

October 15, 2025

Agency: Portland Police Bureau **Incident #:** 42 25-150305

Referring Officer: Brian J Sims
BPST #: 37128

DA File # 051-1098266 **DDA:** Brian S Davidson

Case Status: Closed **Unit:** Homicide Unit

Defendant: Use of Force Investigation **DOB:**

<u>Charge</u>	<u>Date of Crime</u>	<u>Reason</u>
Assault In The First Degree	06/06/2025	Rejected: Insufficient Evidence as a Whole

Co-def File #s **Co-Defendant(s):** **DOB** **Case Status**

Memo:

On June 6th, 2025, Multnomah County Sheriff's Deputy Matthew Hansen used deadly force against Luis Adrian Cervantes-Santiago that resulted in serious physical injury to Cervantes-Santiago. The Portland Police Bureau, assisted by the East County Major Crimes Team, conducted an investigation into Deputy Hansen's use of force. Multnomah County Senior Deputy District Attorney Brian Davidson reviewed the investigation and concluded the use of force was justified under Oregon law and therefore not criminal. The following is a summary of the investigation and the applicable law.

Officer Straub told detectives he was on patrol that day and responded to two calls related to Cervantes-Santiago. The first call was of a fight between two people near NE 116th and NE Sandy. When Officer Straub arrived he observed another officer had Cervantes-Santiago in handcuffs. Officer Straub spoke with the other party involved who reported that Cervantes-Santiago had yelled at him and then punched his truck prior to police arriving. Cervantes-Santiago appeared to be intoxicated and Officer Straub and the other officers at the scene had a conversation about taking him to detox. However, the officers took into consideration that Cervantes-Santiago was polite, apologetic, could likely take care of himself and lived nearby and so decided to drive him home instead. Officer Straub noted that MCSO Deputy Hansen was also present at the end of this call.

Approximately 30 minutes later Officer Straub was dispatched to a shots fired call at the same location. The call was reportedly of Cervantes-Santiago shooting at a house. Officer Straub arrived at the intersection and observed Deputy Hansen arriving as well. Officer Straub saw Cervantes-Santiago walking down the middle of the street, yelling belligerently and waving around a black handgun in his right hand. Officer Straub observed Deputy Hansen set up with his long gun on the southeast corner of the intersection as the PPB officers took cover on the southwest corner, behind a building.

Cervantes-Santiago saw the officers and began to walk rapidly towards them, pointing his gun at various houses as he advanced. Officer Straub gave verbal commands to Cervantes-Santiago to drop his gun. Cervantes-Santiago ignored these commands and pointed his firearm at the officers from approximately 40 feet away. Officer Straub felt like his life, as well as the other officers' lives, was in danger. Officer Straub was getting ready to shoot Cervantes-Santiago when he heard two shots being fired from Deputy Hansen's rifle. Officer Straub observed Cervantes-Santiago drop to the ground with the gun still in his hand. Officer Straub had to give Cervantes-Santiago repeated commands to drop the gun before he tossed the gun several feet away. The officers approached and began to render medical aid. While they waited for the ambulance, Cervantes-Santiago said something to the effect of "my bad."

Officer Walsh told detectives he was with Officer Straub on earlier call involving Cervantes-Santiago and recalled that Deputy Hansen was also present. They concluded the best course of action had been to drop Cervantes-Santiago off at his nearby home located at 4631 NE 116th. Approximately 40 minutes later Officer Walsh and Officer Straub were called back to the same scene on a report of Cervantes-Santiago firing a gun. Officer Walsh observed Cervantes-Santiago in the middle of the street with a semiautomatic pistol in his hand. He was walking down the street and pointing the firearm at houses and yelling. At one point, Officer Walsh

observed Cervantes-Santiago strike a parked car with the gun. Officer Walsh recalled Deputy Hansen arriving at some point.

Officer Walsh recalled Cervantes-Santiago becoming fixated on the officers taking cover behind the business. Cervantes-Santiago then began moving “quickly and aggressively” in the direction of the officers. Cervantes-Santiago was swinging his gun back and forth, pointing it alternately at Deputy Hansen on the east side of the street and the officers taking cover on the west side. Officer Walsh gave Cervantes-Santiago repeated verbal commands and warnings which Cervantes-Santiago ignored. Officer Walsh felt like he and the other officers were in immediate danger of being shot by Cervantes-Santiago. Officer Walsh was preparing to shoot Cervantes-Santiago when he heard two shots being fired by Deputy Hansen and observed Cervantes-Santiago fall to the ground. Cervantes-Santiago continued to hold the gun as he lay on the pavement. After several commands to drop the gun, Cervantes-Santiago tossed it away from his person.

Officer Williams told detectives he was on patrol when he was dispatched to assist Officer Straub on a call of a subject pointing guns at people. He staged with Officers Straub, Walsh, Hensleigh and Sgt Pak behind a building at the southwest corner of NE 116th and NE Sandy. Officer Williams saw Deputy Hansen across the street at the southeast corner of the same intersection. Hansen was holding a rifle.

Because of his position behind the building, Officer Williams could not see Cervantes-Santiago but heard Officers Straub and Walsh giving commands for Cervantes-Santiago to drop the weapon. Shortly thereafter Officer Williams heard Deputy Hansen fire two shots from Hansen’s rifle in the direction of Cervantes-Santiago. Officer Williams said as they approached Cervantes-Santiago, he observed a semi-automatic handgun lying in the street approximately 10 feet from Cervantes-Santiago. The officers then rendered emergency first aid to Cervantes-Santiago.

Officer Carson Hensleigh told detectives he was on a separate call but was diverted to the shots fired call at NE 116th and NE Sandy. Dispatch informed him that there was a shirtless male armed with a handgun who had already fired shots. En route Officer Hensleigh heard Officer Straub remark the same male was involved in an earlier call. Upon arriving, Officer Hensleigh encountered Deputy Hansen. Officer Hensleigh reported that Deputy Hansen told him that Deputy Hansen had witnessed the subject firing shots when Deputy Hansen drove by NE 116th Avenue.

Officer Hensleigh joined Officers Straub and Walsh behind the building at the SW corner of NE 116th Ave and NE Sandy. Officer Hensleigh heard Cervantes-Santiago yelling. Officer Straub was looking around the corner and told the other officers that Cervantes-Santiago was now focused on the officers. Officer Hensleigh peeked around the corner and saw Cervantes-Santiago armed with a handgun and waving it around straight at chest level. Officer Hensleigh observed that Cervantes-Santiago was walking down the street towards the officers. Officer Hensleigh determined that Cervantes-Santiago was too far away for an accurate pistol shot and that the officers needed a rifle. Officer Hensleigh then heard Deputy Hansen report over the radio that he had a rifle and observed Deputy Hansen across the street, taking a position on the SE corner of NE 116th Ave and NE Sandy.

Officer Hensleigh heard Officer Straub say that Cervantes-Santiago was pointing a gun at them. Officer Hensleigh peeked around the corner of the building again and observed Cervantes-Santiago was much closer to the officers, about 25 yards away, and swinging his gun around at chest level. Officer Hensleigh reported that he perceived Cervantes-Santiago as a deadly threat, and if he had been in a position to fire his pistol, he would have shot Cervantes-Santiago. Some seconds later, Officer Hensleigh heard two shots. He was not sure at the time who had fired. He looked around the corner and saw Cervantes-Santiago on the ground but still armed with the pistol and pointing it at the officers. Cervantes-Santiago eventually followed officers commands and tossed the gun away. Officer Hensleigh assisted in taking Cervantes-Santiago into custody and observed the pistol Cervantes-Santiago had been brandishing on the ground near his person.

Sergeant Curtis Pak told detectives he was on patrol in the area of NE 82nd and NE Sandy Blvd when he heard a dispatch call come out of a person firing a gun. Sergeant Pak was aware that the subject was apparently an individual Officer Straub had dealt with earlier in the day. When Sergeant Pak heard the call come over the air, he requested air support and heard other officers requesting a drone, rifle operator and a mental health crisis trained officer. En route, Sergeant Pak heard over the radio that Multnomah County Sheriff's Deputies had heard shots being fired near the area of the call.

Upon arrival, Sergeant Pak observed four PPB officers taking cover behind the building located on the SW corner of NE 116th Avenue and NE Sandy Blvd. Sergeant Pak heard Officer Straub over the radio stating he could see Cervantes-Santiago with the gun and provided a description. Sergeant Pak then retrieved a ballistic shield from his vehicle. Sergeant Pak said he could not see Cervantes-Santiago from where he was positioned but heard the other officers say that Cervantes-Santiago was pointing the gun at the officers.

Sergeant Pak stated he saw Deputy Hansen arrive and start yelling "Drop the gun!" Sergeant Pak also heard the other PPB officers on the scene yelling for Cervantes-Santiago to put down the gun. Sergeant Pak then observed Deputy Hansen fire two rounds from his rifle at Cervantes-Santiago. The officers then approached Cervantes-Santiago who was prone on the ground. Sergeant Pak observed what appeared to be a Glock handgun on the ground next to Cervantes-Santiago.

Paris Norris was employed at the Jiffy Lube directly across the street. She told detectives that she heard Cervantes-Santiago arguing with someone. He was "angry," "erratic and using racial slurs, specifically the "n-word." She observed police arrive. Cervantes-Santiago had a gun in his hand and told the police "You better run!" Norris observed Cervantes-Santiago quickly approaching the police who repeatedly yelled at him to stop. She then heard two gunshots and saw Cervantes-Santiago go down. Police approached and an ambulance arrived to treat him.

PPB Detective Samantha Cater conducted a weapons countdown of Deputy Hansen's patrol rifle and determined that Hansen had fired two rounds.

PPB Detective Rico Beniga was responsible for the scene. He located two .223 caliber rifle shell casings at the location where Hansen was stationed. He also located and recovered a Glock 23 .40 caliber pistol and multiple .40 caliber casings and cartridges in the street. Detective Beniga noted

two 9mm casings on the porch area of 4659 NE 116th. Detective Beniga also noted multiple bullet strikes to vehicles in the immediate area.

Detective Beniga conducted a video canvas of the area. He located security video at 4654 SE 116th. In the video he observed Cervantes-Santiago moving westward through the driveway towards NE 116th with his arm outstretched holding what appeared to Detective Beniga to be a handgun.

PPB Detective Meghan Burkeen obtained security camera video from the residence at 4715 NE 116th Avenue. Detective Burkeen watched the video and observed Cervantes-Santiago running down the street towards the officers with a gun in his hand. He can be heard yelling repeatedly "Run bitch!" Detective Burkeen observed Cervantes-Santiago point the gun at the officers. She heard the officers give the command "Drop the gun!", followed by the discharge of Deputy Hansen's rifle. Cervantes-Santiago then drops to the ground.

Detective Burkeen interviewed the resident at (redacted). Enrique Castenda-Tello reported sitting on his back porch when Cervantes-Santiago entered through the side gate with a gun in his hand and began shouting "I'm going to kill you nigger, fuck you, son of a bitch!" Cervantes-Santiago ran out onto NE 116th and Castenada-Tello heard gunshots. He heard Cervantes-Santiago then say something to the effect of "Get back bitch, better run!" He heard men yelling back "Put the gun down! Drop the gun now!" followed immediately by more gunshots.

The body worn camera videos of Officers Straub, Walsh, Williams, Hensleigh and Sergeant Pak were reviewed and found to be consistent with accounts they gave about the incident. None of the body worn camera video captures the moment of the actual shooting, as the officers were taking cover behind the corner of the building located at the southwest corner of NE 116th and NE Sandy. At the time of the incident, the Multnomah County Sheriff's Office was not generally employing body worn cameras, and as a result, there is no body worn camera footage for Deputy Hansen.

A civilian bystander positioned directly north of the incident captured the shooting on their cell phone. In the video, Cervantes-Santiago can be seen running northbound on NE 116th Avenue towards Sandy. He has a pistol clearly visible in his right hand. He is shouting and repeatedly extending his right arm out, pointing the handgun directly at the location where the PPB officers are huddled. He can be seen to slow briefly before hitting Sandy and then adjusts his course and begins to march purposefully towards the officers, the entire time with the gun held firmly in his right hand. When Cervantes-Santiago is within a couple of long strides of the officers you can hear the civilian taking the video say "It's over" and then two shots ring out. Cervantes-Santiago then falls to the pavement, still clutching the pistol. The video is framed in such a way that Deputy Hansen is out of the picture during the entirety of the clip.

Latasha Record, a clerk at the nearby Tobacco Land and Vape Lounge told detectives she had interactions with Cervantes-Santiago just prior to the shooting. She reported that at approximately 3pm Cervantes-Santiago came into her store, grabbed a White Claw from the case, opened it and began drinking it in the store. He then grabbed a second White Claw and walked over to the register. He was unable to produce a method of payment. Record took the drinks away and asked him to leave and not come back. Record commented "Clearly he had been drinking a lot".

Approximately 30 minutes later, Cervantes-Santiago returned to the store and took another alcoholic drink and opened it. He again walked to the counter and slammed the open beverage down on the counter in front of Record. Record again told him to leave. Cervantes-Santiago responded by throwing up “gang signs” and “exchanged words” with another customer as he left the store. Approximately 30-45 minutes later, Cervantes-Santiago returned to the store for a third time and grabbed two more cans of alcoholic beverages. Record took the cans from his hands and told him to leave. Record yelled for her manager who was on the phone calling for police. Cervantes-Santiago again threw up gang signs before finally leaving the store.

Richard Haley told detectives, prior to the shooting, he was doing landscaping work when he was approached by Cervantes-Santiago. Cervantes-Santiago was acting erratic and seemed under the influence. Cervantes-Santiago began jumping up and down on Haley’s tractor and began kicking his trailer. Cervantes-Santiago made several violent threats against Haley including “I’ll cut you up!” and “I’ll shoot you!” Cervantes-Santiago repeatedly claimed to have a gun before he said, “Wait right there, I’ll be right back” and then left. Haley decided to leave the area to avoid any further confrontation with Cervantes-Santiago.

Ethan Riler was employed at the Jiffy Lube directly across the street. Riler told detectives that earlier in his shift he heard a commotion across the street and observed Cervantes-Santiago yelling at a lawn maintenance worker who was attempting to load a lawnmower onto a trailer. Riler observed Cervantes-Santiago jumping on the person’s trailer, throwing out gang signs while yelling “Fuck you, I’m on that shit!” Riler believed Cervantes-Santiago to be under the influence of drugs. Cervantes-Santiago then walked off southbound.

A short time later, Riler observed Cervantes-Santiago return, this time with a gun in his hand. Riler witnessed Cervantes-Santiago yelling at neighborhood residents, “Fuck you! Fuck you! You guys are bitches!” Cervantes-Santiago seemed to be focused on a residence on the west side of NE 116th Ave. Shortly after Riler heard Cervantes-Santiago yelling at the neighbors, he observed Cervantes-Santiago shoot the gun in the air two to three times. Riler then witnessed Cervantes-Santiago begin smashing the window of a parked car with the butt of the gun.

Almost immediately after Cervantes-Santiago fired the gun, Riler observed police arriving at the intersection. Riler observed Deputy Hansen with a rifle arrive on foot from the east and the group of PPB officers behind the building on the southwest corner. Cervantes-Santiago noticed the officers and yelled at them something similar to “Fuck you bitch!” Riler then witnessed Cervantes-Santiago raise the gun and point it at the officers positioned at the southwest corner in what appeared to Riler to be an attempt to provoke them. Riler heard the officers yelling “Drop the gun!” Cervantes-Santiago ignored this command and Riler saw him running towards the officers. As Cervantes-Santiago was running towards the officers, Riler heard two shots fired by Hansen and saw Cervantes-Santiago fall to the ground. Riler believed Cervantes-Santiago was pointing his gun at the officers at the time Hansen fired.

Brad Meyer told detectives he was walking with his family to a nearby taqueria. While walking to the restaurant they were accosted by Cervantes-Santiago. Cervantes-Santiago told Meyer that he knew him and repeatedly asked Meyer if his name was “Alex” or “Accidental.” Meyer told

Cervantes-Santiago that he did not know him and to please leave Meyer alone. Meyer and his family then went inside the restaurant. Cervantes-Santiago followed Meyer and his family inside. Once inside, Cervantes-Santiago was stumbling around and acting odd. At one point he fell dramatically onto a table. Meyer noted that Cervantes-Santiago appeared to be high. Cervantes-Santiago was denied service at the restaurant and told Meyer that his family was “fucking weird” on the way out the door.

Meyer and his family walked back to their nearby home at (redacted) Avenue. Meyer was walking into his residence when he saw Cervantes-Santiago again. Meyer observed Cervantes-Santiago engaging with a member of Meyer’s family, Sam Quiroz. Quiroz was repeating to Cervantes-Santiago that Meyer did not know him. Cervantes-Santiago then said something to the effect of “Okay, I’ll be back.” Meyer took this statement by Cervantes-Santiago as a threat, so he went inside. Quiroz went inside and retrieved a firearm to defend himself, his family and the home.

Sometime later, Meyer looked out the window and saw Cervantes-Santiago interacting with Meyer’s neighbor across the street. Quiroz told Cervantes-Santiago to leave the neighbor alone. In response, Cervantes-Santiago drew a firearm and pointed it at Quiroz. Meyer could not say if Cervantes-Santiago fired at that time. Meyer saw Quiroz fire in response to Cervantes-Santiago pointing a gun at him. Meyer and Quiroz retreated into the house and then Cervantes-Santiago fired several more shots.

Samuel Quiroz lives with his fiancé, Felicity, at 4659 NE 116th. He told detectives that various members of Felicity’s family also live at that residence, to include Felicity’s brother, Brad Meyer. Quiroz, Felicity, Meyer and others walked to the nearby Mexican restaurant for dinner. Quiroz observed Cervantes-Santiago, whom he did not know, contacting Meyer outside the restaurant. Cervantes-Santiago kept asking Meyer if he was “Alex” or something similar. Meyer had to adamantly explain to Cervantes-Santiago that he was not “Alex.” Quiroz and his family entered the restaurant and Cervantes-Santiago followed. Quiroz believed Cervantes-Santiago to be intoxicated or under the influence of drugs. Cervantes-Santiago called Quiroz and his family “fucking weirdos” as he departed the restaurant.

Sometime later, Quiroz and his group left the restaurant and headed home. As they walked, Quiroz saw Cervantes-Santiago waiting for them. Cervantes-Santiago approached and began hectoring them again about his belief that Meyer was really “Alex.” Cervantes-Santiago was relentless and followed them the entire way back to Quiroz’s residence. Quiroz became uncomfortable with Cervantes-Santiago being outside his home as Cervantes-Santiago became increasingly aggressive. Quiroz told Cervantes-Santiago he needed to leave.

As Cervantes-Santiago left he made a comment to Quiroz that he would “be back shortly.” To Quiroz, who said he grew up in a tough area of Los Angeles, this meant that Cervantes-Santiago was coming back with a gun. Quiroz then went inside and retrieved a firearm in order to defend himself, his family and his home from what he feared was an impending attack from Cervantes-Santiago. Cervantes-Santiago returned within a minute and began accosting Quiroz’s neighbor across the street. When Quiroz shouted across the street for Cervantes-Santiago to leave the neighbor alone, Cervantes-Santiago pulled a handgun from his waistband and pointed it at

Quiroz. Fearing for his life and that of his family, Quiroz pulled his own gun and the two exchanged gunfire. Quiroz then ran inside his home, called 911 and waited for police.

During the incident on June 6th, Cervantes-Santiago was struck two times by rounds from Deputy Hansen's patrol rifle. Cervantes-Santiago's gunshot injuries resulted in apparent permanent paralysis from the chest down. On June 8th, Cervantes-Santiago was interviewed by PPB Detective Brian Sims at Emanuel Hospital. Prior to the interview, Sims read Cervantes-Santiago his Miranda rights which Cervantes-Santiago acknowledged understanding. In regards to the events of June 6th, Cervantes-Santiago reported his only memory was being at his residence at 4631 NE 116th, drinking one beer, going outside and getting into an argument with a "crackhead." He then remembered getting "pushed back", thinking he was going to die and then blacking out. Cervantes-Santiago denied he had any interactions with police that day or consumed any hard drugs. He also denied owning a gun or ever having fired a gun. Sims was later able to determine that the gun Cervantes-Santiago had used had been legally purchased by Cervantes-Santiago's uncle, who also lived at the residence on NE 116th.

The firearm Cervantes-Santiago used was determined to be a 9mm Exodus RPX9 pistol. It still held four unfired rounds at the time it was recovered from Cervantes-Santiago.

Deputy Hansen submitted a police report detailing his encounter with Cervantes-Santiago. In his report he stated he was on patrol when he responded to assist PPB officers who were handling a fight call in the area of NE 116th and NE Sandy. Deputy Hansen arrived and contacted Officer Straub. Deputy Hansen observed that Officer Straub had an individual, later identified as Cervantes-Santiago, in custody. Deputy Hansen reported that Officer Straub eventually took the handcuffs off Cervantes-Santiago and watched as Cervantes-Santiago walked towards his home on NE 116th Avenue. Deputy Hansen then returned to his patrol duties.

Shortly thereafter, Deputy Hansen heard a call come out over the air of a man with a gun in the area of NE 116th Avenue. Deputy Hansen took NE Sandy to the scene and, as he passed NE 116th Avenue, observed a man to the south, with no shirt on, and a handgun raised in the air. Deputy Hansen then heard a gunshot. He stopped, retrieved his patrol rifle at the request of PPB officers already at the scene. Deputy Hansen took up a position on the southeast corner of the intersection, immediately to the east of the PPB officers already on scene. As he looked south on NE 116th Avenue, he could see Cervantes-Santiago south of him on NE 116th with the gun still in his hand.

Deputy Hansen then heard the PPB officers giving Cervantes-Santiago multiple commands to drop his gun as Cervantes-Santiago advanced towards them. It was at this time that Deputy Hansen recognized Cervantes-Santiago as the individual that Officer Straub had in custody a short time earlier. Deputy Hansen observed Cervantes-Santiago moving quickly down the street towards the PPB officers. Cervantes-Santiago pointed his gun at the officers and said, "Now what are you going to do!" Cervantes-Santiago seemed very agitated. As Cervantes-Santiago closed the distance to the officers within 20 yards, Deputy Hansen heard the officers give additional commands for Cervantes-Santiago to drop his gun.

Deputy Hansen observed that Cervantes-Santiago refused to drop the gun and continued to advance on the PPB officers with his gun raised. Deputy Hansen observed Cervantes-Santiago started angling his approach to get a better line of site on the PPB officers using the building as cover. Deputy Hansen concluded at that point that Cervantes-Santiago posed an immediate deadly threat. He aimed his rifle and took one shot at Cervantes-Santiago. Cervantes-Santiago didn't appear to react to the first round so Deputy Hansen fired a second round. At that point, Cervantes-Santiago dropped to the ground. Deputy Hansen determined that Cervantes-Santiago was no longer a threat and fired no more rounds. Deputy Hansen then observed the PPB officers form an approach team and take Cervantes-Santiago into custody.

The following is an overview of Oregon criminal law that is applicable to Deputy Hansen's use of force against Cervantes-Santiago:

Under Oregon Revised Statute (ORS) 161.195, conduct which would otherwise constitute an offense is justifiable and not criminal when it is authorized by law. ORS 161.209 establishes that a person is justified in using physical force upon another person for self-defense or to defend a third person from what the person reasonably believes to be the use or imminent use of unlawful physical force, and the person may use a degree of force which the person reasonably believes to be necessary for the purpose.

In conjunction with the requirements of ORS 161.209, ORS 161.219 limits the use of deadly physical force in defense to a situation in which a person reasonably believes another person is committing or attempting to commit a felony involving the use or threatened imminent use of physical force against a person, or is using or about to use unlawful deadly physical force against a person.

For police officers, ORS 161.242 states that a peace officer may use deadly physical force upon another person only when it is objectively reasonable, under the totality of circumstances known to the peace officer, to believe that the person poses an imminent threat of death or serious physical injury to a person and the use of deadly physical force is necessary to defend the person from the imminent threat of death or serious physical injury.

ORS 161.242 goes on to state that prior to using deadly physical force upon another person, if the peace officer has a reasonable opportunity to do so, the peace officer shall consider alternatives such as verbal de-escalation, waiting, using other available resources and techniques if reasonable, safe and feasible, or using a lesser degree of force; and give a verbal warning to the person that deadly physical force may be used and provide the person with a reasonable opportunity to comply.

In this case, Deputy Hansen was assisting in the apprehension of Cervantes-Santiago, for whom probable cause existed for multiple violent firearms-related felony offenses. Cervantes-Santiago was armed and actively running through a residential neighborhood. When Deputy Hansen encountered Cervantes-Santiago on NE 116th Ave, Cervantes-Santiago had just been repeatedly warned by the PPB officers to drop his firearm, or he would be shot. Despite that warning Cervantes-Santiago did not comply with the commands. Instead, Cervantes-Santiago continued to advance on the officers and pointed his firearm directly at them at extremely close range. Deputy

Hansen felt compelled to fire on Cervantes-Santiago in that moment because he reasonably believed, given everything that had occurred to that point, he and/or the other officers were going to be shot and killed if he did not take that immediate action. The encounter occurred so quickly and was so close, there was no reasonable opportunity for Deputy Hansen to consider alternatives such as verbal de-escalation, waiting, using other available resources or techniques, or even to give a verbal force warning. Further, no other weapons system available to Deputy Hansen at the time would have been effective at addressing the threat he reasonably believed Cervantes-Santiago posed.

The facts and evidence in this case conclusively establish that Deputy Hansen reasonably believed that Cervantes-Santiago was an imminent deadly threat, and that he took action he reasonably believed to be necessary to defend himself and others against that deadly threat. As such, Deputy Hansen's use of deadly physical force against Cervantes-Santiago is justified under Oregon criminal law and is not criminal.

DDA Brian Davidson