

# Shooting: 'They never gave him a chance'

Continued from Page 1A

When two officers arrived, they ordered Case to drop his weapons, but he did not comply, Brown said. Instead, he appeared to have one of the guns behind his back while turning toward the officers with the other firearm in his left hand.

Seaside Police Cpl. David Davidson fired three shots, striking Case in the chest area and causing his death, Brown said.

Davidson and Officer Jess Vaughan, who was at the scene with Davidson but did not fire any shots, have been placed on paid administrative leave, which is standard practice.

An autopsy on Case was conducted by the Oregon State Medical Examiner's Office, Brown said, but the results of the ballistics and toxicology samples are pending and could take several months.

## 'They never gave him a chance'

Michaela Wilson, who lives in the RV park, cast doubt on reports that Case had threatened anyone.

After the dog attack, she said, Case had the two pistols and was complaining about "how those dogs needed to be put down." But he was not pointing the guns at anyone, she added.

Case was walking back to his trailer to put away the pistols — holding the weapons by the barrels — when police arrived, Wilson said.

Inside her trailer brushing her teeth, Wilson said she heard yelling — and then gunfire. "I heard 'drop your weapons' and then just a few seconds later — pow, pow, pow," she said. "They never



Linh DePledge/For The Daily Astorian  
**A message outside Gorilla Gas honors Cashus Dean Case, who was shot and killed by Seaside police. Case worked at the gas station.**

gave him a chance."

When she went outside, Wilson said she saw Case's body near his trailer. She said the pistols were holstered and the holster was in his hand, not attached to his body.

"He would have had to hold the holster in one hand and pull the gun out with the other hand," she said. "None of this will bring him back, but he needs to be vindicated."

Others who knew Case said that while he could be a blowhard, it is unlikely he would have courted a standoff with police.

"The guy I knew, if they would have given him 10 seconds, they could have negotiated with him and there wouldn't be a body on the ground," said Jeff Walker, who

worked with Case at Gorilla Gas.

Ken Case Sr., Case's father, drove from Elk City, Idaho, to Seaside after he heard about the shooting. He said his son, who moved to the coast from Idaho two years ago, had a daughter and liked to fish.

While the two men had their ups and downs, he defended his son and appealed to people not to judge Case by a felony drug conviction in 2012 that prohibited him from having guns.

"I'm feeling a lot of pain. It hurts," Case Sr. said. "He wasn't that kind of a kid. He really wasn't... I think he was trying to right a wrong."

"He was the type of guy where if you were digging a hole and there was an extra

shovel, he'd pick it up and start helping."

Ken Case Jr., Case's brother, said they fought like brothers often do. But he described Case as very protective. "He's not perfect," he said. "But he's not the type to pull a gun on a cop."

## Tragic confrontation

Cpl. Davidson was also involved in the tragic confrontation that left Sgt. Jason Gooding dead in February 2016.

Davidson and Gooding were trying to arrest Phillip Max Ferry on a felony warrant downtown when Ferry resisted. Davidson fired his Taser at Ferry, who fired one shot from a pistol back at the officers, hitting Gooding under his bulletproof vest. Davidson fired several rounds from his gun and killed Ferry.

An investigation concluded that Davidson was legally and morally justified in shooting Ferry.

In December 2015, Davidson was among several officers involved in a traffic stop on U.S. Highway 101 that nearly spun out of control.

A Wheeler man refused to give his driver's license to a Cannon Beach police officer who had stopped him for a defective headlight. After a protracted debate on the side of the highway, the driver started his car, prompting Davidson, who had placed a spike strip in front of the vehicle, to draw his gun and order the driver to turn off the engine. The Cannon Beach police officer cautioned that officers did not have to force the driver to accept a traffic citation. Officers ultimately left the citation under the man's windshield wiper, and he drove away.

# Clams: States keep watch on popular coastal draw

Continued from Page 1A

The thinking is "if you have a time period when clams are not being used in the way they should — meaning they're not being kept — maybe we shift the season to when they'll be bigger and be kept," said Matt Hunter, shellfish and phytoplankton leader for the Oregon Department of Fish and Wildlife.

"We just have to look at it," Buckmaster said. "I don't think there's any sense on the commission that we need to do anything or we should do anything, but there certainly is a sense on the commission ... that it's time to review exactly how (the fishery) is working and can we make it work any better."

It's a social issue as well as a biological issue, he added. Clam digging is a major tourist draw and a local tradition.

No matter what goes on in Oregon, digging could be limited in Washington state this winter. Long Beach's popular digging grounds remain low on harvest-sized clams. Last year, the state saw the lowest number of harvest-sized clams in 25 years. This year, it's even less.

"There's not going to be a lot of digging at Long Beach in the coming season," predicted Dan Ayres, a biologist for the Washington Department of Fish and Wildlife who leads the state's coastal shellfish unit.

Things could pick up in the spring, though, if the larger of the small clams that are on the beach now grow to a harvestable size. Farther north, razor clam populations appear to be robust.

"Overall, the picture is bright for the future," Ayres said. "But Long Beach is going to have a little bit of a gap."

In Oregon, the number of up-and-coming razor clams is significantly over what fishery managers saw last year.

"I can tell you it's much better than last year already," Hunter said.

The department just began its annual razor clam stock assessment on Clatsop beaches and Hunter won't have final population numbers until the end of September. He will present the numbers to the Fish and Wildlife Commission in December and expects to discuss possible season changes with commissioners then.

Both states will continue as usual to test for the presence of marine toxins like domoic acid. Oregon's southern coast has experienced particularly high levels of domoic acid this year. Cape Arago, near Charleston, to the California border remains closed to razor clam harvest because of domoic acid. However, neither state has seen an increase in the production of the toxin in Clatsop County or Pacific County recently. But, Ayres noted, there are projections of an El Nino event this winter.

The warmer water associated with an El Nino "potentially means more problems with harmful algae," he said. "But it's not a sure deal."

# Co-op: Astoria backs new grocery design

Continued from Page 1A

"This would, in effect, be a tentative decision tonight," he said.

The co-op's new location would face east from the northeast corner of 23rd Street and Marine Drive toward a parking lot. The loading bay would be on 23rd Street, while the driveway to the store would be from Steam Whistle Way, a side street snaking through the Mill Pond neighborhood.

The Planning Commission and City Council previously approved a zone change for the new store. The city's Design Review Committee approved the co-op's site plans last month, but Mill Pond residents Cheryl Storey, Barbara Bower and John Ryan appealed the decision to the City Council.

Neighbors have argued that Steam Whistle Way was meant as a neighborhood alleyway, rather than the access point to a busy commercial devel-

opment. They have called for access from 23rd Street and promoted an alternative that would have the co-op face west toward the parking lot.

"We are not against the co-op," Bower said during testimony Monday. "We are simply against the traffic issues as proposed."

Members and staff of the co-op testified against the appeal, arguing that the store has taken pains to present an attractive project, meet the city's requirements and mitigate neighbors' concerns. The store's plans call for widening Steam Whistle Way by 4 feet and installing a sidewalk along the south side, along with landscape and seating improvements.

City councilors wondered why the store couldn't face west and use 23rd Street for access. They called on Don Vallaster, co-owner of the property and architect for the co-op, who said the co-op had

looked at four or five layouts and found the current design gave the best access for pedestrians along Marine Drive and loading trucks from 23rd Street.

Councilors pondered whether to consider traffic issues under their purview, potentially sending the co-op's plan back to the Design Review Committee. Estes maintained that by city code, traffic issues are reviewed at the staff level.

LaMear, who was also the lone "no" vote in the co-op's zoning change approval, said it would be terribly remiss not to consider the impact the undeveloped property next to the grocer's proposed location would have on Steam Whistle Way.

"If that ingress and egress is on Steam Whistle Way, it will ruin that neighborhood," she said.

The site had previously been planned as a headquarters and Astoria branch for Wauna Federal Credit Union. Price, Brownson and Jones commiserated with the concerns of residents but ultimately said that development was inevitable there, and that the co-op had done enough to mitigate its impact. The grocery wanted a larger store after outgrowing its space on Exchange Street downtown.

"I think five years from now, if the co-op is built, the majority of residents in Mill Pond will be thrilled it's there," Jones said.

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SCHEDULE

Evening listings

TUESDAY

TUESDAY EVENING		A - Charter Astoria/ Seaside - L - Charter Long Beach										JULY 31	
A	L	6 PM	6:30	7 PM	7:30	8 PM	8:30	9 PM	9:30	10 PM	10:30	11 PM	11:30
2	KATU	(2) KATU News at 6 (N)		Jeopardy!	Wheel of Fortune	Splitting Up	Splitting Up	Splitting Up	Splitting Up	Splitting Up	Splitting Up	KATU News (N)	(:35) Jimmy Kimmel
3	KOMO	(4) KOMO 4 News (N)		Wheel of Fortune	Jeopardy!	Splitting Up	Splitting Up	Splitting Up	Splitting Up	Splitting Up	Splitting Up	KOMO 4 News (N)	(:35) Jimmy Kimmel
4	KING	(5) NBC News (N)	KING 5 News	KING 5 News	Evening	America's Got Talent "Judge Cuts Three" (N)				Making It "Meet Your Makers" (P) (N)		KING 5 News (N)	(:35) Tonight Show
5	KOIN	(6) KOIN Local 6 (N)	Evening News (N)	Extra	Ent. Tonight	NCIS "Keep Your Enemies Closer"		Bull "Survival Instincts"		NCIS: New Orleans "A New Dawn"		News (N)	(:35) Colbert
6	KIRO	(7) KIRO 7 News (N)	Evening News (N)	KIRO 7 News (N)	Ent. Tonight	NCIS		Bull		NCIS: New Orleans		KIRO News (N)	(:35) Colbert
7	KGW	(8) KGW News at 6:00 p.m. (N)		Tonight Cassidy	Inside Edition	America's Got Talent "Judge Cuts Three" (N)				Making It "Meet Your Makers" (P) (N)		KGW News (N)	(:35) Tonight Show
8	KRCW	(3) Modern Family	Modern Family	The Goldbergs	The Goldbergs	The 100 "Damocles: Part One" 1/2 (N)	The Outpost "Strange Bedfellows" (N)			News at 10 (N)	Friends	Two and a Half	Two and a Half
9	KOPB	(10) Ask-Old House	Business (N)	PBS NewsHour (N)		10 That Changed America	No Passport Requ "Queens, NYC" (N)			Frontline (N)		Billy Connolly's Tracks Across America	
10	KPTV	(12) 6 O'Clock News (N)		Family Feud	Family Feud	Beat Shazam "Episode Eight" (N)	Love Conn. "Tiffany and Ahmed" (N)			10 O'Clock News (N)		News (N)	Page Six TV
11	KPDX	(2) Mike & Molly	Mike & Molly	Big Bang Theory	Big Bang Theory	FOX 12's News (N)	9 O'Clock News (N)			Family Guy	American Dad!	The Game	The Game
12	KCPQ	(13) Seahawks Training	Modern Family	Big Bang Theory	Big Bang Theory	Beat Shazam "Episode Eight" (N)	Love Conn. "Tiffany and Ahmed" (N)			Q13 NEWS AT 10 (N)		News (N)	The Simpsons
13	TBS	(20) Family Guy	Family Guy	Big Bang Theory	Big Bang Theory	Big Bang Theory	Big Bang Theory	Big Bang Theory	Big Bang Theory	Big Bang Theory	Big Bang Theory	Conan	Conan
14	KZJO	(22) Friends	Friends	Mom	Modern Family	Mom	Modern Family			Big Bang Theory	Big Bang Theory	Two and a Half	Two and a Half
15	ESPN	(29) (4:00) MLB Baseball (L)		Soccer International	Champions Cup Barcelona vs. AS Roma (L)		SportsCenter With Scott Van Pelt (N)			SportsCenter (N)		SportsCenter (N)	SportsCenter (N)
16	ESPN2	(30) (5:00) Soccer		Baseball Tonight (L)		SportsCenter (N)		NFL Live		MLB Baseball			
17	NICK	(31) The Loud House	The Loud House	The Loud House	The Loud House	Double Dare	Double Dare	The SpongeBob Movie: Sponge Out of Water (15) Antonio Banderas.		Water (15) Antonio Banderas.		Friends	(:35) Friends
18	DISN	(32) Raven's Home	Stuck in Middle	Bunk'd	Bug Juice	Andi Mack	Raven's Home	Stuck in Middle	Big City Greens	Bizaardvark	Bug Juice	Andi Mack	Bunk'd
19	FAM	(34) (5:30) *** Rataouille ('07) Voices of Patton Oswalt, Brad Garrett.		The Bold Type	Trippin' (N)			*** Sweet Home Alabama ('02) Candice Bergen, Josh Lucas, Reese Witherspoon.		The 700 Club			
20	FMC	(35) (5:00) Taken 3 ('14, Action) Liam Neeson.	(:15) *** Taken 3 (2014, Action) Famke Janssen, Maggie Grace, Liam Neeson.					Non-Stop (2014, Thriller) Julianne Moore, Michelle Dockery, Liam Neeson.					(:40) FXM Presents
21	LIFE	(36) Grey's Anatomy "Both Sides Now"	Married1stSight "Who Did I Marry?"	Love Unlocked (N)	Married at (N)	Married "Troube in Paradise" (N)		(:05) Seven Year Switch (N)		(:05) Married1stSight "Sneak Peek" (N)			
22	ROOT	(38) (4:30) ARCA Racing	MarinersPre-game	MLB Baseball Houston Astros at Seattle Mariners: Site: Safeco Field -- Seattle, Wash. (L)				Post-game	MLB Baseball Houston Astros at Seattle Mariners				
23	FS1	(39) UFC UFC Fight Night		MLB Whiparound (L)		TMZ Sports (N)	Skip and Shannon: Undisputed Opinions on the biggest sports topics of the day.		Speak for Yourself				
24	SPIKE	(43) Mom	Friends	Friends	Friends	Friends	Friends	Friends	Friends	Friends	Friends	Friends	Friends
25	COM	(44) The Office	The Office	The Office	The Office	Drunk History	Drunk History	Drunk History	Drunk History	Drunk History	Drunk History	The Daily Show	The Opposition
26	HIST	(45) Forged in Fire "Chakram"	Forged in Fire "Spiked Shield"	Forged in Fire "The Smallsword" (N)	Forged in Fire (N)	Forged in Fire (N)	Forged in Fire (N)	Forged in Fire (N)	Forged in Fire (N)	(:05) Counting Cars (N)		(:05) Forged in Fire "The Navaja"	
27	A&E	(46) The First 48 "Chopper"	The First 48 "The Invitation"	The First 48 "Officer Down"	The First 48 "Cruel Summer"					Born Behind Bars (N)		(:05) First 48 "Love Hate/ A Soldier's Life"	
28	TLC	(47) Say Yes-Dress	Say Yes-Dress	Daughter "A Very Bussy Thanksgiving"	OutDaughtered: Life With Quints (N)	OutDaughtered (N)	OutDaughtered (N)	OutDaughtered (N)	OutDaughtered (N)	(:05) Rattled (N)		(:05) OutDaughtered	
29	DISC	(48) Deadliest Catch "Baptism by Fire"	Deadliest Catch "Bering Sea Triangle"	Deadliest Catch "Salt Wounds" (N)	Deadliest Catch "A New Hunt Begins"	Hard to Kill "Test Pilot" (N)	Deadliest Catch "A New Hunt Begins"	Hard to Kill "Test Pilot" (N)	Deadliest Catch "A New Hunt Begins"	Hard to Kill "Test Pilot" (N)		Deadliest Catch "A New Hunt Begins"	
30	NGEO	(49) Save the Titanic With Bob Ballard	Titanic: 20YearsLater	Dead Cities of the Maya	Mummies: Frozen in Time (N)	Animal Kingdom "Off the Tit" (N)	Animal Kingdom "Off the Tit" (N)	Animal Kingdom "Off the Tit" (N)	Animal Kingdom "Off the Tit" (N)	Animal Kingdom "Off the Tit" (N)		National Treasure ('04) Nicolas Cage.	
31	TNT	(50) Movie	*** San Andreas (2015, Action) Carla Gugino, Alexandra Daddario, Dwayne Johnson.		*** The Shawshank Redemption (1994, Drama) Morgan Freeman, James Whitmore, Tim Robbins.					Miz & Mrs. (N)	Chrisley Knows (N)	Modern Family	Modern Family
32	AMC	(51) (5:00) *** Goodfellas (1990, Crime Story) Joe Pesci, Robert De Niro, Ray Liotta.		*** The Shawshank Redemption (1994, Drama) Morgan Freeman, James Whitmore, Tim Robbins.		WWE Super Smackdown	WWE Super Smackdown	WWE Super Smackdown	WWE Super Smackdown	WWE Super Smackdown	WWE Super Smackdown	WWE Super Smackdown	WWE Super Smackdown
33	USA	(52) Modern Family	Modern Family	Modern Family	Miz & Mrs.	Chopped "Rural Deal"	Chopped "Rural Deal"	Chopped "Grill Masters: Kansas City" (N)	Chopped "Grill Masters: Kansas City" (N)	Chopped "Grill Game"	Chrisley Knows (N)	Modern Family	Modern Family
34	FOOD	(53) Chopped "Grill Masters: Part Four" 4/4	Chopped "Grill Masters: Finale"	Chopped "Rural Deal"	Chopped "Rural Deal"	Chopped "Rural Deal"	Chopped "Rural Deal"	Chopped "Grill Masters: Kansas City" (N)	Chopped "Grill Masters: Kansas City" (N)	Chopped "Grill Game"	Chrisley Knows (N)	Modern Family	Modern Family
35	HGTV	(54) Fixer Upper "Retiring to the Country"	Fixer Upper "Sweet Surprise at the Silos"	Fixer Upper "The Floating Fixer Upper"	Desert Flippers (N) Desert Flippers	Desert Flippers (N) Desert Flippers	Desert Flippers (N) Desert Flippers	Desert Flippers (N) Desert Flippers	Desert Flippers (N) Desert Flippers	Hidden Poten (N)	House Hunters (N)	House Hunters	House Hunters
36	FX	(56) Kung Fu Panda 3 (2016, Animated) Angelina Jolie, Dustin Hoffman, Jack Black.		Angry Birds (2016, Animated) Danny McBride, Josh Gad, Jason Sudeikis.						Angry Birds (2016, Animated) Danny McBride, Josh Gad, Jason Sudeikis.			
37	CNN	(57) Cuomo Prime Time		CNN Tonight With Don Lemon	CNN Tonight With Don Lemon	Anderson Cooper 360	Anderson Cooper 360	Anderson Cooper 360	Anderson Cooper 360	Anderson Cooper 360		CNN Tonight With Don Lemon	CNN Tonight With Don Lemon
38	FNC	(58) Hannity	The Ingraham Angle	Fox News @ Night	Tucker Carlson Tonight	Hannity	Hannity	Hannity	Hannity	Hannity		The Ingraham Angle	The Ingraham Angle
39	CNBC	(61) Shark Tank	The Profit "Baby Bump" (N)	Shark Tank	Shark Tank	The Profit "Baby Bump" (N)	The Profit "Baby Bump" (N)	The Profit "Baby Bump" (N)	The Profit "Baby Bump" (N)	The Profit "Baby Bump" (N)		Paid Program	Paid Program
40	BRV	(63) Below Deck "Bizarre Love Triangle"	Below Deck "Panic at the Deck-o"	Below Deck "Hannah, Hannah, Sandy?"	Below Deck: Mediterranean (N)	Below Deck: Mediterranean (N)	Below Deck: Mediterranean (N)	Below Deck: Mediterranean (N)	Below Deck: Mediterranean (N)	Million Dollar List "Pool Party" (N)		Watch What (N)	Below Deck
41	TCM	(64) (5:00) Seven Brides for Seven Brothers	*** It Happened at the World's Fair ('63) Joan O'Brien, Elvis Presley.		*** The Silver Horde ('31, Action) Joel McCrea, Jean Arthur.	*** From Here to Eternity ('53) Burt Lancaster.							
42	SYFY	(65) (5:35) *** Harry Potter and the Sorcerer's Stone (2001, Fantasy) Emma Watson, Rupert Grint, Daniel Radcliffe.		Face Off (N)						Futurama	Futurama	Futurama	Futurama
43	RFD	(62) (5:30) Cattlemen (N)	LandLeader TV (N)	Horsemanship "Austin Tour Part 5"	Chris Cox	Rural Eve. News	Ag PhD	Cattlemen to Cattlemen	Cattlemen to Cattlemen	LandLeader TV	Product Showcase	Product Showcase	Product Showcase