

PLOT: The two were taken into custody April 13 on charges of disorderly conduct

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had initially brought against Schultze and a juvenile alleged co-conspirator were dismissed.

La Grande Police Chief Brian Harvey detailed the investigation's findings during the Nov. 10 disposition. He said LGPD received a report from LHS Principal Brett Baxter April 11 about a note on a classroom whiteboard that read, "4/13 is when it all ends," ending with the initials "HS." Harvey said at the time he wasn't sure if the initials meant high school or were the initials of a teacher.

Schultze's attorney, Wes Williams, bristled at the LGPD's interpretation of the note on the whiteboard.

"I'd hesitate to call it an investigation," he said. "The police never bothered to investigate the source of that statement. They assumed all along something sinister, (that) it was somehow a warning of an impending school shooting."

Williams said his team's findings indicated the statement was from a popular web comic called "Homestuck" that many LHS students followed, which was to end on April 13. According to Williams, the unnamed co-defendant in the case said he did not write it, and passed a polygraph test to that effect.

Baxter reported a student came forward, stating that Schultze and another juvenile had been talking about doing a "Columbine-type shooting," Harvey said. Harvey then assigned additional detectives to investigate further.

A routine records check also found Schultze had posted threatening language toward teachers on social media in 2013 while at La Grande Middle School, which he was counseled for, Harvey said.

While checking social media they found a recent Facebook post by the other juvenile that said, "R.I.P."

"They also learned that Micah had sent a text message to a friend on April 12 that said, 'Dude it was nice knowing you, but I'm going to die,'" Harvey said Schultze wrote.

Investigators were able to search an iPad Schultze used, and they recovered a Facebook messenger conversation with a friend that Harvey said was "very profound in this case." Harvey said Schultze spoke about depression issues and about making a list of the cost of getting materials to do a school shooting, according to the messenger conversation.

Harvey said near the end of the Facebook conversation Schultze said: "Most of all I just want to make people pay. I just don't find there to be a point in living. But I don't really want to end my own life, I want to do something (to make it) worth (it)."

Harvey said the detectives spoke to LHS students who told them Schultze and the alleged co-conspirator had talked to people about the availability of guns and verified they had heard the pair talking about a Columbine-type shooting.

Williams said many of Schultze's words, either on social media or at school, were "taken out of context" or were direct quotes from popular web series or videos.

"He made these statements at school that people overheard — that's disorderly conduct in the first degree," Williams said.

The two were taken into custody April 13 on charges of disorderly conduct. Harvey oversaw the interviews of both students, and he said at the disposition that Schultze gave one of the "most emotionless, matter-of-fact statements regarding methodically killing people that I've ever seen. At no time he expressed any remorse for his actions, or the fear he placed in others. Micah was trying to deflect things."

Harvey said Schultze admitted he and the juvenile had agreed to do a school shooting. The plan, according to Harvey, was for

the juvenile to cause a disturbance that would bring in Union County Deputy Cody Bowen, the school resource officer for LHS. Schultze was going to ambush Bowen, take his firearm and kill the deputy, and then the two students planned to kill students and other faculty before committing suicide.

Harvey quoted the interview, saying the detective asked who the ringleader was.

"I probably was, because this whole thing was my idea," Schultze responded, according to Harvey.

Williams objected to statements Harvey attributed to Schultze.

"There are a number of statements (Harvey) made which are absolutely false, and statements he made of my client that were taken utterly out of context," Williams said. "(Schultze) never gave a confession, that is false. He made a false statement regarding a school shooting, knowing it would be false, intending to cause annoyance and alarm. He's admitted that."

Williams and the defense took issue with the police tactics during the investigation, as well, believing Schultze was overcharged after the situation became prominent, both locally and regionally. He said officers arrived at Schultze's house at 12:20 a.m. April 13 to bring him into custody on the disorderly conduct charges.

"I was told by Brian Harvey he was going to Walla Walla (Washington), because there's no place we can take him in La Grande," Nate Schultze, the student's father, said at the disposition. "Instead, my 15-year-old boy and a 14-year-old were interrogated throughout the night (at the police department). It was after those interrogations, with the camera off and the officers yelling and slamming their fists on desks, that the charges got upgraded to conspiracy to commit murder, based on an admission that was entirely in the words of the officers."

The father added that officers never investigated his house or Schultze's bedroom.

Schultze's mother, Crystal, characterized the two juveniles as too young to fully understand what was happening in the early morning hours, calling the case an "injustice." Schultze's grandmother said the initial case was created by a "misrepresentation of facts."

"There was never going to be a school shooting. There was a conclusion first," she said. "If they had evidence of a school shooting, they would not have agreed to a plea."

At Thursday's disposition, Williams said Schultze was evaluated by Dr. Anne-Marie Smith, a forensic psychologist, on Oct. 10.

"We hired one of the best forensic psychologists in the state," Williams said. "She came to us highly recommended by state and defense lawyers."

Williams said the conclusion Smith reached was that Schultze was not a threat to others and never intended to carry out a school shooting.

Harvey responded by saying that psychological evaluations are the "least accurate tool to determine if someone poses a threat" and that studies have shown that clinical judgment is flawed.

Williams countered that the state had an opportunity to provide the court with a competing evaluation and did not.

"The physical evidence suggests this is a case of two boys making irresponsible and alarming statements, who did not think about the consequences of making such statements," Williams said. "The boys had no intent, no means and never took any steps to carry out any shooting, let alone a school shooting."

"(Schultze) is truly sorry for making the comments that led to unrest in the community. In a time where people fear the next shooting spree, a couple boys bore the brunt of a nation of fear."

Trump ally Sessions could face tough confirmation

WASHINGTON (AP) — As one of President-elect Donald Trump's closest and most consistent allies, Sen. Jeff Sessions is a likely pick for a top post in his administration. But when Sessions faced Senate confirmation for a job 30 years ago, it didn't go well.

Nominated for a federal judgeship in 1986, Sessions, R-Ala., was dogged by racist comments he was accused of making while serving as U.S. attorney in Alabama. He was said to have called a black assistant U.S. attorney "boy" and the NAACP "un-American" and "communist-inspired."

Sessions was the first senator to back Trump during the campaign and is an architect of Trump's immigration, counterterrorism and trade policies. His name has been floated for attorney general and secretary of defense. The

Trump transition team released a statement Thursday saying the president-elect is "unbelievably impressed" with Sessions, citing his work as a U.S. attorney and state attorney general in Alabama.

But confirmation for the four-term lawmaker, even in a Republican-controlled chamber, is not guaranteed.

Sessions had been confirmed by a Republican-controlled Senate in 1981 to be the U.S. attorney for the Southern District of Alabama.

In 1986, however, his racially charged comments and record on civil rights as a U.S. attorney, which Sessions denied and defended, prevented his nomination as judge from going forward, even in a GOP-majority Senate. Sessions later withdrew from consideration, though he went on to become state attorney general and won election to the U.S. Senate in 1996.

"Mr. Sessions is a throwback to a shameful era, which I know both black and white Americans thought was in our past," the late Massachusetts Democrat, Sen. Edward Kennedy, said during the 1986 confirmation hearing. "It is inconceivable to me that a person of this attitude is qualified to be a U.S. attorney, let alone a U.S. federal judge."

During the hearing, a former assistant U.S. attorney, Thomas Figures, who is black, said Sessions referred to him as "boy," and told him to be careful what he said to "white folks." Sessions said he never called Figures "boy," but Kennedy produced a letter from an organization of black lawyers that said Figures made the allegation about Sessions to the organization's investigators at least twice.

Sessions told the committee that he told Figures to be careful what he said to "folks."

Sessions was also criticized for joking in the presence of an attorney with the Justice Department's Civil Rights Division that the Ku Klux Klan was "OK" until he learned they smoked marijuana.

Sessions told the committee he made the joke while his office was investigating the 1981 murder of Michael Donald, a black man who was kidnapped, beaten and killed by two Klansmen who slit his throat and then hanged his body in a tree in Mobile, Alabama. .

Most of the senators who voted against Sessions in 1986 are no longer alive or in office. Vermont Democrat Patrick Leahy is the only left who voted against him.



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