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MEDIA RELEASE For Immediate Release

August 3, 2022

Jefferson County District Attorney concludes review of July 22, 2022 Madras Police Department and Jefferson County Sheriff's Office officer-involved shooting

Jefferson County District Attorney Steven Leriche announced Wednesday, August 3, 2022, that he has concluded his review of the Madras Police Department (MPD) and Jefferson County Sheriff's Office (JCSO) officer-involved shooting that occurred on July 22, 2022, at the Kentucky Fried Chicken located at 1075 HWY 97 in Madras. The shooting resulted in injury to RAFAEL GOMEZ, 30, of Madras.

A full investigation of the incident was conducted by the Central Oregon Major Incident Team comprised of law enforcement agencies from Deschutes and Crook Counties. Law enforcement agencies involved in the interagency investigation included Redmond Police Department, Oregon State Police, Deschutes County Sheriff's Office, Bend Police Department, and Prineville Police Department,

On Friday, July 22, 2022 GOMEZ was observed by individuals in the dry camping area of the Jefferson County Fairgrounds. GOMEZ'S presence in the dry camping area aroused suspicion because the dry camping area was utilized by individuals showing animals at the fair and GOMEZ was not recognized as someone involved in the fair. A witness observed from a distance that GOMEZ appeared to be looking around at different vehicles in the area. The witness observed GOMEZ open a truck and pull out a long rifle, then reach back into the truck and pull out a magazine for the rifle and put it in the rifle. At that point, the witness yelled out to alert other individuals present that GOMEZ had a gun. At least one individual ran to the Jefferson County Sheriff's Office booth at the fair to notify the deputies and police officers present at the booth, while other witnesses called 9-1-1. Law enforcement spotted GOMEZ still in the dry camping area of the fairgrounds, but lost sight of him momentarily after he went behind an RV and through a fence to leave the fairgrounds. Shortly thereafter, GOMEZ was observed walking southbound down Hart Street toward Fairgrounds Road. At least two JCSO deputies and one MPD officer pursued GOMEZ, who was still armed with the rifle, on foot as he walked east up Fairgrounds Road and then made his way north on Highway 97. Throughout the foot pursuit body cam video from JCSO deputies recorded law enforcement giving GOMEZ multiple commands to drop the weapon, which he ignored. Video surveillance footage from surrounding businesses showed GOMEZ manipulating the rifle and turning and pointing the rifle at pursuing law enforcement several times, but it is unclear whether GOMEZ was ever able to successfully fire the weapon. Witnesses also confirmed GOMEZ pointed the weapon at them and drivers on HWY 97. Law enforcement was unable to safely fire upon GOMEZ at the time given

his distance from law enforcement, significant traffic on HWY 97, and the potential for civilians to be struck rather than GOMEZ.

Two additional JCSO deputies tracked GOMEZ in a vehicle that was equipped with an AR-15 rifle, which one deputy took possession of in order to have firepower that matched GOMEZ'S and to have a better chance of striking GOMEZ from a distance if necessary. That deputy left the cover of the JCSO patrol vehicle and began pursuing GOMEZ on foot as well. As GOMEZ continued northbound on HWY 97 he appeared to be headed for Madras Cinema 5, located at 1101 HWY 97 in Madras. A pursuing deputy used his vehicle to interfere with GOMEZ'S path, which caused GOMEZ to turn back toward HWY 97 and make his way toward Kentucky Fried Chicken.

The JCSO deputy armed with the AR-15 fired on GOMEZ as Gomez made his way toward Kentucky Fried Chicken. A Madras Police Department Officer also fired on GOMEZ, but did not strike him. The JCSO deputy's final attempt to stop GOMEZ'S advance was successful, hitting him in the doorway of Kentucky Fried Chicken. Both staff and patrons of Kentucky Fried Chicken had watched GOMEZ approach and while at least one individual fled by jumping out of the drive-thru window, several others were locked in the restaurant's freezer by the manager, who armed herself with a firearm and hid in an office as GOMEZ approached.

GOMEZ was struck one time through the arm with the bullet lodging in his torso. Pursuing law enforcement immediately transitioned from pursuit to providing emergency medical care for GOMEZ, who was transported to St. Charles Hospital for treatment. He was released from the hospital and lodged at Jefferson County Jail on July 24, 2022. GOMEZ'S weapon, also an AR-15, was found on the ground next to him at Kentucky Fried Chicken with two rounds jammed in the chamber (commonly known as a "double feed".) This double-feed prevented the weapon from firing, and for purposes of this decision is important evidence of GOMEZ'S intent to fire the weapon that had been pointed at numerous civilians and law enforcement.

The District Attorney is charged with the duty of reviewing incidents where deadly physical force is used by police to determine if the use of force was consistent under Oregon law. Upon review of this incident, evidence unquestionably supports the conclusion that law enforcement was justified in using deadly physical force under the circumstances they encountered and it was reasonable for them to believe that their lives and the lives of others were endangered. Had GOMEZ managed to enter Madras Cinema 5 or Kentucky Fried Chicken and remove himself from law enforcement pursuit long enough to clear the double feed from his rifle, it is highly likely significant casualties would have occurred. Corroborative of this concern is a statement GOMEZ made while being booked into the jail inquiring whether the media was present at the jail and expressing interest in becoming famous.

District Attorney Leriche thanks the investigating agencies involved with the Central Oregon Major Incident Team for a thorough and detailed investigation of this event. District Attorney Leriche would like to specifically commend the actions of Sheriff Jason Pollock, who pursued GOMEZ on foot through situations where he did not have adequate cover for himself, and after the pursuit and having the weapon pointed at him had the wherewithal to immediately direct that the scene be secured in order to facilitate the investigation. Jefferson County should be secure in

knowing that their local law enforcement agencies are comprised of individuals who selflessly run toward danger to protect their community. The criminal investigation into GOMEZ'S conduct is ongoing, and anyone with information about the incident who has not spoken to law enforcement is encouraged to contact dispatch at 541-475-2201.