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## City of Portland and James Chasse's family reach \$1.6 million settlement in death-in-custody case

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**Maxine Bernstein, The Oregonian**



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Jamie Marquez/Courtesy of Portland Mercury

James Chasse Jr., shown here being handcuffed while face down on the sidewalk, later died of blunt force trauma to his chest, as ruled by the state medical examiner.

The city of Portland and the family of James P. Chasse Jr. have reached a settlement in the family's federal wrongful death lawsuit after a full day of negotiations with U.S. District Judge Ann Aiken mediating.

The \$1.6 million settlement, reached at 4 p.m. Monday, still must be approved by the City Council.

Both the mayor's office and the attorney for Chasse's family, Tom Steenson, are scheduled to release separate statements this afternoon.

Under the terms of the settlement, the bureau is expected to release the Portland police internal affairs investigative report and its training division's examination of the Sept. 17, 2006, death in-custody case.

Both documents had been part of a court protective order while the lawsuit was pending.

In a document filed in court Monday, U.S. District Court clerk MaryL. Moran filed an "order of dismissal" in the case.

The excessive force and wrongful death case involving Chasse, a 42-year-old who suffered from schizophrenia, was scheduled to go to trial next month before U.S. District Judge Garr King.

Two other defendants, Multnomah County and ambulance company American Medical Response Northwest Inc., previously settled with the family.

The county settled last summer for \$925,000, removing the county and its employees as defendants. The employees included deputy Bret Burton, now a Portland police officer, who was involved in the initial struggle with Chasse and jail nurses who were accused of failing to examine or treat Chasse or call an ambulance.



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James Chasse

AMR settled its part of the case last December for a reported \$600,000. Its paramedics were accused of failing to follow their own procedures and protocols in dealing with patients who have trauma or are in altered mental states.

An April filing by the Chasse family said the city had not made an independent offer to settle since October 2007.

In addition, the city had insisted that any settlement would aim to keep secret the investigations into Chasse's death and related training issues, family attorney Tom Steenson wrote.

The city had said in an earlier filing that the Chasse family had "declined reasonable efforts to settle."

The original incident began when officers, including Sgt. Kyle Nice and Officer Chris Humphreys, chased Chasse down, believing he had urinated in the street. Officers knocked him to the ground at Northwest Everett Street and 13th Avenue, and struggled to handcuff him.

AMR paramedics were called to the scene but said his vital signs were normal.

Chasse was taken to the Multnomah County Detention Center and appeared to suffer a seizure while in a holding cell. The jail nurse said the jail would not book him.

Police then decided to take him to a hospital. He died in the back of the patrol car.

An autopsy revealed that Chasse died of broad-based blunt-force trauma to the chest. Among the injuries, he had 26 breaks to 16 ribs, some of which punctured a lung.

-- **Maxine Bernstein**

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