



City of Molalla  
City Council - Regular Meeting  
Minutes – August 28, 2024  
Molalla Civic Center | 315 Kennel Ave. | Molalla, OR

**CALL TO ORDER**

The Molalla City Council Meeting of August 28, 2024 was called to order by Mayor Scott Keyser at 7:00pm.

**COUNCIL ATTENDANCE**

Present: Mayor Scott Keyser, Council President Jody Newland, Councilor Terry Shankle, Councilor Eric Vermillion, Councilor RaeLynn Botsford, Councilor Darci Lightner, and Student Council Liaison Grace Peterson.

Absent: Councilor Leota Childress.

**STAFF IN ATTENDANCE**

Dan Huff, City Manager; Christie Teets, City Recorder; Mac Corthell, Assistant City Manager; Jess Wirth, Community Development Technician.

**APPROVAL OF AGENDA**

Approved as presented.

**CONSENT AGENDA**

- A. City Council Meeting Minutes – August 14, 2024

**ACTION:**

Councilor Vermillion moved to approve the Consent Agenda; Councilor Shankle seconded. Motion passed 6-0.

AYES: Vermillion, Shankle, Newland, Botsford, Lightner, Keyser.

NAYS: None.

ABSENTIONS: None.

**EXECUTIVE SESSION ANNOUNCEMENT**

Mayor Keyser made an announcement that prior to the regular City Council meeting, an Executive Session had been held pursuant to Oregon Public Record Law, ORS 192.660(2): (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions. He stated that no decisions had been made during the meeting.

**PRESENTATIONS, PROCLAMATIONS, CEREMONIES**

None.

**PUBLIC COMMENT**

**Tom Luttrell, Molalla resident**, shared documents related to an incident that took place two years. He provided copies to City Recorder Teets. (Reports included in these Meeting Minutes.)

**Amy Williams, Molalla resident**, introduced herself to staff and Council as a candidate for Mayor. All welcomed Ms. Williams and thanked her for attending.

**PUBLIC HEARINGS**

None.

**ORDINANCES AND RESOLUTIONS**

None.

**GENERAL BUSINESS**

- A. Chief Yelkus Park Update

Assistant City Manager Corthell provided the Staff Report for Chief Yelkus Park to Council and no decisions were made.

## B. Wastewater Treatment Plant Update

Mr. Corthell informed Council that the bid for the Wastewater Treatment Plant will take place on Thursday, August 29, 2024. He shared that currently the Wastewater Treatment Plant project has been awarded a \$5 million grant from Oregon Lottery, \$2 million USDA Rural Development, \$500,00 from DEQ, and in progress of \$1.5 million from Representative Chavez Deremer's office. Continued updates will be provided regarding the project.

Mayor Keyser inquired about using local contractors, Mr. Corthell explained that regulations for Wastewater Plants will dictate the lowest responsive bids.

## C. Candidates for City Council – November 2024 General Election

City Recorder Teets informed Council of final candidates for the November General Election. Mayoral Candidates are Scott Keyser, Jennifer Satter, and Amy Williams. Councilor Candidates are Darci Lightner, Eric Vermillion, Doug Gilmer, Martin Bartholomew, and Thomas Luttrell.

## D. Joint Values and Outcomes for the 2025 State Legislative Package

City Manager Huff explained that Clackamas County is requesting the use of the City of Molalla logo for the 2025 State Legislative package. Mr. Huff also explained the importance of the City logo being trademarked and the need for permission to use it.

### ACTION:

Council President Newland moved to approve the use of the City logo; Councilor Vermillion seconded. Motion passed 6-0.

AYES: Vermillion, Shankle, Newland, Botsford, Lightner, Keyser.

NAYS: None.

ABSENTIONS: None.

## E. Celebrate Molalla

City Manager Huff shared his appreciation for Celebrate Molalla being a successful event. He thanked the staff, Council, and volunteers. Councilor Shankle joined in the appreciation of sponsors, Public Works crew, B & B Leasing, Clinkscales, Molalla Communications, NW Realty, Willamette Valley Melons.

### STAFF COMMUNICATION

- City Manager Huff shared that his grandson would like to work at Celebrate Molalla next year. Mr. Huff plans to pay him the highest volunteer wage. 😊
- Community Development Technician Wirth enjoyed Celebrate Molalla.
- City Recorder Teets felt that this year's Celebrate Molalla was the best event to date.
- Assistant City Manager Corthell reported that playground equipment is being changed at Fox Park. The swingset at Long Park will have additional links added soon, to lengthen the swings. Strawberry Park was closed for a period of time, due to warranty work taking place on the soft surface. He shared his thanks to the Celebrate Molalla coordinating crew. He's appreciative of the work they put into the awesome event for the community.

### COUNCIL COMMUNICATION

- Student Council Liaison Peterson enjoyed Celebrate Molalla, as it was her first event. She also shared that Bobablastic is hosting a school supply drive, that earns a dollar off of regular sized drinks upon donation.
- Councilor Lightner shared a reminder that school starts next week and to be mindful of students riding the bus, walking, or riding bikes.
- Councilor Botsford had nothing to report.
- Councilor Vermillion announced that Molalla Fire Department is searching for volunteer fire-fighters. He also announced that "Tales with Tabby" will resume at the Library now that school is back in session.
- Councilor Shankle announced that the Aquatic Center will be closed through September to replaster the pool.
- Council President Newland shared Parks CPC fundraisers that are taking place through the month of September. Currently funds are being raised for Fox Park playground equipment.

- Mayor Keyser thanked folks for coming to Celebrate Molalla, he felt it was a great event. Mayor Keyser congratulated Councilor Shankle and the Beautification & Culture Committee for the completion of the Molalla Avenue Tree Lighting Project. He is impressed by how the project turned out. Mayor Keyser asked the community to take note of the Parks in our community and how much has been accomplished over the years. He commended the Parks CPC, Molalla Communications, Knife River, and community donations for what has been completed, noting that it has all been done without a Parks Fee on utility billing.

**RECESS INTO EXECUTIVE SESSION**

Mayor Keyser made an announcement that City Council will be returning to Executive Session held pursuant to Oregon Public Record Law, ORS 192.660(2): (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions. He stated that no decisions had been made during the meeting.

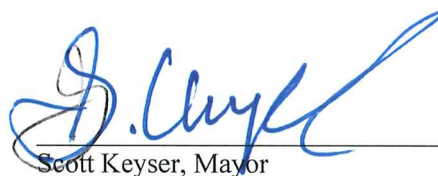
[For the complete video account of the City Council Meeting, please go to YouTube  
“Molalla City Council Meetings – August 28, 2024”](#)

**RECONVENE REGULAR SESSION**

Mayor Keyser reconvened Regular Session at 8:23pm. He stated that no decisions had been made during the meeting.

**ADJOURN**

Mayor Keyser adjourned the City Council meeting at 8:23pm.

  
\_\_\_\_\_  
Scott Keyser, Mayor

ATTEST:

  
\_\_\_\_\_  
Christie Teets, CMC - City Recorder

Meeting Minute Attachments:

- Documents provided by T. Luttrell – Public Comment

**Case # 22-020510 - Supplement - 1 Report**

REPORT DATE / TIME Sep 22, 2022 06:30	EVENT START DATE / TIME - EVENT END DATE / TIME Sep 21, 2022 15:50 - 15:58	PRIMARY REPORTER Steve Gaytan #45465
REPORT DESCRIPTION Interview with Tootie Smith		
SUPPLEMENT TYPE Investigative supplemental		

**NARRATIVE**

On Wednesday, September 21, 2022 at about 1550 hrs., I spoke via telephone with Clackamas County Commissioner Chair Tootie Smith regarding the incident at the Molalla Buckaroo grounds from 09/10/22. Chair Smith's name had been mentioned during my conversation with Molalla Buckaroo Association Secretary Grant Sharp on 9/19. Mr. Sharp stated that during his telephone conversation with Molalla Mayor Scott Keyser on 9/09 (in which the Mayor had requested use of the Molalla Buckaroo grounds) Mr. Keyser had indicated Chair Smith was also on her way to the Buckaroo to assist in the evacuation efforts. Mr. Sharp stated he had been hesitant to agree to allow their facility to be used for relocated animals during the fire, but ultimately agreed when Mr. Keyser brought up Chair Smith's name. Mr. Sharp told me that when Mr. Keyser mentioned Chair Smith was on her way to their facility he took that to mean Clackamas County (Emergency Operations) would be coordinating the evacuation efforts and not the Mayor.

I reached out to Chair Smith to see if she had in fact responded to the Buckaroo on 9/09, and in what capacity she and the County (Emergency Operations) had in the reservation of the facility, if any.

Chair Smith and I exchanged several phone messages between 09/20 and 09/21 before we were finally able to speak with one another on the 21st. As such, when we were finally able to connect I did not have my handheld digital recorder available and was unable to record our conversation. Chair Smith informed me she had no firsthand knowledge regarding what happened on 9/10 since she was not present at the Molalla Buckaroo grounds that evening. Chair Smith informed me she and her husband *became aware that the Molalla Buckaroo had been made available for displaced livestock animals as a result of the Mclver Park fire from 09/09.*

Chair Smith informed me she and her husband wanted to help fellow Clackamas County residents in their time of need so they volunteered themselves and their horse trailer to help move animals to the Buckaroo. Chair Smith informed me she had not done this on behalf of Clackamas County or as a member of the County Commission Board, but as a concerned Clackamas County resident wanting to help her fellow neighbors. Chair Smith stated she and her husband drove their horse trailer to the Molalla Buckaroo in the event they would be needed to help move animals to the Buckaroo grounds.

Chair Smith stated very clearly the County had not been involved in the reservation or operation of the Molalla Buckaroo during this fire event. Chair Smith stated things appeared a bit disorganized at the Buckaroo grounds while she was there and at one point witnessed a verbal dispute between some of the volunteers that were there and a member of the Molalla Buckaroo Association. Chair Smith stated it was at that point she and her husband decided to leave the location and did not return. Chair Smith had no further information to share concerning this incident.

REPORTING OFFICER SIGNATURE / DATE Steve Gaytan #45465 Sep 22, 2022 08:59 (e-signature)	SUPERVISOR SIGNATURE / DATE Corey Alexander #38608 Sep 27, 2022 07:03 (e-signature)
PRINT NAME Steve Gaytan #45465	PRINT NAME Corey Alexander #38608

**Case # 22-020510 - Supplement - 12 Report**

REPORT DATE / TIME Jan 4, 2023 15:38	EVENT START DATE / TIME - EVENT END DATE / TIME Sep 19, 2022 10:25 - 11:00	PRIMARY REPORTER Steve Gaytan #45465
REPORT DESCRIPTION Phone interview with Eric Vermillion		
SUPPLEMENT TYPE Investigative supplemental		

**NARRATIVE**

On Monday, September 19, 2022, at about 1025 hrs., I spoke via telephone with Eric Vermillion (DOB: 01/01/66) concerning this investigation. I audio recorded my conversation with Mr. Vermillion using my department issued audio recorder and have included a copy of that audio file with this report. The following is a summary of that conversation and not a word-for-word account. For additional details please refer to the attached recording.

Mr. Vermillion had left me a voicemail message over my weekend so I called him back upon my return to work. I began our conversation by asking Mr. Vermillion who had been in charge at the Buckaroo on 9/10 and he stated Molalla Cares had. Mr. Vermillion stated he, Scott Keyser, and Carissa Ross were on the Board of Directors for Molalla Cares, so in essence they had been in charge. Mr. Vermillion stated that among them they made sure one of the three of them were always present while they had operational control of the Buckaroo. Mr. Vermillion stated Mr. Keyser had been the one that had arranged permission to use the Buckaroo from Buckaroo Board Member Grant Sharp.

I asked Mr. Vermillion if he knew if Mr. Keyser had made the request to use the Buckaroo as the Mayor of Molalla or as a member of Molalla Cares. Mr. Vermillion was not positive but believed the request from Mr. Keyser would have been as a volunteer with Molalla Cares. Mr. Vermillion acknowledged people recognized Mr. Keyser as the Mayor of Molalla, but was fairly certain this request would have been made solely as a board member with Molalla Cares.

I asked Mr. Vermillion what the purpose (or mission) of Molalla Cares was and he stated it was a non-profit organization started up by Mr. Keyser at the beginning of the pandemic. Mr. Vermillion stated the organization had morphed into more of a community outreach over the years. Mr. Vermillion suggested I read the organization's Mission Statement to get a better idea of what they stood for or were about. Mr. Vermillion stated their organization worked with local community volunteers to assist with their fellow neighbor's needs. Mr. Vermillion stated they strove to provide many services to their at-risk neighbors in their time of need, also worked with first responders as needed, and during times of crisis.

Mr. Vermillion stated they had a large group of volunteers they could call when an emergent situation arose, like in the case of the Mclver Park fire. Mr. Vermillion stated that during this fire incident they worked with someone named Kit (unknown last name), who worked with the Clackamas County Sheriff's Office Posse, she helped them set-up their intake of the animals and with the correct liability release forms. I asked Mr. Vermillion if his organization had worked with the Molalla Buckaroo before but he told me this was the first time on an emergent situation.

REPORTING OFFICER SIGNATURE / DATE Steve Gaytan #45465 Jan 5, 2023 16:50 (e-signature)	SUPERVISOR SIGNATURE / DATE Jed Wilson #45128 Jan 5, 2023 17:08 (e-signature)
PRINT NAME Steve Gaytan #45465	PRINT NAME Jed Wilson #45128

I asked Mr. Vermillion if there were discussions ahead of time about what their responsibilities would be in the event unwanted people showed up on the grounds but he stated he wasn't sure. Mr. Vermillion stated that was not a conversation he was apart of nor was he a part of the discussions between Mr. Keyser and Mr. Sharp, so he didn't know if that was discussed. Mr. Vermillion stated while he was at the Buckaroo he did have someone, a volunteer, removed from the facility because he did not like the behaviors they were exhibiting. Mr. Vermillion stated that person's behavior was not becoming of their organization so he asked him to leave.

I asked Mr. Vermillion how many animals had been brought to the Buckaroo that day and he didn't count the number of chickens that were brought, but aside from them there were 15-16 goats and a llama. Mr. Vermillion stated these animals came from 2 different families. I asked Mr. Vermillion if the owners of the animals were allowed to camp on the grounds but he told me no. I asked Mr. Vermillion what time the animals arrived on the grounds (on 9/10) and he stated they showed up between 0400 - 0500 hrs in the morning. Mr. Vermillion stated he did not arrive onsite until around 0700 hrs on 9/10. Mr. Vermillion stated he remained on scene until Sunday (9/11), after all the animals were picked up.

Mr. Vermillion stated he was the last volunteer at the Buckaroo after the animals got picked up and prior to him leaving he made sure everything had been cleaned up and the place was cleaner than when they first arrived. I asked Mr. Vermillion if there was anyone from the Buckaroo Association present when he left but he told me no. Mr. Vermillion stated he had Ms. Ross call the Buckaroo President to inform them they had left the facility. Mr. Vermillion stated he locked the front gate but was unable to lock the arena gate because they did not have a lock for it (it had been cut off early Saturday morning, which in itself created an issue).

I asked Mr. Vermillion if he was present when the gun incident involving Mr. Keyser and Mr. Charles Fammatre occurred and he told me yes. I asked Mr. Vermillion if he knew who patrolled the Buckaroo grounds under normal circumstances (besides the Molalla PD) and he stated he was aware one of their board members, Tommy Luttrell, worked security and was a licensed Security Officer. Mr. Vermillion stated he believed he had heard Mr. Luttrell took care of security, in some capacity, at the Molalla Buckaroo.

I asked Mr. Vermillion if Mr. Keyser ever discussed with him how suspicious individuals would be handled if they showed up on the grounds, but he told me no. I asked Mr. Vermillion if he had been armed the night of the incident and he told me yes. I asked Mr. Vermillion if he ever pulled out his firearm or pointed it at anyone, but he told me no. Mr. Vermillion stated he never removed his pistol from the holster. I asked Mr. Vermillion if he was aware Mr. Keyser had been armed and he told me yes.

I informed Mr. Vermillion I had read the Molalla PD Officer's report in which they documented he had been concerned for his safety and believed Charles Fammatre's vehicle might hit them (he and Mr. Keyser). I asked Mr. Vermillion if that was what he felt that night and he told me yes. I asked Mr. Vermillion to explain what exactly Mr. Fammatre had been doing that made him feel that way (since it was not documented in the report) and he told me the following:

\*\*\*Mr. Vermillion did not identify Mr. Fammatre by name, but it has been established he was the driver of the vehicle in question that night\*\*\*

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Mr. Vermillion stated that as the vehicle Mr. Fammatre had been driving exited the arena it did not appear to be slowing down. In fact, Mr. Vermillion stated the vehicle accelerated in their direction. Mr. Vermillion stated it was at that time his hand was in his pocket (on his pistol) and he began looking for an escape route. Mr. Vermillion stated it was at that point the vehicle Mr. Fammatre had been driving stopped. Mr. Vermillion stated he took a step or two to the left of the vehicle (on the passenger side) as it stopped, along with Mr. Keyser.

Mr. Vermillion recalled Mr. Fammatre yelling "put that gun away" at them. Mr. Vermillion stated it was at that point he realized Mr. Keyser must have drawn his pistol (he had not seen him do that). Mr. Vermillion stated he wasn't able to tell me how that looked like as he did not see Mr. Keyser draw his firearm. Mr. Vermillion stated that as Mr. Fammatre's vehicle approached them, he lost sight of where Mr. Keyser was as he (Vermillion) became focused on the approaching car. Mr. Keyser stated Mr. Keyser had been standing to his right and he (Vermillion) looked to his left for an escape route as the vehicle approached.

I asked Mr. Vermillion what he would have done if Mr. Fammatre had not stopped his vehicle and he stated he would not have drawn his firearm. Mr. Vermillion was cognizant of the volunteers that had been coming down towards them and since he had stepped to the left of the vehicle they would have been in his line of sight (cross fire concerns). I asked Mr. Vermillion if he was capable of moving out of the way of the approaching vehicle and he told me yes. I asked Mr. Vermillion if he knew where Mr. Keyser had been, but he told me no. Mr. Vermillion was aware Mr. Keyser had been positioned to his right, but he lost visual of where he was when he began focusing on Mr. Fammatre's vehicle.

Since Mr. Vermillion had stated he believed Mr. Fammatre had been driving fast I asked him how fast he believed he had been driving and after thinking about it for a few seconds told me he believed he may have been driving "thirty-ish" miles per hour as it was exiting the arena, and about 10-15 miles per hour as it approached them.

Mr. Vermillion recalled that when Mr. Fammatre's vehicle came to a stop his tires had a bit of a "slide" prior to fully stopping. After hearing Mr. Fammatre yell out "put that gun away," Mr. Vermillion recalled hearing the female passenger say "this is the Vice President of the Buckaroo Association." Mr. Vermillion had stated he did not see Mr. Keyser draw his firearm towards Mr. Fammatre, but I asked him if he was able to overhear Mr. Keyser yell out any commands and he told me yes. Mr. Vermillion stated he heard Mr. Keyser yell out "Stop" repeatedly. In fact, Mr. Vermillion stated both he and Mr. Keyser had been yelling that at the vehicle.

Mr. Vermillion was unable to tell how close the vehicle had come to Mr. Keyser when it stopped, but stated it was within ten feet (10') of him. I asked Mr. Vermillion what he believed the driver had been trying to do as he approached them and he stated based on his observations of the driver, he worried Mr. Fammatre may have been intoxicated or under the influence of something. Mr. Vermillion described Mr. Fammatre as driving in an "erratic" manner.

Mr. Vermillion stated that prior to Mr. Fammatre driving down to the arena he observed the vehicle when it had driven down to the east end of the grandstands (by the beer garden), flash his high beams at them, backed up, then spun out of the area. Mr. Vermillion believed the lights that approached them down the west end of the grandstands appeared to be the same ones as the ones that had been at

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Jed Wilson #45128 Jan 5, 2023 17:08 (e-signature)

PRINT NAME

Jed Wilson #45128

the east end of the arena. Mr. Vermillion was unable to see the color of the vehicle when it was at the other end of the arena, but suspected it was the same one based on the headlights. Mr. Vermillion stated he and Mr. Keyser had been manning the west gate (by the arena) at the time.

Mr. Vermillion also recalled hearing a loud "kablam" sound as the same vehicle ran over the metal grates located behind the grandstands as it approached their side. However, Mr. Vermillion was not aware the metal grates made the same sound regardless of how fast one traveled over them.

Mr. Vermillion also recalled hearing people yelling by the grandstands just prior to Mr. Fammatre's vehicle coming down the west end of the grandstands towards them, so he was aware there was a commotion involving the vehicle. Mr. Vermillion stated once Mr. Fammatre's vehicle came down the west end path he traveled into the arena, and by this time people that were up by the north gate had come running down to them. Mr. Vermillion stated they were worried about the trailer full of animals that had been at the facility and they didn't know what Mr. Fammatre's intentions were.

Mr. Vermillion stated when Mr. Fammatre's vehicle approached them and accelerated, he felt a sense that the vehicle was going to hit him and he needed to do something to save himself. Mr. Vermillion stated that was when he lost sight of Mr. Keyser. Mr. Vermillion clarified that as Mr. Fammatre's vehicle was exiting the arena gate it was traveling somewhere in the neighborhood of 25-30 mph, but as it was approaching he and Mr. Keyser had slowed down to about 5-10 mph, before picking up a little speed and going about 10-15 mph before coming to a sudden stop. Mr. Vermillion stated his speed estimations could be off by about 5 mph since he was trying to remember everything from memory.

I informed Mr. Vermillion that after listening to the interview Mr. Keyser had with Deputy Sawtelle, he claimed Mr. Fammatre's vehicle was traveling so fast he could hear the car engine revving. I asked Mr. Vermillion if he recalled hearing Mr. Fammatre's engine rev as it approached them, but he told me no. Mr. Vermillion stated he remembered hearing a truck coming down to them from the north end parking lot, but that was the only vehicle engine he remembered revving. Although Mr. Vermillion stated he did not hear Mr. Fammatre's vehicle engine rev, he believed it did speed up as it approached them based on how quickly the distance between them closed. Mr. Vermillion believed the engine revving sound Mr. Keyser heard was likely from the pickup that was coming down the hill towards them.

I asked Mr. Vermillion if he believed he had ample room to move out of the way of Mr. Fammatre's vehicle if he had chosen not to stop and he told me yes. Mr. Vermillion recalled that when he looked to his left he noticed there was an escape route for him to stand clear of Mr. Fammatre's car if he decided not to stop and did not deviate his path (didn't decide to drive towards him instead).

I asked Mr. Vermillion if he believed Mr. Keyser's actions (drawing a firearm on Mr. Fammatre and his wife) were appropriate and after pausing for several seconds told me "Yes, in that I felt like at that point the vehicle was coming at us as a weapon in the sense that it was looking to harm." Mr. Vermillion stated it felt like Mr. Fammatre wanted to hit them with his vehicle. Mr. Vermillion did not believe there would have been a lot of room for Mr. Keyser to move to avoid the vehicle, and also felt he (Keyser) was unable to move as quickly as he (Vermillion) could.

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PRINT NAME

Jed Wilson #45128



I asked Mr. Vermillion if Mr. Fammatre had purposely directed his vehicle towards he and Mr. Keyser or if they had just positioned themselves between the vehicle and the exit and he stated the latter. Mr. Vermillion did not believe Mr. Fammatre had been going out of his way to drive at them and was likely just trying to head out to the exit. Mr. Vermillion stated the vehicle came to a stop 15'-20' from the east gate. Mr. Vermillion stated if the vehicle continued straight it would have gone out that gate. This concluded my conversation with Mr. Vermillion.

No further action taken in connection with this supplemental report.

#### ACTION RECOMMENDED:

Case remains open

#### INVOLVED PERSONS

INVOLVED PERSON-1 NAME (LAST, FIRST MIDDLE)

P-1 VERMILLION, ERIC WESLEY

DOB / ESTIMATED AGE RANGE

1966-01-01

SEX

Male

RACE / ETHNICITY

White / Unknown

PHONE NUMBER

HOME ADDRESS

INVOLVEMENT TYPE

Mentioned

#### INVOLVED LOCATIONS

LOCATION

CLACKAMAS COUNTY SHERIFF'S OFFICE - BROOKS BUILDING, 9101 SE SUNNYBROOK BLVD, CLACKAMAS, OR 97015

#### ATTACHMENTS ADDENDUM

FILE NAME

Eric Vermillion interview\_091922.WMA

UPLOAD DATE/TIME

Jan 4, 2023 15:59

UPLOADED BY

S. Gaytan #45465

REPORTING OFFICER SIGNATURE / DATE

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PRINT NAME

Steve Gaytan #45465

SUPERVISOR SIGNATURE / DATE

Jed Wilson #45128 Jan 5, 2023 17:08 (e-signature)

PRINT NAME

Jed Wilson #45128

**Case # 22-020510 - Supplement - 14 Report**

REPORT DATE / TIME Feb 9, 2023 15:51	EVENT START DATE / TIME - EVENT END DATE / TIME Sep 19, 2022 10:25 - 10:58	PRIMARY REPORTER Steve Gaytan #45465
REPORT DESCRIPTION Eric Vermillion phone interview		
SUPPLEMENT TYPE Investigative supplemental		

**NARRATIVE**

On Monday, September 19, 2022 at about 1025 hrs., I spoke via telephone with Eric Vermillion (DOB: 01/01/66) concerning this investigation. I recorded my conversation with Mr. Vermillion using my department issued audio recorder and have included a copy of that recording as an attachment to this report. The following is a summary of that conversation and not a word-for-word account. For additional details please refer to the attached audio recording.

I learned Mr. Vermillion had been present at the Buckaroo on the night of the incident in question and had been monitoring the north gate (the one by the arena entrance) with Scott Keyser. I was previously made aware Mr. Vermillion was a City Counselor for the City of Molalla and served on the City Council with Mayor Keyser. After introducing myself to Mr. Vermillion I asked him to tell me about what he recalled from that night and the following was what he told me.

I began by asking Mr. Vermillion about what his understanding was about who would be volunteering that night at the Buckaroo. Mr. Vermillion informed me Molalla Cares was the non-profit that took the responsibility for providing safety and security to the animals that were taken to the Buckaroo. Mr. Vermillion stated he, Mr. Kyser, and Carissa Ross were the three heads of Molalla Cares and in charge that night. Mr. Vermillion stated one of the three were present at all times at the Buckaroo during their stay at the facility.

Mr. Vermillion stated it was Mr. Keyser that made the call to Molalla Buckaroo Board Member Grant Sharp to obtain permission to utilize the Buckaroo for animal evacuations. I asked Mr. Vermillion if he was aware which hat Mr. Keyser had been wearing when he made the request to use the Buckaroo (that of Molalla Mayor or representative of Molalla Cares) and he stated it would have been as a member of Molalla Cares. Mr. Vermillion recognized Mr. Keyser is well known as the Mayor of Molalla, however, he would have made the request as a representative of the non-profit. Mr. Vermillion stated Mr. Keyser notified he and Ms. Ross immediately after obtaining permission to use the Buckaroo.

When asked what the purpose of Molalla Cares was Mr. Vermillion referred me to the mission statement for the organization which according to their website reads, **"We are a nonprofit organization that works with local community volunteers to assist with our fellow neighbor's needs. We strive to provide many services to our at-risk neighbors in their time of need. We assist with first responders as needed and during times of crisis. We are here to lend a hand when needed and spread joy in our wonderful and giving community."**

Mr. Vermillion proceeded to inform me of some of the good work their organization has done to help not just the Molalla community, but their surrounding cities/neighbors. Mr. Vermillion stated that when the fire began at Milo McIver State Park, Mr. Keyser got a hold of Estacada Community Watch, a

REPORTING OFFICER SIGNATURE / DATE Steve Gaytan #45465 Mar 2, 2023 10:52 (e-signature)	SUPERVISOR SIGNATURE / DATE Corey Alexander #38608 Mar 16, 2023 08:19 (e-signature)
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similar organization to Molalla Cares, to see how they could help. Mr. Vermillion also referenced an employee with Clackamas County named "Kit" who rode with the Clackamas County Sheriff's Posse, that helped facilitate the arrangements at the Buckaroo. Mr. Vermillion stated Kit helped them (Molalla Cares) set up the intake of the animals at the Buckaroo by having the appropriate forms to document everything.

I asked Mr. Vermillion if his organization had worked with the Molalla Buckaroo in the past during similar emergencies, but he told me no. Mr. Vermillion stated this was the first time they had partnered with them. Mr. Vermillion stated they had several Molalla Cares volunteers that had helped the Buckaroo in the past during their yearly summer rodeo, but that was independently of his organization.

I asked Mr. Vermillion if he was aware if a conversation was had between Mr. Keyser and Mr. Sharp about who would provide round the clock security at the Buckaroo while animals were there, but he told me he was not sure. Mr. Vermillion stated he was not aware of all of the specifics of Mr. Keyser's conversation with Mr. Sharp.

Mr. Vermillion stated he had one of his own volunteers removed from the Buckaroo during this time because he was not pleased with the way they had been behaving. Mr. Vermillion stated that person's behavior was not becoming of their organization so he asked him to leave. I asked Mr. Vermillion if he recalled how many animals they cared for during the two days they were at the Buckaroo and he stated there were 15-16 goats, 1 llama, and an unknown number of chickens (he couldn't recall how many there were). Mr. Vermillion stated two different families had brought those animals to the Buckaroo.

I asked Mr. Vermillion if the owners of the animals dropped off were also present on the grounds those days, but he told me no, only the animals. Mr. Vermillion stated that since they did not know the feeding instructions for the animals (no instructions were left), they informed the owners they needed to return periodically to feed and check on them throughout the day. Mr. Vermillion stated they stayed in contact with both owners to make sure they came around to check on their animals.

The park fire occurred on Friday evening and Mr. Vermillion stated that after all the arrangements had been made with the Buckaroo, animals began showing up around 0400-0500 the next morning. Mr. Vermillion stated he himself did not arrive to the Buckaroo until around 0700 on Saturday morning and remained on the premises until Sunday afternoon after all the animals had been picked up and the facility was cleaned. Mr. Vermillion stated Mr. Keyser and Ms. Ross took the Friday night shift and he took the Saturday night shift.

I asked Mr. Vermillion if there was anyone from the Molalla Buckaroo Board on scene when he left for good on Sunday, but he told me no. Mr. Vermillion stated he was the last one on site and informed Ms. Ross he was leaving. Mr. Vermillion stated Ms. Ross then called the Buckaroo Board President (Tim Anderson) and informed him all Molalla Cares volunteers had left their facility.

I asked Mr. Vermillion if he was aware if the Buckaroo Board had people patrol their facility from time to time and he told me he believed one of their Board Members (Tommy Luttrell) would swing by there regularly. Mr. Vermillion stated he had seen Mr. Luttrell walking the grounds from time to time, and he was aware Mr. Luttrell was a licensed security guard, so he believed he functioned in that capacity for the board.

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I asked Mr. Vermillion if prior to the gun incident if he and Mr. Keyser had discussed how they would handle suspicious people if they showed up on the property, but he told me no. I asked Mr. Vermillion if he had been armed the night of the incident and he told me yes. I asked Mr. Vermillion if he had been aware that Mr. Keyser was armed, and he told me yes. I informed Mr. Vermillion I had read the report one of the Molalla Police Officers had written in which he (Vermillion) had indicated he had been concerned for his and Mr. Keyser's safety and believed the vehicle Mr. Fammatre had been driving was going to hit them. Mr. Vermillion told me that was correct.

I asked Mr. Vermillion to explain in a little more detail what it was about Mr. Fammatre's driving that concerned him and he stated that as Mr. Fammatre was exiting the arena, he did not slow down. Mr. Vermillion stated that if anything, Mr. Fammatre accelerated towards he and Mr. Keyser after exiting the arena. Mr. Vermillion stated that as he saw Mr. Fammatre's vehicle approach them, he (Vermillion) began to look around for an escape route to avoid getting hit by the car. Mr. Vermillion stated that as he looked around for that escape route he had his hand in his pocket where his gun was concealed.

Mr. Vermillion stated that as the vehicle got close to them he took a step to the left just as the vehicle stopped. Mr. Vermillion stated this caused him to be standing on the passenger side of the vehicle. I asked Mr. Vermillion if he ever drew his firearm out of his pocket, but he told me no. Mr. Vermillion stated that as he approached the passenger side window he could hear the driver (later determined to be Chuck Fammatre) say, "Put that gun away." Mr. Vermillion stated that was when he realized Mr. Keyser, or someone else, must have drawn their gun at the vehicle. Mr. Vermillion stated he did not witness anyone draw their firearm so he did not know what that looked like. Mr. Vermillion also heard the female passenger say something to effect of, "This is the Vice President of the Buckaroo Association."

Mr. Vermillion stated that as Mr. Fammatre's vehicle had been approaching them, he lost sight of where Mr. Keyser had been standing. Mr. Vermillion stated Mr. Keyser had been standing to his right, but lost sight of him just before the vehicle had come to a stop. Mr. Vermillion stated he had been looking to his left for an escape route, so he lost sight of Mr. Keyser.

I asked Mr. Vermillion what he would have done if the vehicle had continued on the path it had been on and he stated he had already been falling to his left so he believed the vehicle would have just driven past him. Mr. Vermillion stated he was aware other volunteers had been on their way to help and would have been in his line of sight/backdrop had he pointed his firearm at Mr. Fammatre's vehicle, which he wanted to avoid.

Based on what Mr. Vermillion told me about his positioning it appeared he was able to move out of the path of the vehicle. I asked Mr. Vermillion if that was correct and he told me yes. Mr. Vermillion stated he didn't know if Mr. Keyser would have been able to move out of the path of the vehicle (without drawing his firearm) since he lost sight of him. Since Mr. Vermillion had commented that Mr. Fammatre appeared to have accelerated towards he and Mr. Keyser as he exited the arena, I asked him how fast he believed he had been traveling. Mr. Vermillion estimated Mr. Fammatre had been driving about 30mph inside the arena and about 10-15mph as he exited.

Mr. Vermillion stated he did not see Mr. Keyser's actions as the vehicle approached so I asked him if he recalled hearing Mr. Keyser say/yell anything at the vehicle and he stated yes. Mr. Vermillion told

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me both he and Mr. Keyser had been yelling "Stop!" at Mr. Fammatre. I asked Mr. Vermillion if was able to tell how far Mr. Keyser had been from the stopped vehicle, but he told me he couldn't say because it took him a while to locate Mr. Keyser.

I asked Mr. Vermillion how close the vehicle had been to him when it came to a stop and after pausing for a second or two, told me it was "within 10 feet." I asked Mr. Vermillion what he believed Mr. Fammatre had been trying to do and he told me that based on his erratic driving inside the Buckaroo he suspected the driver had been drunk (or impaired by drugs). Mr. Vermillion stated that prior to the incident with Mr. Vermillion he and Mr. Keyser had observed a vehicle approach the north gate (the one they had been manning). Mr. Vermillion stated the driver of that vehicle flashed their high beams in their direction and then turned around and left. Mr. Vermillion stated it had been dark so he was unable to see the make, model, or license plate of that vehicle.

However, Mr. Vermillion believed the headlights of that vehicle appeared similar to the ones on the vehicle Mr. Fammatre had been driving. Mr. Vermillion also stated that as Mr. Fammatre had been driving behind the grandstands (prior to driving down to the arena), he heard large "kaboom" sounds where the vehicle ran over the metal plates on the ground. Mr. Vermillion stated it was shortly after those sounds that he saw and heard the volunteers run down the pathway towards them yelling at he and Mr. Keyser to stop Mr. Fammatre's car.

Mr. Vermillion stated that when one put all of these things together it raised their concerns that the people in Mr. Fammatre's vehicle might have been up to no good, which necessitated them wanting to stop the car and identify the passenger(s). Then, when he observed the vehicle accelerate in their direction, Mr. Vermillion stated instinct kicked in and he felt he needed to do what was necessary to avoid getting hit by the car. Mr. Vermillion recalled that as he and Mr. Keyser walked towards the vehicle, which had been in the arena at that time, they both had their hands up at the vehicle (to signify stop) and were verbally yelling at the driver to stop.

I explained to Mr. Vermillion I was confused by what he told me about Mr. Fammatre's driving. Mr. Vermillion had described Mr. Fammatre as accelerating towards he and Mr. Keyser as he exited the arena. However, Mr. Vermillion also stated he believed Mr. Fammatre had been driving about 25-30mph inside the arena and as he exited had been driving around 5-10mph. I told Mr. Vermillion I didn't understand how he could have perceived Mr. Fammatre accelerating towards he and Mr. Keyser if he had slowed down by about 20mph.

Mr. Vermillion explained that as Mr. Fammatre was exiting the arena he slowed down to about 5-10mph, but as he approached them (Keyser/Vermillion) he accelerated to about 10-15mph before coming to a sudden stop. Mr. Vermillion stated he may have been off with his speeds by +/- 5mph.

I informed Mr. Vermillion that in my review of the initial statements Mr. Keyser had provided Deputy Sawtell, he stated he recalled hearing Mr. Fammatre's vehicle engine revving as it approached them (indicating Mr. Fammatre was speeding towards them). I asked Mr. Vermillion if he recalled hearing Mr. Fammatre's vehicle engine revving as it approached them, but he told me no. I told Mr. Vermillion I found it difficult to believe Mr. Fammatre's vehicle engine would have been revving loudly while traveling 10-20mph.

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Mr. Vermillion stated the only engine he was able to hear revving was from a truck that was driving down the side path to get to them quickly. Mr. Vermillion stated he did not hear Mr. Fammatre's vehicle engine rev, he just noticed it closing the distance between them quickly. Mr. Vermillion stated the acceleration sound Mr. Keyser heard was likely the other vehicles hurrying down the side path to get to them.

Mr. Vermillion acknowledged there was sufficient time/space for him to move out of the way of Mr. Fammatre's vehicle as it approached him, as long as it did not deviate from the path it had been traveling. I asked Mr. Vermillion if he believed Mr. Keyser's actions of drawing his firearm on Mr. Fammatre were appropriate and after first pausing for 4-5 seconds, he told me yes. Mr. Vermillion stated he believed the vehicle had been coming towards them as a weapon and he felt like Mr. Fammatre was going to try and hit them with his car.

Mr. Vermillion recalled that after the vehicle had come to a stop and he (Vermillion) had a chance to look around and see where Mr. Keyser was, it did not appear to him as if there was a lot of space between the car and where Mr. Keyser was standing. Mr. Vermillion stated Mr. Keyser was physically larger than him and wasn't able to move around quite as well as him so he (Keyser) likely drew his pistol out of fear that he wasn't going to be able to move out of the way of the car in time.

I asked Mr. Vermillion if he believed Mr. Fammatre had gone out of his way to drive his vehicle at them, or if he was simply trying to drive towards the exit and they placed themselves in the way. Mr. Vermillion stated both he and Mr. Keyser were in the path of the exit of the arena. Mr. Vermillion stated Mr. Fammatre's vehicle came to a stop about 15-20 feet outside of the arena, and about 2/3rds of the way to the second gate that led out of the Buckaroo. Based on what Mr. Vermillion was saying, it was clear Mr. Fammatre was not purposefully trying to drive his vehicle at them, but simply trying to exit the Buckaroo. Mr. Vermillion and Mr. Keyser had simply placed themselves in the vehicle's path as Mr. Fammatre was trying to leave. This concluded my conversation with Mr. Vermillion.

No further action taken in connection with this supplemental report.

ACTON RECOMMENDED:

Case remains open

**INVOLVED PERSONS**

INVOLVED PERSON-1 NAME (LAST, FIRST MIDDLE)		DOB / ESTIMATED AGE RANGE
P-1 VERMILLION, ERIC WESLEY		1966-01-01
SEX	RACE / ETHNICITY	PHONE NUMBER
Male	White / Unknown	[REDACTED]
HOME ADDRESS		
[REDACTED]		
INVOLVEMENT TYPE		
Mentioned		

**INVOLVED LOCATIONS**

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**Case # 22-020510 - Supplement - 18 Report**

REPORT DATE / TIME Feb 9, 2023 16:01	EVENT START DATE / TIME - EVENT END DATE / TIME Sep 29, 2022 06:07 - 07:28	PRIMARY REPORTER Steve Gaytan #45465
REPORT DESCRIPTION Scott Keyser interview		
SUPPLEMENT TYPE Investigative supplemental		

**NARRATIVE**

On Thursday, September 29, 2022 at about 0607 hrs., I spoke via telephone with Scott Keyser (DOB: 12/15/73) regarding his actions at the Molalla Buckaroo on 09/10. I recorded our conversation using my department issued audio recorder and have included a copy of that audio file with this report. The following is a summary of our conversation and not a word-for-word account. For additional details please refer to the attached audio recording.

At the beginning of our conversation Mr. Keyser informed me he had been having flashbacks of the incident over the last few weeks and had been having a difficult time sleeping as a result.

I asked Mr. Keyser to think back to the initial thing that got his organization involved with the Buckaroo earlier this month and he stated he had gotten a phone call from a member in the community on Friday night (9/9) around midnight. Mr. Keyser stated that individual was someone that was helping evacuate animals in Estacada due to the Milo McIver State Park fire. Mr. Keyser stated the community member informed him the Clackamas County Fairgrounds would not be available for animals to be relocated and asked for his assistance.

Mr. Keyser stated after he got off the phone with that individual he called Clackamas County Commissioner (Chair) Tootie Smith and asked her to verify that the Fairgrounds were unavailable. Mr. Keyser stated he quickly got off the phone with Chair Smith so she could verify the report and she called him back a short time later confirming the Fairgrounds were unavailable. Mr. Keyser stated he then called Molalla Buckaroo Board Member Grant Sharp and advised him of the situation. Mr. Keyser stated he asked Mr. Sharp for permission to utilize the Buckaroo grounds for displaced animals, but he (Sharp) did not have the authority to unilaterally make that decision.

Mr. Keyser stated Mr. Sharp informed him he would need to speak with other Board Members first and would get back to him shortly. Mr. Keyser did not remember how much time elapsed, but recalled Mr. Sharp calling him back and granting him approval to utilize the Buckaroo. Mr. Keyser stated Mr. Sharp provided him the pin number which unlocked the main gate at the Buckaroo (off of Shirley St). Mr. Keyser stated Mr. Sharp informed him the back gate at the Buckaroo required a key to unlock, but one of their board members had the key with them. Mr. Keyser stated that board member, Tommy Luttrell, worked security at the Wild Horse Saloon in Molalla and they could stop by there to get the key from him.

Mr. Keyser stated that after speaking with Mr. Sharp he (Keyser) got dressed and drove over to the Wild Horse to meet up with Mr. Luttrell. Mr. Keyser stated he located Mr. Luttrell outside the saloon and informed him of his conversation with Mr. Sharp. Mr. Keyser stated he asked Mr. Luttrell for his keys to the Buckaroo back gate but he (Luttrell) refused to hand them over. Mr. Keyser stated he did

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not argue with Mr. Luttrell and instead left and headed to the Buckaroo. Mr. Keyser stated that when he arrived he opened the front gate and as time passed volunteers began showing up.

Mr. Keyser stated that among the people that showed up early Saturday morning was Chair Smith. Mr. Keyser stated Chair Smith notified folks at Clackamas County Emergency Operations the Buckaroo would be available for displaced animals to be brought. Mr. Keyser stated he had also posted that information, and the need for volunteers, to their organization Facebook page. I asked Mr. Keyser if he himself had contacted anyone from the County (Emergency Services), but he told me no. Mr. Keyser stated Chair Smith made those calls.

Mr. Keyser stated that just as he arrived at the Buckaroo for the first time he received a phone call from someone at the Clackamas County Emergency Operations Center (EOC). Mr. Keyser stated he received numerous phone calls from the EOC, about every 2-4 hours, asking him about the set-up they had at the Buckaroo (types of fencing for animals and number of volunteers available) and what sort of animals they were able to accommodate. Mr. Keyser stated someone by the name of "Kit," who worked with the Clackamas County Sheriff's Posse, showed up alongside her husband and brought paperwork the EOC wanted them to fill out when animals were dropped off.

I asked Mr. Keyser if in his conversation with Chair Smith if she had asked him to inquire about the availability of the Buckaroo, or if he did that on his own after learning the Fairgrounds were unavailable? Mr. Keyser stated he didn't recall that detail. Mr. Keyser stated Chair Smith was certainly not against him checking on the availability of the Buckaroo. Mr. Keyser stated there was a video on social media regarding an incident at the Buckaroo early Saturday morning (9/10) involving a disturbance between Mr. Luttrell and some volunteers from Molalla Cares that had shown up to help. Mr. Keyser stated Chair Smith was visible in that video, which showed she was there.

I informed Mr. Keyser I had been made aware of the incident (and of the existence of that video), but that in my previous conversation with Chair Smith she stated she left the Buckaroo as that incident was unfolding and did not return. Mr. Keyser stated he was present for that incident as well, and in fact had been on the receiving end of Mr. Luttrell's anger. Mr. Keyser stated that incident involved one of his volunteers cutting the lock that was on the rear gate of the Buckaroo (the one by the arena) since Mr. Luttrell would not provide a key to unlock it. Mr. Keyser stated Mr. Luttrell arrived to the Buckaroo when he got off of work at the Wild Horse and when he noticed the lock had been cut, lost his mind.

Mr. Keyser stated Mr. Luttrell began yelling at volunteers so he went over to him to try and resolve the matter. Mr. Keyser stated he asked Mr. Luttrell how he could make things right and Mr. Luttrell told him he wanted to know who had cut the lock. Mr. Keyser stated he walked over to the group of volunteers that were standing by the arena and asked who had cut the lock. Mr. Keyser stated one of his adult male volunteers informed him he had done it so he (Keyser) informed the volunteer he needed to go up to Mr. Luttrell and make it right.

Mr. Keyser stated the volunteer left to speak with Mr. Luttrell and about ten minutes later he (Keyser) began receiving text messages telling him to hurry to the front gate. Mr. Keyser stated when he got to the gate he noticed officers with Molalla PD were there, Chair Smith was there, and Mr. Luttrell was telling the volunteer (the one that had cut the lock) he was being trespassed from the property. Mr. Keyser stated he did not get involved and allowed the police to do what they needed to do. Mr. Keyser

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informed the volunteer that was being trespassed to exit the premises, but if he still wanted to volunteer he could wait in his truck over by Bohlander Field, which was located across the street from the Buckaroo. Mr. Keyser stated he had no involvement in that dispute.

Mr. Keyser stated the individual responsible for cutting the lock/chain even provided a replacement chain, but that was not enough to calm Mr. Luttrell and keep him from trespassing the person. Mr. Keyser stated that volunteer then sat in his car across the street at Bohlander Field for the duration of the time he was there. Mr. Keyser stated that incident was the last major issue they had until the gun incident and he (Keyser) remained on the premises until asked to leave. Mr. Keyser stated the only other thing of note was a phone call he took from the Buckaroo President, Tim Anderson, that was a little troubling.

Mr. Keyser didn't recall what time Mr. Anderson called him but he (Anderson) had been upset about a video that had made it's way on social media (Facebook) involving Mr. Luttrell and the gate incident. Mr. Keyser stated Mr. Anderson was upset that the video depicted Mr. Luttrell and the Buckaroo in a bad light. Mr. Keyser stated he hadn't seen the video and had not been involved in its creation. Mr. Keyser stated he had heard about a video that had been made but had been too busy at the Buckaroo to have watched it. Mr. Keyser stated he told Mr. Anderson he was too busy at the moment to talk about something he had no control over, but would happily discuss the matter with him next Monday.

Mr. Keyser stated Mr. Anderson wanted him to issue some sort of apology/rebuke to the person that posted the video. Mr. Keyser stated he told Mr. Anderson that since the incident in question involved the Molalla Police Department, he (Keyser) would need to speak with the City Manager to craft an appropriate statement. Mr. Keyser further stated he told Mr. Anderson the County EOC would need to be contacted since they had assisted in the facilitation of the Buckaroo being used for this emergency, and finally, he would need to speak with the board of Molalla Cares since the incident involved volunteers with their organization. Mr. Keyser stated he told Mr. Anderson he (Keyser) would need to do his due diligence before making any public statements.

Mr. Keyser stated Mr. Anderson proceeded to threaten him by telling him if he (Keyser) did not put up a statement on Facebook soon he (Anderson) would come down to the Buckaroo and lock them out (in essence, kick them all out of the Buckaroo). Also, Mr. Keyser stated Mr. Anderson told him he would not allow him or his organization utilize the Buckaroo in the future. Mr. Keyser stated the last thing he told Mr. Anderson was that he (Keyser) would need to at the very least speak with his City Manager before issuing any sort of statement.

Mr. Keyser stated he immediately called his City Manager and informed him of the situation. Mr. Keyser stated his City Manager informed him he would get a hold of Mr. Anderson to try and rectify the situation. However, Mr. Keyser stated he didn't know how that conversation went.

I asked Mr. Keyser if he had obtained permission to utilize the Buckaroo as a member of Molalla Cares, or as the Mayor of Molalla, and he told me as a member of Molalla Cares. Mr. Keyser stated people recognized him as the Mayor, but the ask to use the Buckaroo was made as a Board Member with Molalla Cares. Mr. Keyser stated that was why he had the rest of his board there helping at the Buckaroo (Carissa Ross & Eric Vermillion). Mr. Keyser stated they (Molalla Cares) had financial expenses they incurred while using the Buckaroo and they were paid with Molalla Cares funds. Mr. Keyser stated he did use his mayoral Facebook page, as well as his own personal one, to announce

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that the Buckaroo was available to evacuated animals, but that was just to get the word out to the community.

Mr. Keyser stated his goal was to inform evacuated residents that Bohlander Field was available for them to camp at if they needed a place to stay, and to inform them the Buckaroo grounds were available for displaced animals. Mr. Keyser made a point to inform me his personal Facebook page had more followers than his mayoral one, so his personal page was likely viewed by more people.

I asked Mr. Keyser if he had been at the Buckaroo as a member of Molalla Cares, then why did he need to speak with the City Manager before issuing a statement? Mr. Keyser stated that in essence he is always the Mayor of Molalla, regardless of what he is doing or who he is working for, and as such always has to be mindful of the things he says and writes.

Mr. Keyser informed me that since the gun incident he had experienced many different emotions. Mr. Keyser stated he had thought about the incident repeatedly and would always come back to the same questions, "Why didn't the veterinarian (Charles Fammatre) just stop?" Mr. Keyser stated he didn't understand why, if Mr. Fammatre was concerned about his volunteers being present at the Buckaroo, didn't he just stop to talk to one of them, or simply call the police if he thought they were up to no good.

I explained to Mr. Keyser that I had spoken with Mr. Fammatre and according to him he was aware the Buckaroo grounds were being utilized for evacuated animals. I told Mr. Keyser that Mr. Fammatre's purpose for being there that night was to see if people were still present on scene, and to see how many animals were brought over. I told Mr. Keyser that Mr. Fammatre likely didn't stop to speak with any of them because he felt he didn't need to. As a Buckaroo Board Member, Mr. Fammatre regularly drove by the Buckaroo to check on the facility to ensure no unauthorized people were there. I told Mr. Keyser that Mr. Fammatre was not surprised to see his volunteers there and was just doing his normal thing (driving around the grounds) of checking on things.

Mr. Keyser stated he had no idea who Mr. Fammatre was when he identified himself. Mr. Keyser stated it was possible he had met Mr. Fammatre once or twice at an event in the past, but had no recollection of that. Mr. Keyser stated that as Mayor he met many people all the time.

Mr. Keyser stated he had informed Grant Sharp when he spoke with him on the phone that they (Molalla Cares) would take care of the Buckaroo grounds and make sure it remained safe and no unauthorized people showed up. Mr. Keyser stated he never anticipated they would actually have to prevent unauthorized people from coming onto the property, but alas, it happened. Mr. Keyser stated his fellow Molalla Cares board member, Carissa Ross, maintained a list of all of the volunteers that showed up at the Buckaroo that weekend. Mr. Keyser stated in their eyes that should have shown the Buckaroo Board they were serious about only letting authorized people onto their property, and in turn keeping it safe.

Mr. Keyser then began to tell me about the incident and how everything went down. Mr. Keyser stated he and Mr. Vermillion had been sitting by the gate located off of Frances St watching football on their cell phones. Mr. Keyser stated he and Mr. Vermillion were the only two manning that gate (the one closest to the rodeo arena). Mr. Keyser stated that while they were watching football he and Mr. Vermillion heard three loud "kaboom" sounds coming from the upper lot. Mr. Keyser stated the sound

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was so loud he looked at Mr. Vermillion and commented it sounded like loud mortars/fireworks were being set off. Mr. Keyser stated he also recalled thinking this was a bad time to be setting off fireworks (due to the very dry conditions and the fire occurring in Estacada).

Mr. Keyser stated that about five minutes prior to hearing the loud sound, he recalled walking over to the portable toilet (porta potty). Mr. Keyser stated that while he was using the porta potty he remembered a vehicle had driven up to the gate he and Mr. Vermillion were at and began flashing their bright lights at them. Mr. Keyser stated he didn't get a look at the vehicle but he recalled seeing the bright lights flash in their direction. Mr. Keyser stated that when he walked back to his chair he asked Mr. Vermillion who had flashed their high beams at them, but Mr. Vermillion stated he didn't know. Mr. Vermillion stated the driver of the car backed up and left the area after flashing their high beams in their direction.

Mr. Keyser stated he didn't get a look at the vehicle so he wasn't certain if it was Mr. Fammatre that had done that. Mr. Keyser stated it was dark inside the porta potty, but he could see the lights shining through the cracks and openings of the little structure.

Mr. Keyser fast forwarded back to the kaboom sound he heard and stated a few seconds after hearing that sounds, he noticed a vehicle driving down the path towards the arena. Mr. Keyser stated there was low visibility in the area because the only light available to them was one shining inside the arena. Mr. Keyser stated he initially thought it was another volunteer returning because one had left earlier and stated they would be coming back. However, Mr. Keyser stated when the vehicle got down to the arena it made an abrupt right turn into the arena. Mr. Keyser stated he and Mr. Vermillion quickly stood up and began walking towards the arena to see who the people in the vehicle were.

Mr. Keyser stated that as he and Mr. Vermillion were walking towards the arena they could hear some of their volunteers yelling down at them to stop the vehicle because it had not checked in with them (the other volunteers).

Mr. Keyser stated that as he was walking towards the arena he (Keyser) raised both of his arms above his head with the palm of his hands facing forward. Mr. Keyser stated he did this to indicate to the driver to stop. Mr. Keyser stated that as this was happening the driver of the vehicle continued driving to the opposite end of the arena, so likely did not see him. Mr. Keyser stated the driver in the SUV reached the end of the arena, turned around and then headed back towards them. Mr. Keyser stated he maintained his arms up in the same manner previously described and as the vehicle got closer to them he (Keyser) yelled out "Stop!"

Mr. Keyser stated that due to the poor lighting in the arena, he (Keyser) was unable to see inside the windshield of the vehicle. Mr. Keyser stated he repeated the word(s) "Stop" and "Stop the vehicle" multiple times as the vehicle approached. Mr. Keyser described there being 2 gates that led into the Buckaroo, and then an additional gate that led into the arena. Mr. Keyser stated he had been standing near the 2nd entry gate into the Buckaroo when the vehicle began exiting the arena. Mr. Keyser stated that as the vehicle was exiting the arena it sped up as it approached them. Mr. Keyser stated he knew the vehicle accelerated because he was able to hear the sound of the engine throttling as it approached him.

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Mr. Keyser stated he (Keyser) proceeded to pull out his gun and pointed it in the direction of the vehicle. Mr. Keyser stated he also yelled out "Stop your car now or I'll shoot!" as he pointed his firearm at the vehicle. Mr. Keyser stated he never wrapped his finger around the trigger of the firearm, but was pointing the barrel approximately 12 inches above the windshield wiper. Mr. Keyser stated that as soon as the vehicle came to a stop he placed his support hand on the hood of the vehicle and asked the driver "Are you gonna stop?"

Mr. Keyser stated he didn't hear the driver respond so he (Keyser) holstered his pistol. Mr. Keyser stated he then walked over to the front, passenger side of the vehicle and when he did someone lowered the front, passenger window. Mr. Keyser stated when the window was lowered he was able to see inside and noticed there was a passenger seated in the front, passenger seat as well. Mr. Keyser stated he asked the people inside the vehicle why they hadn't stopped and why did they force him to pull his gun.

Mr. Keyser stated the driver, later identified as Mr. Fammatre, began yelling at him saying he was a Board Member and asking him (Keyser) why he had pulled a gun on him. Mr. Keyser stated Mr. Fammatre also yelled out saying they (Molalla Cares volunteers) weren't supposed to be there (at the Buckaroo), and that they had broken in.

Mr. Keyser stated at that point he recognized he would be unable to communicate with Mr. Fammatre and walked away. Mr. Keyser stated his adrenaline began pumping throughout his body after the incident and with the way Mr. Fammatre was yelling at him, knew he would be unable to communicate with him. Mr. Keyser stated that by this time several volunteers had made their way to their location so he (Keyser) asked them to please speak with Mr. Fammatre because he knew the two of them would not be able to talk to one another due to how upset they both were.

Mr. Keyser stated after he made the request to his volunteers he turned around and began walking up the pathway to the main gate. Mr. Keyser stated that as he was walking away he took out his cell phone and called the police. Mr. Keyser stated that while he was on the phone with the dispatcher he overheard one of the volunteers yell out "Well, he's outta here," referring to Mr. Fammatre, who by this time drove out of the Buckaroo via the rear gate.

Mr. Keyser stated that when he reached the upper parking lot he opened Jeremy's (Haarsager) pickup and placed the pistol he (Keyser) had holstered on his hip, and the one he had concealed in his pocket, on the seat. Mr. Keyser stated he then closed the pickup door, sat at a nearby table, and waited for the police to arrive. Mr. Keyser stated this was the extent of what happened. Mr. Keyser stated when the CCSO Deputy arrived he (Keyser) was informed he needed to leave the premises per Molalla Buckaroo President Tim Anderson. Mr. Keyser stated the Deputy further informed him that Mr. Anderson would be calling him (Keyser) on Monday morning and not to reach out to him, or any other Buckaroo Board Member, prior to that phone call. Mr. Keyser stated he had yet to hear back from Mr. Anderson, or any other Buckaroo Board Member, since then.

I asked Mr. Keyser if he could tell me how far Mr. Fammatre's vehicle was from him when he perceived him accelerate towards him. However, Mr. Keyser informed me he was terrible with

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numbers and would be unable to estimate the distance. Mr. Keyser stated he doubted he would have been able to move his large frame out of the way of the vehicle if it had not stopped after he pointed his pistol. Mr. Keyser stated he felt like his life was in danger by Mr. Fammatre's actions.

I asked Mr. Keyser if he believed he would have been unable to move out of the way of the approaching vehicle (if he hadn't drawn his pistol), but he told me he was not sure. I asked Mr. Keyser if he believed Mr. Fammatre had been purposely driving his vehicle in his direction (to run him over), or if he believed Mr. Fammatre was simply trying to drive out of the Buckaroo but he (Keyser) purposely placed himself in the way. Mr. Keyser stated there was no way for Mr. Fammatre to not have known he (Keyser) was trying to get him to stop. Mr. Keyser stated Mr. Vermillion was able to hear him (Keyser), and he was able to hear him (Vermillion) when Eric asked him to stop. Mr. Keyser was convinced Mr. Fammatre had heard he and Mr. Vermillion ask him to stop his car prior to "punching his throttle."

I asked Mr. Keyser if there had been other vehicles in their vicinity while this was happening, but he was uncertain. Mr. Keyser stated he was aware other volunteers from the upper gate were headed down to them (on foot and in their vehicles), but he wasn't sure where they were as this was happening. Mr. Keyser recalled Mr. Haarsager and Kayla Gathright running down to them from the upper gate, but they had been coming on foot. Mr. Keyser stated that of the other volunteers that came down to them he didn't recall who they were or what vehicles they had come down in. Mr. Keyser recalled walking past them as he was walking up the hill, but wasn't really paying attention to them.

I asked Mr. Keyser if it was possible the sound of an engine revving he heard may have come from one of the vehicle traveling down the hill towards them rather than from Mr. Fammatre's car, but he told me no. Mr. Keyser stated that aside from hearing the sound of the engine throttling, he saw Mr. Fammatre's vehicle lunge forward towards them.

I informed Mr. Keyser that during my conversation with Mr. Vermillion, he did not hear Mr. Fammatre's engine throttle as it approached them. Mr. Vermillion did hear an engine revving, but he attributed it to pickups that were hurrying down the road to get to them. Mr. Keyser replied that when he saw Mr. Fammatre's vehicle coming towards him he got "tunnel vision" and was not focused on anything else around him. Mr. Keyser stated this to inform me he was certain the engine sound he heard was from Mr. Fammatre's vehicle since it was the only one he was focused on.

Mr. Keyser further stated that he didn't even know who had initially yelled out "Stop the vehicle" because he immediately turned towards Mr. Fammatre's car and remained focused on it. Mr. Keyser stated it was not until later in the encounter that he realized it had been Mr. Haarsager and Ms. Gathright that had yelled at he and Mr. Vermillion.

I asked Mr. Keyser if it was ever a consideration for him to simply close the arena gate on Mr. Fammatre to trap him inside rather than engage in a standoff, but he told me no. Mr. Keyser stated by the time he told Mr. Fammatre to stop the front bumper of the vehicle had already crossed the threshold of the arena gate as he was exiting. Mr. Keyser clarified that by the time Mr. Haarsager and Ms. Gathright had yelled out towards them to stop the vehicle, Mr. Fammatre was already heading

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towards them. By the time he (Keyser) ran down towards the arena gate Mr. Fammatre's vehicle was just about to exit the arena and was coming at them. Mr. Keyser stated if he had additional time the thought would have likely crossed his mind (to close the arena gate).

Mr. Keyser also brought up the safety of the animals. Mr. Keyser did not believe it would have been safe for the animals that were penned up in the arena to have been trapped inside with this vehicle, since they didn't know who had been driving it at the time.

I was previously told by Mr. Anderson there hadn't been any animals located inside the arena. During my previous conversation with Mr. Anderson he had informed me all of the animals were penned up by the main gate (off Shirley St.). However, Mr. Keyser informed me that was not correct. Mr. Keyser stated there were no animals housed anywhere near the main gate, they were all located inside the arena.

I had obtained a photograph of Mr. Keyser that was taken of him by Molalla PD Officers the night of the incident. Since I had been speaking with Mr. Keyser via telephone I was unable to show him the photograph in person. I described to Mr. Keyser the clothing he was wearing in the photograph and asked him if that was an accurate depiction of what he had been wearing the night of the incident and he told me yes. Mr. Keyser stated he had been wearing a reflective safety vest that night which said **Icon** on the back. Mr. Keyser stated that was the vest he utilized at work.

I then informed Mr. Keyser of an additional photograph I had obtained of 2 firearms resting on the front seat of a pickup truck. I described the firearms shown in the picture and asked him if they sounded like the ones he had been carrying that night and he told me yes. I asked Mr. Keyser if the pistols depicted in the photograph belonged to him and he told me yes. Mr. Keyser stated the small pistol, a "Ruger TCP" was his daily carry that he normally kept in his right, front pocket, the pocket he put his change in.

Mr. Keyser stated that when he initially got the request for assistance he had been dressed in his pajamas and was getting ready for bed. Mr. Keyser stated when he changed into his clothes to head out of the house the pistol was still in his pocket. Mr. Keyser stated he hadn't intended on bringing that pistol with him that night. Mr. Keyser stated he only intended on bringing his sidearm, the one he holstered on his hip, not the one he kept in his pocket. Mr. Keyser stated the pistol he pointed at Mr. Fammatre that night was the one he had holstered on his hip, the black one, a Makarov pistol.

I asked Mr. Keyser if the volunteers that were working that night were aware he had been armed, but he told me no. Mr. Keyser stated he had been carrying concealed and had not been announcing to people he was armed. Mr. Keyser stated he had been wearing his safety reflective vest that night and it concealed his pistol. I explained to Mr. Keyser the reason I was asking him this was because in his Facebook Live video he recorded, he (Keyser) stated he had been open carrying that night and everybody present saw his pistol. However, when I interviewed all of the volunteers that had been present at the Buckaroo on the evening of the 10th, none of them were aware he had been carrying a firearm.

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Mr. Keyser stated there were times that evening where he hadn't been wearing his safety vest, so people should have seen his pistol. Unfortunately, no one I spoke with saw Mr. Keyser's pistol on his hip.

I asked Mr. Keyser about statements he had made to law enforcement the night of the incident about Mr. Fammatre's driving. I informed Mr. Keyser he had stated Mr. Fammatre had been driving fast. I asked Mr. Keyser if he could clarify what he meant and he stated he recalled Mr. Fammatre driving down the side road that led to the arena "kinda fast." Mr. Keyser stated he turned to Mr. Vermillion and told him that. Mr. Keyser stated when he observed Mr. Fammatre turn into the rodeo arena he knew he (Fammatre) shouldn't be doing that.

Mr. Keyser also recalled that when he heard the "kaboom" sounds from behind the grandstands, they were roughly a second apart. Considering how far apart the metal grates were located from one another, and how short of a time between each sound (Mr. Keyser believed they were 1-2 seconds apart), Mr. Keyser came to the conclusion Mr. Fammatre had to have been speeding. Mr. Keyser was unwilling to estimate a speed that Mr. Fammatre may have been driving that night as he stated he was not a radar detector. However, Mr. Keyser truly believed Mr. Fammatre was driving too fast in the parking lot considering the number of volunteers that were working that night.

I also asked Mr. Keyser about another comment he made in his Facebook Live recording concerning Mr. Fammatre allegedly driving a "cookie" inside the arena. Mr. Keyser stated that when Mr. Fammatre had driven to the opposite end of the arena (opposite of where he entered) he made a quick U-turn in which the rear-end of his vehicle appeared to skid on the dirt. Mr. Keyser stated that was what he meant in his video about Mr. Fammatre performing a "cookie." I explained in detail to Mr. Keyser how one would perform a "cookie" in a parking lot (or in this case arena) and how it differed from someone simply taking a turn too fast. Based on my explanation, Mr. Keyser acknowledged that what he observed Mr. Fammatre do was not a "cookie" and apologized for what he had said in his video.

Mr. Keyser stated it was possible he had used someone else's words when talking about what he had seen. Mr. Keyser reiterated he felt his life, as well as that of Mr. Vermillion, were in danger based upon Mr. Fammatre's actions and responded as he believed was fitting.

I next asked Mr. Keyser about another comment he had made in his Facebook Live video in which he described Mr. Fammatre leaving the Buckaroo grounds in a hurried manner. In the video, Mr. Keyser stated he wasn't sure if Mr. Fammatre had left the grounds quickly because he may have been intoxicated, however, provided no context as to why he would have believed that. Mr. Keyser stated someone on scene, one of the volunteers, had made the comment after Mr. Fammatre left and he simply repeated it. Based on my interviews with all of the other volunteers that night the only person that made a similar comment was Kayla Gathright. The only explanation Ms. Gathright provided for saying that was she believed Mr. Fammatre's pupils may have been dilated, and he had been driving fast.

According to Oregon DPSST's training division, Ms. Gathright has worked in private security since January, 2020. Ms. Gathright's Oregon DPSST training records do not reflect certified law enforcement training or experience. During my conversation with Ms. Gathright she informed me she

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had prior military experience. However, I am not aware of Ms. Gathright's prior military experience providing her with DRE (Drug Recognition Expert) or SFST (Standardized Field Sobriety Test) training, so I am not certain whether she is qualified to make a proper determination of one's impairment simply from glancing at a person's pupils temporarily in a poorly lit environment.

Mr. Keyser stated that in his brief interaction with Mr. Fammatre, he (Keyser) had not been focused on the possibility he (Fammatre) may have been impaired/intoxicated. Mr. Keyser acknowledged the accusation he made in his video was done simply from the comment he heard from one of the volunteers. Although Mr. Keyser did not identify Ms. Gathright as being the one that had uttered the comment, I believe that is who had done so.

I explained to Mr. Keyser the reason his Facebook video had caused people on the Molalla Buckaroo Board to get even more upset at him than they already were (disparaging Mr. Fammatre). After my explanation, Mr. Keyser informed me he understood and was apologetic. Mr. Keyser stated it was not his intention to have made matters worse and blamed what happened afterwards on him (Keyser) not being a polished politician. Mr. Keyser stated he was a blue collar worker that didn't have vast political experience. Mr. Keyser stated his close political advisors would regularly correct him if he spoke out of line or said something he shouldn't have.

Mr. Keyser stated the only reason he made the Facebook video was that there were people that had begun spreading false rumors about him and what happened that he wanted to get ahead of and provide his version of events. Mr. Keyser stated that when he ran for Mayor he promised his constituents to be transparent in his day-to-day dealings. Mr. Keyser did acknowledge he was a bit angry when he made the video and that likely motivated him to make it. However, Mr. Keyser stated if his true motivation was to make the Buckaroo look bad he could have easily spoken to the media and given his side. Mr. Keyser stated he had numerous requests from media/radio personalities wanting to interview him, but he declined the requests.

At the conclusion of the interview I informed Mr. Keyser that when I had completed documenting all of the interviews I had done, I would forward the case to the Clackamas County District Attorney's Office for review. After answering some of Mr. Keyser's questions we ended the call.

No further action taken in connection with this supplemental report.

**ACTION RECOMMENDED:**

Case remains open

**INVOLVED PERSONS**

INVOLVED PERSON-1 NAME (LAST, FIRST MIDDLE)		DOB / ESTIMATED AGE RANGE
P-1 KEYSER, SCOTT ROBERT		1973-12-15
SEX	RACE / ETHNICITY	PHONE NUMBER
Male	White / Unknown	[REDACTED]
HOME ADDRESS		
[REDACTED] 7018		
INVOLVEMENT TYPE		
Suspect		
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**Case # 22-020510 - Supplement - 20 Report**

REPORT DATE / TIME Mar 15, 2023 14:15	EVENT START DATE / TIME - EVENT END DATE / TIME Sep 10, 2022 21:00 - Sep 29, 2022 08:00	PRIMARY REPORTER Steve Gaytan #45465
REPORT DESCRIPTION Case summary and referral to DA's Office		
SUPPLEMENT TYPE Investigative supplemental		

**NARRATIVE****SUMMARY**

On Saturday, September 10, 2022, just before 2100 hrs., Scott Keyser (DOB: 12/15/73), in fear for his life/personal safety, pointed his firearm at Charles Fammatre (DOB: 10/08/45), who had been driving his vehicle in the direction of Mr. Keyser. This incident occurred near the arena at the Molalla Buckaroo grounds located at 815 Shirley St. in Molalla, OR.

**REVIEW OF CASE**

Mr. Keyser is both the Mayor of the City of Molalla and founder of the non-profit organization Molalla Cares. Mr. Keyser also serves on the Board of Directors for the organization, whose mission is to assist with the needs of their community members, both locally and regionally, in time of need.

On Friday evening (9/9/22), a fire began at the Milo McIver State Park located in Estacada, which caused local residents to be evacuated from their homes. Not only were residents evacuated, but also any livestock/animals the residents owned. Due to the threat of the fire spreading to other communities, the Clackamas County Emergency Operations Center was activated to assist the affected residents.

Shortly after the fire began, Mr. Keyser began to receive notifications from concerned residents and Molalla Cares Volunteers of what was happening. These individuals informed Mr. Keyser that the Clackamas County Fairgrounds were unavailable for evacuated residents to bring their animals to due to an event that was taking place at the time. Due to the reports of the unavailability of the Buckaroo, Mr. Keyser reached out to Clackamas County Commissioner (Chair) Tootie Smith to see if the reports were true. During Mr. Keyser's communication with Chair Smith, he learned the Fairgrounds were not available.

As a result, Mr. Keyser reached out to Grant Sharp, one of the Board Members of the Molalla Buckaroo, to see if he would allow the Buckaroo to be used for evacuated animals. Mr. Sharp was not authorized to make that sort of decision on his own so he attempted to contact other Buckaroo Board Members, but was unable to reach them. During my conversation with Mr. Sharp I learned he resided in an area of Estacada that had received an evacuation order. In fact, Mr. Sharp informed me that when Mr. Keyser called him he was in the middle of loading up his livestock onto his livestock trailer, so his attention was split between evacuating his family/livestock and trying to help Mr. Keyser.

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In the end, Mr. Sharp was unable to get a hold of any other board members to run Mr. Keyser's request by them. As a result, Mr. Sharp gave Mr. Keyser consent for him to utilize the Buckaroo grounds as a staging location for relocated livestock/animals.

However, this is where the confusion begins. During my conversation with Mr. Sharp he acknowledged he gave permission to Mr. Keyser to utilize the Buckaroo grounds and provided him the combination code for the main gate entry lock. Mr. Sharp told me he only agreed to let Mr. Keyser utilize the Buckaroo because he was under the impression the Clackamas County Emergency Operations Center would be in charge of coordinating all the volunteers and with running the operation. Mr. Sharp stated he believed this because during his conversation with Mr. Keyser he (Keyser) insinuated Chair Smith was on her way to the Buckaroo to help out.

Mr. Sharp stated the way Mr. Keyser dropped Chair Smith's name in the conversation led him to believe she was showing up as a representative of Clackamas County Emergency Operations. Mr. Sharp stated he had no idea Mr. Keyser (and Molalla Cares) would be the ones running the operation at the Buckaroo. Mr. Sharp stated if he had known that, he never would have allowed Mr. Keyser to use their facility, at least not without the full consent of the Buckaroo Board. Chair Smith did respond to the Buckaroo the evening of the 9th, but she did so as a concerned resident of Clackamas County and as a volunteer, not in an official capacity.

During my conversation with Mr. Keyser he stated he did not deceive, nor tried to deceive, Mr. Sharp. Mr. Keyser stated the request to use the facility was done so not as the Mayor of Molalla, but as a member of Molalla Cares. Mr. Keyser stated he informed Mr. Sharp during their phone call his group (Molalla Cares) would be responsible for keeping the facility safe and ensuring no unauthorized people were on the premises.

Mr. Keyser informed me his organization had many volunteers and when the request for assistance was posted on his Facebook page, he received numerous replies from people that stated they were available. Mr. Keyser stated they began having volunteers show up at the Buckaroo beginning late Friday night, and had them there through Sunday afternoon when owners returned to pick up their animals. Mr. Keyser informed me he had been working directly with representatives with the Clackamas County Emergency Operations Center and were provided liability waivers that they then had the owners of the animals dropped off at the Buckaroo sign.

Mr. Keyser stated he remained in direct communication with the Clackamas County Emergency Operations Center through the weekend, ensuring they were doing everything correctly. During my investigation I reached out and spoke with Trisha Kraff, an Enforcement Officer with Clackamas County Dog Services. Aside from Ms. Kraff's employment with the County, she was involved with County Emergency Operations anytime an emergency arose where animals were in need of emergency sheltering.

Ms. Kraff stated the Clackamas County Fairgrounds (in Canby) was the primary location evacuated animals were taken to. However, that location was not available the day of the fire. Ms. Kraff stated she learned from one of her assistants that Mr. Keyser had called them to inform them the Molalla Buckaroo was available to be used for displaced animals. Ms. Kraff stated she spoke with another one of her team members named Kit (unknown last name) and she (Kit) informed her she would reach out

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to Mr. Keyser and get him set up with all of the requisite County liability release forms to have the livestock owners sign.

Ms. Kraff informed me she had been in regular communication with Mr. Keyser over the weekend (9/9 & 9/10), providing him advise/information on what to do. Mr. Kraff stated Mr. Keyser was very exited to be helping, but lacked the knowledge of how to run this sort of operation. Ms. Kraff stated she never asked Mr. Keyser how he was able to obtain the Molalla Buckaroo, but since he had been given the combination code to get in figured there were no concerns. Ms. Kraff had never worked with Molalla Cares previously, nor had she heard of them prior to that weekend.

Ms. Kraff stated that during one of her conversations with Mr. Keyser that weekend she asked for an update on how things were going and he informed her he didn't know because he was not there. Ms. Kraff stated Mr. Keyser informed her he had been trespassed from the Buckaroo because he had pointed his firearm at someone. Ms. Kraff stated she asked Mr. Keyser what had happened and who he had pointed a firearm at, but he responded by telling her, "That's not relevant right now."

I asked Ms. Kraff if they typically allowed their volunteers to be armed while they were volunteering, but she told me no. However, Ms. Kraff stated she was not aware of any policy or procedure that expressly prohibited volunteers from being armed. Also, Ms. Kraff stated she worked with several volunteers that were employed in law enforcement and it would be naïve of her to believe those individuals weren't armed.

During my investigation I also spoke with Daniel Nibouar, interim Director for Clackamas County Disaster Management. Mr. Nibouar confirmed Mr. Keyser had called the Operations Center during the fire offering up the Buckaroo. Mr. Nibouar stated he did not speak directly with Mr. Keyser, but was aware the County had been working with Mr. Keyser and Molalla Cares during this emergency. In total, there were about 15-16 goats, 3 pigs, 1 llama, and a handful of chickens brought to the Buckaroo that weekend.

Despite Mr. Sharp not having been aware of Molalla Cares being in charge of the Buckaroo the weekend of the fire, it was evident based on my conversation with Clackamas County employees they had been working in conjunction with Mr. Keyser and Molalla Cares. Therefore, it appears as if Mr. Keyser had a lawful reason to be at the Buckaroo that weekend.

Now, on the evening of Saturday, September 10th, just before 2100 hrs., Charles Fammatre and his wife, Lois Fammatre, arrived at the Molalla Buckaroo in their personal vehicle. Mr. Fammatre is a Board Member with the Molalla Buckaroo Association and during my interview with him on 9/19 he informed me regularly drove by and through the Buckaroo grounds to make sure they were secure. Mr. Fammatre informed me that over the last couple of years the Buckaroo had been broken into several times by criminals damaging their property and stealing. As a result, Mr. Fammatre stated he and the other Board Members regularly checked on the Buckaroo throughout the week to make sure everything was safe and no unauthorized people were inside the locked gates.

Mr. Fammatre had driven by the Buckaroo on the evening of the 10th to see if there were still animals at their facility. Mr. Fammatre had been aware the Buckaroo was being utilized as a staging location for evacuated animals after the Mclver Park fire, but wasn't certain if animals were still there. By Saturday evening, the fire had already been contained and residents had been returning to their

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homes. As a steward of the Buckaroo, Mr. Fammatre wanted to see if their facility was still being utilized. Mr. Fammatre is also a highly respected veterinarian in the Molalla community and another reason he showed up to the Buckaroo that night was to check on the health of any animals that may have been present.

There were slightly differing accounts about what transpired inside the Buckaroo on the 10th, that of the volunteers working with Molalla Cares, and that of Mr. Fammatre. According to Mr. Fammatre, he entered the parking lot at a normal speed for the conditions (even considering there were people visible throughout) and proceeded to the right of the arena. Mr. Fammatre stated he drove down by the beer gardens, like was his typical route, and shined his high beams at certain times because it was dark out. Mr. Fammatre stated that after checking on things on the west end of the arena, he turned around and drove behind the main grandstands over to the east end.

Mr. Fammatre denied driving recklessly or at any speed that would be considered dangerous or unsafe. Mr. Fammatre mentioned driving over the metal grates behind the grandstands, but stated anytime anyone drove over them, regardless of how fast they ran over them, would make a loud booming sound. Mr. Fammatre stated if that was the reason given by the volunteers that indicated he had been driving fast, it was a poor reason. Mr. Fammatre stated the Buckaroo Association had installed several trail cameras on the grounds at various junctions of the facility.

Mr. Fammatre stated one of the trail cameras was installed on a tree near the east pathway that led to the arena entrance. Mr. Fammatre stated he had reviewed the trail camera footage and it showed his vehicle driving down to the arena and it did not show a large plume of dust behind his car as he drove. Mr. Fammatre stated the road heading down to the arena is made of gravel and dusty and if he had been driving fast a large plume of dust would have formed as he drove by. Mr. Fammatre stated when he continued viewing the camera footage it also showed other vehicles traveling down this path as they traveled after him.

Mr. Fammatre stated not only could you see a large plume of dust trailing behind those vehicles, the trail cameras were barely able to capture them since they had been moving fast. Mr. Fammatre stated his vehicle was clearly visible on the camera footage, but the other cars were not. Mr. Fammatre stated that would indicate he had not been driving very fast.

Mr. Fammatre stated that once he made it down to the arena he noticed the arena gate was open so he turned into it and drove to the opposite end. Mr. Fammatre stated that once he reached the other end of the arena he turned around and headed back to the arena entrance. Mr. Fammatre denied turning any "cookies" or driving recklessly in the arena. Mr. Fammatre stated that as he was approaching the arena exit he noticed two people running towards him that were coming from the entry /exit gate on the lower end of the property. Mr. Fammatre stated the two people were roughly 35-50 feet from his car when he observed them, possibly a little further away. Mr. Fammatre stated his wife had also seen additional people running down the side road (from the direction of the upper gate) towards them.

Mr. Fammatre stated he recalled overhearing someone yell out "Stop him! Stop him! Get in front of that car. Stop him!" Mr. Fammatre stated he noticed one of the two individuals that had been running towards them from the lower gate had closed the distance significantly (by about 2/3rd's). Mr. Fammatre recalled the second individual was standing behind the person in front but he couldn't see

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what they were doing. Mr. Fammatre stated he continued driving towards the gate exit of the lower level. Mr. Fammatre stated that as he continued driving the first individual placed themselves directly in front of the gate and his car.

Mr. Fammatre stated that when the individual did this he immediately drew a firearm and pointed it at their car. Mr. Fammatre recalled hearing the individual pointing the gun yell out "Stop! Stop or I'll shoot!" Mr. Fammatre stated he stopped his car immediately about 8 feet from the person with the gun. Mr. Fammatre stated he was already stopping his car anyways as soon as the person positioned themselves in between the entry/exit gate and his car. Mr. Fammatre demonstrated the shooting stance the male took when he pointed his firearm at him and it looked like a standard shooting platform with the arms fully extended outwards and elbows locked.

Mr. Fammatre believed the person with the gun likely had no idea why he was told to stop him and likely only did it because the people running down to them said so. Mr. Fammatre stated a heated exchange between he and the male with the gun ensued. Mr. Fammatre stated he identified himself to the male with the gun and the male with the gun identified himself as "Scott Keyser, the Mayor." Mr. Fammatre stated that after a few heated words were exchanged between Mr. Keyser and he, Mr. Keyser walked away up the road to the main gate. Mr. Fammatre stated he drove away out the lower gate afterwards.

Mr. Fammatre stated his wife had high blood pressure and the incident had caused her great distress so he drove her home. Mr. Fammatre stated that after dropping his wife off at home he drove over to the Molalla Police Department and called in the report. Mr. Fammatre stated he briefly spoke with Molalla PD Officers, and also spoke with CCSO Deputy Troy Sawtelle.

Mr. Fammatre was upset not only by what happened, but by a video Mr. Keyser posted on Facebook Live on 9/12. In the recording, Mr. Keyser stated he was making the video to dispel rumors he had been hearing. Mr. Keyser provided an overview of the evenings events (according to his perspective) and went on to blame what happened at the Buckaroo on Mr. Fammatre. Mr. Keyser claimed Mr. Fammatre had driven into the arena and performed a "cookie" before exiting. Mr. Keyser then claimed he tried to stop Mr. Fammatre's vehicle as it was exiting the arena (by signaling with his hands/arms and yelling at him to stop), but Mr. Fammatre refused to stop. Mr. Keyser stated Mr. Fammatre in fact, accelerated towards him as the vehicle approached him (hearing Mr. Fammatre's engine rev up as it got closer).

Mr. Keyser stated that out of fear for his life, and the life of his fellow volunteer (Eric Vermillion), he drew his firearm, which he had holstered on his hip, and pointed it at Mr. Fammatre. Mr. Keyser stated he believed Mr. Fammatre was going to run him over with the car. Mr. Keyser stated his actions caused Mr. Fammatre to stop his car, but claimed the car stopped within inches of his legs. Mr. Keyser claimed Mr. Fammatre told him and the other volunteers they had broken into the Buckaroo and were not supposed to be there.

Mr. Keyser also alluded to Mr. Fammatre possibly being intoxicated as the reason he left immediately after the incident. I obtained a copy of this video and uploaded it to the Axon server in Evidence.com. The posting of this video by Mr. Keyser upset not only Mr. Fammatre, but the rest of the Buckaroo Association Board Members.

REPORTING OFFICER SIGNATURE / DATE

Steve Gaytan #45465 Mar 16, 2023 15:06 (e-signature)

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Steve Gaytan #45465

SUPERVISOR SIGNATURE / DATE

Corey Alexander #38608 Mar 16, 2023 15:43 (e-signature)

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Corey Alexander #38608

The version of events I obtained from speaking with the Molalla Cares volunteers present that evening were very similar to the version I obtained from Mr. Keyser. Although Mr. Keyser did not witness Mr. Fammatre arriving at the Buckaroo on the 10th, he observed him drive down the east path that led to the arena. Mr. Keyser stated the vehicle Mr. Fammatre had been driving came down the east path quickly and then abruptly turned into the arena. Mr. Keyser stated Mr. Fammatre sped down to the opposite end of the arena and turned so quickly the back tires skidded around (almost like drifting), kicking up a lot of dirt. Mr. Keyser initially called what Mr. Fammatre had done a "cookie," but when I explained what that was he recanted and apologized for describing it as such.

Mr. Keyser stated that as Mr. Fammatre was driving back to the arena entrance, he and Mr. Vermillion began walking over to the arena to try and stop the car. Mr. Keyser stated by this time two individuals that were running down the east path had been yelling down at him and Mr. Vermillion to stop the car. Mr. Keyser stated that as he and Mr. Vermillion were walking towards the arena gate, Mr. Fammatre was just about exiting. Mr. Keyser acknowledged Mr. Fammatre was likely heading out of the arena and towards the exit gate, but he (Keyser) placed himself in the path of Mr. Fammatre's vehicle to try to get it to stop.

Mr. Keyser stated he and Mr. Vermillion both raised their hands up and yelled out to Mr. Fammatre to stop, but he kept driving towards them. Mr. Keyser stated that as Mr. Fammatre's vehicle got closer he was able to hear Mr. Fammatre's engine rev louder than it had been and described the vehicle as accelerating towards him. Mr. Keyser stated he did not believe he would have been able to move out of the way of Mr. Fammatre's vehicle in time and because he believed Mr. Fammatre was about to run he and Mr. Vermillion over, unholstered his firearm, pointed it at Mr. Fammatre's car, and ordered him to stop or he would shoot. Mr. Keyser claimed Mr. Fammatre's car came to an immediate stop within inches of his legs.

Mr. Keyser stated the car stopped so close to him he (Keyser) was able to place his hand on the hood of it. When I spoke with Mr. Vermillion, his version of events were pretty similar, with some important differences. Mr. Vermillion believed he would have been able to move out of the way of Mr. Fammatre's approaching vehicle, and in fact had by simply stepping to his left. Mr. Vermillion acknowledged he lost sight of where Mr. Keyser was as this was happening so he couldn't tell if he had been in a position to move or not. Also, Mr. Vermillion claimed to be in better shape than Mr. Keyser and attributed his ability to move out of the way to being in better shape.

Mr. Vermillion informed me he too was armed that night and had his hand in his pocket where his pistol was located, but did not draw it because he didn't feel like he needed to. Although Mr. Vermillion did observe Mr. Fammatre's vehicle pick up some speed as it approached he and Mr. Keyser, he did not believe it was by very much (maybe 5-10 mph). Mr. Vermillion did hear a vehicle engine revving as Mr. Keyser had, but he stated the noise had not come from Mr. Fammatre's car, but from the other vehicles that were hurriedly making their way to them. There were a couple of loud diesel trucks that drove down to them. Mr. Vermillion never saw Mr. Keyser with his firearm out and only knew it happened because he heard Mr. Fammatre yell out from inside the car for him to put it away.

Of the other Molalla Cares volunteers present that night, all of them claimed Mr. Fammatre had been driving at an unsafe speed as soon as he entered the Buckaroo. Mr. Fammatre stated he hadn't been speeding, whereas the volunteers believed he had been driving over 30mph, which they believed to

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Corey Alexander #38608

be unsafe for the conditions since there were people walking around. Of all the volunteers interviewed, only two of them (besides Mr. Keyser and Mr. Vermillion) claimed to have seen the incident with the gun, Kayla Gathright and Jeremy Haarsager. Their memory of events were closer in line to what Mr. Keyser had reported.

One of the issues at hand was whether Mr. Keyser had the lawful authority to take the action he had. Based on my conversation with him (Keyser) and Mr. Sharp, it was evident Mr. Keyser was legally allowed to be at the Buckaroo. Even though Mr. Sharp may have been confused about the role Mr. Keyser would play in the matter, it did not take away from the fact he was given permission to be there and the gate entry code to get in. Mr. Sharp may have felt misled to believe Clackamas County Emergency Operations would be in control of the Buckaroo, but that doesn't take away from Mr. Keyser's belief that he was in charge. As such, Mr. Keyser stated he felt a responsibility to ensure the safety and well being of the animals dropped off at the Buckaroo and the volunteers helping.

Another issue is whether Mr. Keyser's actions were justifiable considering what Mr. Fammatre was alleged to have done. It is understandable why the volunteers would have been concerned about Mr. Fammatre's driving and his actions upon arriving at the Buckaroo. All of this would have easily been avoided had Mr. Fammatre simply stopped by one of the groups of volunteers and checked in. However, that did not happen. Several of the volunteers I spoke with referenced the fear and paranoia many people had during the 2020 local fires in which rumors persisted on social media of ANTIFA purposely starting fires and others committing residential burglaries at homes that were evacuated.

This fear was present in many of the volunteers I spoke with and Mr. Fammatre's driving behavior only elevated their concerns. None of the volunteers knew who was in the vehicle Mr. Fammatre had been driving, nor did they know what he was doing there. Although Mr. Fammatre was there only to perform a security check, and to check on the animals, that was never communicated to anyone present. The fact Mr. Fammatre drove into the arena where the evacuated animals were at only concerned the volunteers more.

As I explained to Mr. Keyser when I spoke with him, I did not blame him for wanting to stop and identify who was in the vehicle. However, he and Mr. Vermillion placed themselves in a dangerous situation by standing right in the path of Mr. Fammatre's car as he was headed to the exit. Mr. Keyser stated he pointed his firearm at Mr. Fammatre's car because he believed he was about to be run over. However, Mr. Vermillion, who had been standing right next to him, did not share this sentiment and in fact moved out of the way without having to draw his firearm. The question at hand here is whether Mr. Keyser was lawfully justified to point his firearm at Mr. Fammatre (and his wife) when he created the exigency himself by purposely placing himself in front of Mr. Fammatre's car.

Mr. Keyser's actions would be easier to justify had Mr. Fammatre been actually doing something egregious, such as committing a crime. One could easily articulate at that point the necessity to stop the car. However, Mr. Fammatre had not been committing a crime. Mr. Keyser stated he only drew his firearm because he thought Mr. Fammatre was going to run him over and he believed that was the only way to get him to stop. The question is whether Mr. Keyser could have moved out of the way of the vehicle so that he didn't have to point his firearm at Mr. Fammatre.

Based upon the facts mentioned above, this case is being referred to the Clackamas County District Attorney's Office for review to determine if charges of Unlawful Use of a Weapon or Menacing are

REPORTING OFFICER SIGNATURE / DATE Steve Gaytan #45465 Mar 16, 2023 15:06 (e-signature) PRINT NAME Steve Gaytan #45465	SUPERVISOR SIGNATURE / DATE Corey Alexander #38608 Mar 16, 2023 15:43 (e-signature) PRINT NAME Corey Alexander #38608
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**Case # 22-020510 - Supplement - 21 Report**

REPORT DATE / TIME May 31, 2023 10:11	EVENT START DATE / TIME - EVENT END DATE / TIME May 31, 2023 10:10 - 11:00	PRIMARY REPORTER Steve Gaytan #45465
REPORT DESCRIPTION Receipt of CCOM records		
SUPPLEMENT TYPE Investigative supplemental		

**NARRATIVE**

On Wednesday, May 31, 2023 at about 1010 hrs., I received an email from CCOM (Clackamas Communication 911) containing the 911 calls, dispatched audio, certificate of authenticity, and the official CAD (computer aided dispatch) printout for the incident at the Molalla Buckaroo from 09/10/22. I had requested this data electronically through CCOM's website on 05/11/23. I have included a copy of the mentioned records, to include the email I received from CCOM, as an attachment to this report. The CAD printout, as well as the 911 audio, show that both Scott Keyser and Charles Fammatre called dispatch to report the incident at the Buckaroo.

According to the 911 calls, Mr. Keyser called while he was still on the Buckaroo grounds, while Mr. Fammatre called from the Molalla Police Department. While listening to Mr. Keyser make his report to the operator, he stated a subject (later identified as Mr. Fammatre) had entered the Buckaroo grounds driving either a Nissan or Toyota SUV and performed "cookies" in the arena. Mr. Keyser stated he and his volunteers were working at the Buckaroo assisting the community due to the fire. Mr. Keyser stated he walked over to the arena to try to stop and talk with Mr. Fammatre, but he (Fammatre) "hit the throttle and was going to run me (Keyser) over."

Mr. Keyser informed the operator he "drew down on him," which caused Mr. Fammatre to stop and begin yelling at him that he (Fammatre) was a board member. Mr. Keyser stated Mr. Fammatre proceeded to drive away immediately afterwards. Mr. Keyser then requested Molalla Officers respond to take the report. Mr. Keyser stated City Councilman Eric Vermillion was present for this and there were 5-6 other witnesses as well.

The next caller to CCOM was Mr. Fammatre and he began by informing the call taker that someone had pulled a gun on him at the Molalla Buckaroo. Mr. Fammatre stated he was driving out of the Buckaroo grounds when he (Mr. Keyser) jumped out in front of his car and pointed a gun at he and his wife and told him, "Stop or I'll shoot." Mr. Keyser stated he did stop after that happened. Mr. Fammatre ended the call by informing the dispatcher the person that pulled a gun on him was "Scott Keyser, the Mayor of Molalla we're talking about." Mr. Fammatre described Mr. Keyser as "a little unhinged," before hanging up. This concluded my review of the two 911 calls.

No further action taken in connection with this supplemental report.

**ACTION RECOMMENDED:**

Report to be forwarded to the Clackamas County District Attorney's Office for review

REPORTING OFFICER SIGNATURE / DATE Steve Gaytan #45465 May 31, 2023 12:30 (e-signature)	SUPERVISOR SIGNATURE / DATE Corey Alexander #38608 Jun 1, 2023 09:55 (e-signature)
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