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Linn County deputies' use of deadly force in Cascadia ruled justified

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Linn County Sheriff's deputies who shot and killed a Sweet Home man in March have been ruled justified in their use of deadly force.

On March 21, Deputies Derek Klein and Jacob Randall **shot and killed 30-year-old Noah David Colgrove** after a confrontation that included a barricade in Cascadia.

According to a letter from Linn County District Attorney Doug Marteeny to Oregon State Police, Marteeny analyzed reports, pictures, interview transcripts, video, audio recordings and drone footage to come to his conclusion that the deputies were justified in the lethal force.

A call to Cascadia

At around 12:45 p.m. March 21, Klein, Randall, and two other deputies responded to a call that Colgrove was harassing the caller's boyfriend, according to Marteeny's letter. The caller reported that no assault had occurred, but things would escalate if law enforcement didn't arrive soon.

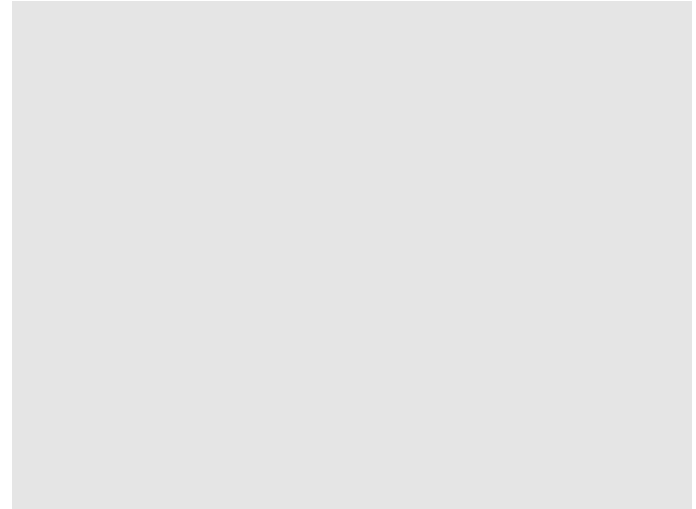
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At the time, Colgrove, had active warrants for robbery, assault, being a felon in possession of a firearm, possessing methamphetamine, strangulation, unlawful use of a motor vehicle and criminal trespass, according to Marteeny.

“Previous attempts to arrest Mr. Colgrove had been unsuccessful,” Marteeny wrote. “He had a reputation for running from police. Deputies knew Mr. Colgrove had a blue motorcycle that could be used for eluding police.”

The area near High Deck Road was familiar to the deputies, who had received multiple calls for service to the area — including Colgrove’s alleged robbery.



An overview of an area in Cascadia where deputies shot and killed Noah Colgrove.

Courtesy of Linn County District Attorney's Office

The property was at the top of a hill, according to Marteeny, a field with RVs, trailers, cars, trucks and boats in various levels of disrepair.

Blackberry bushes and brush made it difficult for responding deputies to get the scene. Four deputies responded due to the seriousness of the crimes of which Colgrove was accused.

Finally arriving, deputies saw Colgrove’s motorcycle, Marteeny wrote, and they eventually spotted Colgrove moving through the brush away from them.

Deputies yelled at Colgrove, telling him he was under arrest, but Colgrove kept running, the letter said.

Confronting Colgrove

After searching for a few minutes, deputies again located Colgrove. According to Marteeny's analysis, Colgrove pointed a gun at one of the deputies, who responded by saying, "Noah, drop that gun or you're going to get shot."

Deputies again lost sight of Colgrove in the brush as he headed toward a house. Law enforcement surrounded the house while Colgrove barricaded himself inside it.

"A few minutes later, Deputy Randall saw Mr. Colgrove open a hole in the upper portion of the house and point a gun, directly at him," Marteeny wrote.

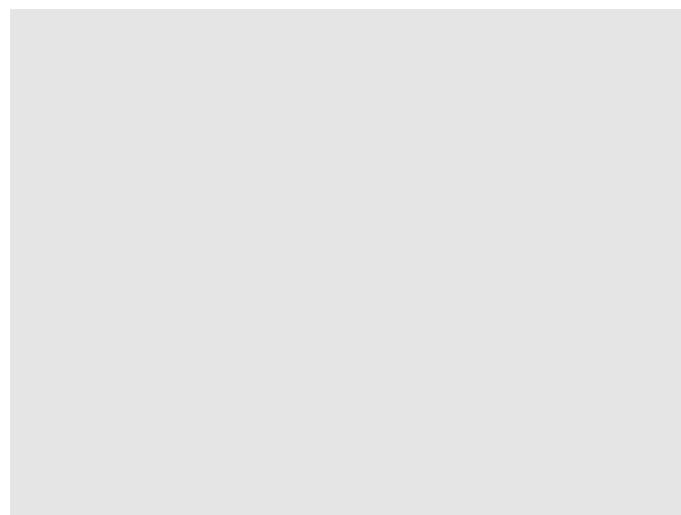
Randall took cover and alerted the other deputies. Colgrove reportedly responded by saying it was just a BB gun. Deputies would later find a .22 caliber long rifle with laser sight and 50 capacity magazines attached inside the house.

Colgrove then got onto the roof of a structure attached to the house, according to Marteeny's letter, and deputies saw he had a handgun.

Deputies yelled at Colgrove to drop the gun, but instead, he jumped off the roof and briefly pointed the gun at Klein before retreating back into the house.

Eventually, Colgrove exited the house and Klein and Randall chased him. Colgrove pointed the gun behind him at the deputies, the letter said.

At this point, Klein fired one shot at Colgrove who fell to the ground. Colgrove then immediately leaned up and pointed the gun at the deputies.



A .22 caliber long rifle found at the scene where deputies shot and killed Noah Colgrove. Colgrove pointed a gun at deputies multiple times.

Courtesy of Linn County District Attorney's Office

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“Deputies Klein and Randall, then at very close range, concurrently fired a rapid continuous volley of rounds in Mr. Colgrove’s direction until he ceased to present a deadly threat towards them,” Marteeny wrote.

Klein fired six rounds and Randall fired five. According to Marteeny, some of the rounds hit the ground. However, an autopsy report suggests Colgrove was struck in the chest, neck, left hip/buttock and hand.

Deputies immediately started administering first aid, but Colgrove died.

The gun found next to him was a Glock 45, 9 millimeter handgun with modified laser sight and a round in the chamber, along with multiple rounds in the magazine. Marteeny noted in his letter this gun was reported stolen from a Sweet Home resident in October.

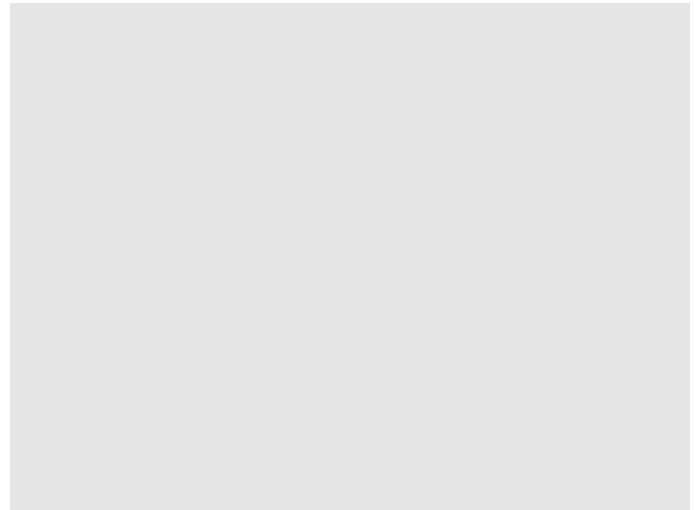
Justified in lethal force

Marteeny cited Colgrove’s “repeated, multiple threats of deadly violence against deputies” as reason for the lethal use of force.

Witnesses corroborated that deputies repeatedly told Colgrove to drop the gun, Marteeny noted, but he would not. Methamphetamine was found on Colgrove’s person and present in his system per autopsy findings, the letter said, which could explain Colgrove’s “erratic” behavior.

“I find that the deputies were justified in their use of deadly force and that they did so in response to a continued deadly threat,” Marteeny wrote.

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A Glock 45, nine millimeter handgun Noah Colgrove pointed at Linn County deputies in March.

Courtesy of Linn County District Attorney's Office

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Reporter
