles past Detroit Lake as Masters continued driving with deflated tires.

As they reached the Big Cliff Dam area, Oregon State Police troopers Caleb Yoder, Joseph Sousa, and Michael Jacob responded from the Salem area. Yoder laid out another spike strip.

Masters drove over the spike strip and kept going.

Rathelegurche slowed down, giving the troopers time to pull in the strip before he continued following Masters. The three troopers joined in the chase.

Masters drove for several miles on the rims of the stolen vehicle, causing him to slow down, officials said.

The four officers drove with lights and sirens in a diamond pattern spread out across the road behind Masters. Jacob gave repeated commands over his loudspeaker for Masters to stop his vehicle.

Several miles east of Gates, Masters pulled over perpendicular to the flow of traffic on the westbound lane of Highway 22.

He got out of the car and walked to the center of the roadway.

Officials said he ignored commands to "put your hands up!" Instead, he raised both hands in a shooter stance towards the officers, and then bladed his body, dropping one arm while firing at the officers.

All four officers returned fire, using 16 rounds.

He was struck three times. None of the officers were hit.

Masters fell to the ground and didn't follow the officers' commands to show his hands.

But the proximity of the gun to Masters' hands required the officers to make a "slow, tactical approach."

Officers moved the gun away from Masters and pronounced him dead at the scene.

Salem Police investigators later learned that Masters' gun was actually a bb or pellet gun, though deputy's dash camera shows what appears to be smoke ejecting from the nozzle of Masters' gun at the time the shot was fired.

Officials said it is likely this was air displacing heavy rainfall, as the conditions were extremely wet.

An autopsy by Oregon State Deputy Medical Examiner Dr. Rebecca Millius determined Masters' cause of death was a gunshot wound to the head.

Toxicology results showed Masters tested positive for amphetamines and cocaine.

"I am most thankful that Troopers Yoder, Jacob, Sousa and Linn County Sheriff's Deputy Brandon Rathelegurche were not injured or killed," Clarkson said. "This case highlights the very dangerous work our police officers engage in every day. I am proud of their work, their professional collaboration, and our continued relationship with local law enforcement agencies."

"Although the weapon used was ultimately not a firearm, these officers responded to a dangerous situation, and I am thankful that they returned home on that dark, rainy, and cold night," Clarkson said.

Troopers Yoder, Jacob, and Sousa have been with OSP for 5 years and 10 months, 4 years and 11 months, and 3 years and 10 months, respectively. Dep. Rathelegurche has been with Linn County Sheriff's Office for 2 years and 10 months.

The officers were placed on administrative leave during the investigation. Troopers Yoder, Jacob and Sousa remain on leave, according to OSP officials.

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Otis

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them on the property to clear and catalog hazardous materials. This encourages people to understand that they're entering a potentially dangerous area.

The EPA already has cleared dangerous debris, like gas cans and propane tanks, and cut out natural hazards like logs, branches and other unsafe detritus. With well over 150 properties cleared, ODOT is scheduled to begin moving out ash and debris. This is normally a 12- to 18-month process for ODOT.

"This is a big relief to me as the county is sort of sandwiched in between," Miller said. "We want to increase the pace, but we can only move as fast as the state and the feds."

Concerns, though, for these do-it-yourself community rebuilders are proper protection and correct procedure in handling materials that can cause any number of injuries. There are no agencies with the capacity to make sure laborers are following safety guidelines, but it's their town, so they're allowed to handle the risk if they want to get it done.

"If a person's going to tackle this on their own, they've got to do it in a way that's compliant," Miller said. "When I was up there with the EPA, I didn't know how important tree safety could be. I wore a hard hat and learned to look at the whole 360 degrees of potential hazards."

Miller said landowners also will have the opportunity to respond to a questionnaire that property owners can specify what they want to be removed.

"What we've discovered is that people are fatigued out there, so we're making it as easy as we can," Miller said.

While emergency officials keep a close eye on the grassroots cleanup, there have been no major issues to date.

"The only complaints we've received so far are that our bins are too full," Small said.

From Lincoln City, Miller expressed his admiration for Otis volunteers.

"It's been really reassuring to see, especially during these times, that people really do care about other people," Miller said.

Aspiring for an enduring bond

Behind a blackened garden gnome on Rivera's property, his burned but stubbornly upright chain link fence now holds court over muddy, yet mostly cleaned ground, ready for a new fabricated home.

"This is what properties will look like when they're all clear," Rivera said.

Set to be delivered in April or May, Rivera's on-order, new home will be one of the first replacements in the sprawling community dotting Echo Mountain's hillside. Even in December, just months after the catastrophe, about a dozen local residents had RVs parked on lots, sitting amid piles of chopped wood, construction materials and debris.

Over the past few months, people on the ground, along with myriad Lincoln City volunteers, have cleared a portion of the burned foundation and helped to sink new hope into the soil.

"Taking back control of lives is what's helped people not feel so hopeless and helpless," Howe said during a tour of the town. "Even if it is only helping neighbors or pitching in a little bit, not even helping themselves, it gives some semblance of control and connection."

Volunteers will need supplies and construction crews will need capital to get Otis up and running again.

The rebuilding effort has received a Habitat for Humanity grant, \$7,000 from the Lincoln County's Challenge Grant and numerous donations from residents and organizations. This is in addition to government-funded EPA and ODOT cleanup.

"We'll take \$20,000 now, but that money needs to keep coming in," Small said.



A Christmas star lights up Don Stuart's property that was destroyed during the Echo Mountain Fire, on Monday, Dec. 14, 2020 on North Pony Trail Lane in Otis, Oregon. The display has become a symbol of hope for many community members. ABIGAIL DOLLINS / STATESMAN JOURNAL



Bethany Howe, executive director of the Echo Mountain Relief Fund, looks toward the damage done during the Echo Mountain Fire, on Monday, Dec. 14, 2020 in Otis, Oregon. Howe, along with other volunteers, has worked to rebuild the town that lost nearly 300 single-family homes in the wildfire. ABIGAIL DOLLINS / STATESMAN JOURNAL

The Echo Mountain Relief Fund will remain on Facebook as long as it's generating interest.

"It's there for people in need, but I hope we can keep it going," Brooks said. "I'm not sure if it will still be around a year from now."

The reality of rebuilding, however, is that it is going to take a lot of time and endurance.

"And it's going to take at least two-and-a-half years that we need to sustain that funding," Rivera said.

The Smalls, despite constantly working, have yet to begin clearing their own property, instead dedicating their efforts to helping dozens of neighbors.

If anything, this diverse collective exhibits what humans can do when devoted to each other and are changing each other's lives in the process.

For some, like Brooks, it's just the right thing to do. For Howe, the effort's in thanks that when she needed the town to be decent to her, it was. For Rivera and the Smalls, this was and remains their home in the woods, away from the city's bustle and bureaucracy.

"Each one of us are out here for very personal reasons and all driven by the core of who we are," Howe said. "In a day and age when nobody seems to be able to get along about anything, we agree on everything. When I felt myself coming apart, this has brought me together."

There is, of course, lots of work left, yet these determined souls are restoring the critical component to rebuilding: Hope.

"What I envision is five years from now everybody's back and everybody's here on Labor Day weekend," Small said, "and this whole thing just becomes a big ole' block party."

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